



Policy and Human Resources Committee

Thursday, November 8, 2018

6:30PM – Upper Elementary School Room 105

The committee packet will be available on the policy website by 4PM on Tuesday, October 6, 2018.

*Per BOG 006.2, all public meetings of the Board of Directors,
including committees, are audio recorded.*

Call to Order

Approve Minutes from the October 16, 2018 meeting

Old Business

- ✚ Second Readings of Local Board Procedures
 - ✚ 005 – Organization of the Board
- ✚ Second Readings of Policies:
 - ✚ 121 – Field Trips
 - ✚ 122 – Extracurricular Activities

New Business

- ✚ First Readings of Policies:
 - ✚ 105 - Curriculum
 - ✚ 704 – Maintenance
 - ✚ 808 – Food Services
 - ✚ 810 – Transportation
 - ✚ 818 – Contracted Services Personnel

Public Comment

Adjournment



Book	Policy Manual
Section	000 Local Board Procedures
Title	Organization of the Board
Number	005
Status	
Adopted	March 29, 1993
Last Revised	October 17, 2016

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Organization Meeting

A. The School Directors shall meet and organize annually during the first week of December.

B. Notice of the time and place of the organization meeting shall be given to the Board at least five (5) days before the proposed meeting by the Board Secretary.

C. The organization meeting shall be a regular board meeting. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[5\]](#)

II. Order

A. The organization meeting shall be called to order by the past President who shall preside over the election of a temporary President from among the hold-over ~~Board members~~ **School Directors**.

B. The Board Secretary shall be secretary of the meeting. In an election year, the certificates of the election or appointment of all new ~~Board members~~ **School Directors** shall be read, and a list shall be prepared of the legally elected or appointed and qualified ~~Board members~~ **School Directors**. [\[4\]](#)[\[5\]](#)

~~B. C.~~ The temporary President may administer the oath or affirmation of office to those ~~Board members~~ **School Directors** who have not previously taken and subscribed to the same. [\[5\]](#)[\[22\]](#)

III. Officers

A. Election of officers shall be by a majority of those present and voting **the full Board**.

a. Where no such majority is achieved on the first ballot, a second ballot shall be cast for the two (2) candidates who received the greatest number of votes.

B. The Board shall annually, during the organization meeting, elect from their members a President and Vice President who shall serve in those positions for one (1) year. [\[2\]](#)

C. The Board shall annually, during the month of May, elect a Treasurer who shall serve for one (1) year beginning the first day of July after such election.

a. The Treasurer may be a corporation duly qualified and legally authorized to transact a fiduciary business in the Commonwealth, and shall not be a member of the Board.[\[2\]](#)

~~D.~~ **b.** The Treasurer shall not enter upon his/her **the Treasurer's** duties until he or she **the Treasurer** furnishes a bond in accordance with law and with the approval of the Board.

c. The Treasurer shall be compensated in the manner and at a rate determined by the Board.[\[6\]](#)[\[7\]](#)[\[8\]](#)

~~E.~~ **D.** The Board shall, during the month of May in every fourth year, elect a Secretary who shall serve a term of four (4) years beginning the first day of July following such election and shall not be a member of the Board.[\[2\]](#)

~~F.~~ **a.** The Secretary shall not enter upon his or her **the Secretary's** duties until furnishing a bond in accordance with law and with Board approval.

b. The Secretary shall be compensated in the manner and at the rate determined by the Board.[\[9\]](#)[\[10\]](#)[\[8\]](#)

~~G.~~ **E.** Vacancies in any office shall be filled by Board appointment, and such appointed officers shall serve for the remainder of the unexpired term.

~~H.~~ **F.** The same school Director may not hold more than one (1) office of the Board.

a. No commissioned officer or professional employee of the Board shall serve, temporarily or permanently, as an officer of the Board.[\[2\]](#)[\[15\]](#)

~~I.~~ **G.** Officers of the Board serve at the pleasure of the Board and may be removed from such office by the affirmative vote of a majority of the full number of ~~Board members~~ **School Directors**.[\[21\]](#)[\[11\]](#)

IV. Appointments

A. The Board shall have the authority to appoint:

1. A tax collector, where a tax collector is not elected to collect taxes, or where there is a vacancy or where an elected tax collector refuses to qualify.[\[12\]](#)[\[13\]](#)
2. A school physician.[\[14\]](#)
3. A school dentist.[\[14\]](#)
4. A solicitor.[\[15\]](#)[\[16\]](#)
5. An independent auditor.[\[17\]](#)
6. Delegates to a state convention or association of ~~school~~ **School** Directors.[\[18\]](#)
7. Other appointments the Board deems necessary.

B. Appointees serve at the pleasure of the Board and may be removed from such appointment by the affirmative vote of a majority of the full number of ~~Board members~~ **School Directors**.[\[11\]](#)[\[23\]](#)

V. Resolutions

A. The Board may at the organization meeting, but shall prior to July 1 next following that organization meeting, designate:

1. Depositories for school funds.[\[19\]](#)
2. Newspaper(s) for general circulation as defined in law.[\[20\]](#)
3. Normal day, place and time for regular meetings.[\[3\]](#)
4. Normal day, place and time for open committee meetings.

VI. Committees

A. When specifically charged to do so by the Board, committees of ~~Board members~~ **School Directors** shall conduct studies, make recommendations, and act in an advisory capacity, but shall not take action on behalf of the Board.

1. Committees shall consist of no more than three (3) ~~Board members~~ **School Directors**.
2. Members **of the committee** shall be appointed by the President **Board** who may appoint the Superintendent as an ex-officio member of all committees.

a. All prospective members of committees shall attend the initial committee meeting following the Organization Meeting.

b. All attendees at the initial committee meeting who wish to serve as a member of the committee shall have their names submitted to the Board for appointment to that committee.

3. A ~~member~~ **School Director** may request or refuse appointment to a committee.
4. Refusal to serve on any one committee shall not be grounds for failure to appoint a ~~member~~ **an individual** to another committee.
5. Each Board committee shall be convened by a chairperson, who shall report for the committee.
6. Each Board committee shall have an administrative liaison who shall prepare the agenda and minutes for each meeting in conjunction with the Board chairperson.
7. Ad hoc committees may be created.
- ~~8.~~ **9.** Ad hoc committees shall be charged with a task and assigned a fixed termination date, which may be extended by the President.
- ~~8.~~ **9.** Any committee chairperson may create a subcommittee to address a certain issue within the mission of the committee.

a. Said subcommittee shall go into effect upon the majority vote of the Board.

- ~~9.~~ **10.** Members of committees (inclusive of ad hoc and subcommittees) shall serve after appointment by the Board and at the will of the Board.

a. A member of a committee may resign at any time after giving notice to the Board.

b. If members of the committee shall neglect or refuse to attend two (2) successive regular meetings of the committee, unless detained by sickness or

prevented by necessary absence from the District, the President may remove member from committee.

b. If any member resigns **or is removed**, he/she **the member** shall be replaced pursuant to section (VI)(2) of this Board Operating Guideline.

Revision History:

October 17, 2016

Legal

1. 24 P.S. 401
2. 24 P.S. 404
3. 24 P.S. 421
4. 24 P.S. 426
5. 24 P.S. 402
6. 24 P.S. 436
7. 24 P.S. 438
8. Pol. 811
9. 24 P.S. 431
10. 24 P.S. 432
11. Pol. 006
12. 24 P.S. 508
13. 24 P.S. 683
14. 24 P.S. 1410
15. 24 P.S. 324
16. 24 P.S. 406
17. 24 P.S. 2401
18. 24 P.S. 516
19. 24 P.S. 621
20. 24 P.S. 106
21. PA Const. Art. VI Sec. 7
22. 24 P.S. 321
- 24 P.S. 434
- 65 Pa. C.S.A. 701 et seq

POLNEWH005BOG1.pdf (16 KB)

005-BOG-2-FunctsOfStndgCom Rev 4-27-17.doc (50 KB)

Last Modified by Policy Staff on November 5, 2018



Book	Policy Manual
Section	100 Programs
Title	Field Trips
Number	121
Status	Policy Committee Review
Adopted	November 23, 1992
Last Revised	June 2, 2014

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. The Board recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important component of the instructional program of the schools. Properly planned and executed field trips that are directly aligned to the curriculum standards for learning can:

1. Supplement and enrich classroom learning by providing educational experiences in an environment outside the schools.[1]
2. Arouse new interests among students.
3. Help students relate academic learning to the reality of the world outside of school.
4. Introduce community resources, such as natural, cultural, industrial, commercial, governmental, and educational.
5. Afford students the opportunity to study real things and real processes in their actual environment.

II. Definition

A. For purposes of this policy, a "field trip" shall be defined as: any trip by students away from school premises that is an integral part of approved planned instruction, is conducted as a first-hand educational experience not available in the classroom, and is supervised by a teacher or District employee and any planned travel activity that supplements or enriches the District's curriculum.[1]

III. Authority

A. The Board shall **only be required to** approve ~~only~~ those field trips that are planned to keep students out of the District overnight or longer.[2][3]

- B. Students on field trips remain under the supervision and responsibility of this Board and are subject to its rules and regulations.
- C. The Board does not endorse, support nor assume responsibility in any way for any District staff member who takes students on trips not approved by the Board or Superintendent or his/her **the Superintendent's** designee. No staff member may solicit District students for such trips within District facilities or on District grounds without Board permission.

IV. Delegation of Responsibility

~~A. The Superintendent or his/her designee shall develop administrative regulations for the operation of field trips.~~

A. No field trip shall be scheduled or conducted without the written approval of the Superintendent or the Superintendent's designee.

V. Guidelines

A. Field trips shall be governed by guidelines which ensure that:

1. The safety and well-being of students will be protected at all times.
2. Permission of the parent/guardian is sought and obtained before any student may participate.
3. The principal approves the purpose, itinerary and duration of each proposed trip.
4. Each field trip is properly planned, integrated with the curriculum, and followed up by appropriate activities that enhance its value.[4][1]
5. The effectiveness of field trip activities is monitored and evaluated continuously.
6. Teachers are allowed flexibility and innovation in planning field trips.

B. No field trip will be approved unless it is aligned to the curriculum standards for learning.

1. No field trips will be approved unless a demonstrable educational value is evident.

2. The educational benefit derived from the trip must have a direct connection to the students' current coursework/curriculum.

3. The determination of the educational value of a field trip is at the sole discretion of the Superintendent or the Superintendent's designee.

C. Administration of Medication

1. The Board directs planning for field trips to start early in the school year and to include collaboration between administrators, teachers, nurses, parents/guardians and other designated health officials.
2. Decisions regarding administration of medication during field trips and other school-sponsored programs and activities shall be based on the student's individual needs.[5][6]
3. Medication shall be administered in accordance with applicable laws, regulations, Board policies and District procedures.[7][8]

D. If possible, each principal shall submit a list of planned field trips and overnight excursions in March of the year prior to which such trips are to be taken. This list shall be provided to the Board for consideration as part of the budget process. Field trips and overnight excursions not budgeted for in this manner, shall be considered for transportation funding by the district on a case-by-case basis.

E. Field trips not provided for in the budget may be approved at student expense.

F. Trips taken by athletic teams for the purpose of competition in regular season events, playoff events or championship games are not considered field trips. Such trips are subject to the approval of the principal and Athletic Director and shall be at the district's expense. Parameters for funding academic/band/chorus competitions are available in Policy 231: Social Events and Class Trips.

G. Field trip planning forms must be submitted to the principal 10 academic school days prior to the intended date in order to adequately decide if the trip will be approved and plan for the field trip and the students' needs.

H. For recurring or annual trips, field trip planning forms must be submitted to the principal by October 1 of the school year in which the field trip will take place in order to adequately decide if the trip will be approved and plan for the field trip and the students' needs.

I. Field trips to amusement parks will be denied unless there is a documented educational benefit.

J. A list of all approved overnight or extended day field trips shall be included in the monthly Board packets.

K. The recommended number of chaperones shall be provided to ensure the safety and well-being of students as follows: Grades K-5: Minimum of one (1) chaperone for every fifteen (15) students. Grades 6-12: Minimum of one (1) chaperone for every twenty-five (25) students. Chaperones must be approved by the principal and must have appropriate Act 34 and Act 151 clearances.

L. Teachers and chaperones must have the following available when on a field trip:

1. Emergency information for each child.

2. Medical information including information regarding required medication and medical disabilities for each child.

3. Signed "Consent for Treatment" form and medical insurance information for each child.

4. Home, parent workplace and emergency telephone numbers for each child.

M. The field trip coordinator is responsible for making arrangements for the medical needs of all participating students. If any medical needs cannot be accommodated, the field trip cannot be planned. All required field trip permission and medical survey forms must be distributed and returned to the nurse in a timely manner. Failure to do so may result in the trip being canceled. Acceptable medical accommodations include:

1. Requesting a certified school nurse or licensed supplemental staff employed by the school district to provide medical coverage.

2. Utilizing a licensed medical professional from the school district substitute list.

3. Utilizing parent/guardian of the child to assist with student medical needs.

4. Address the possibility of changing the medication time with the parent/guardian. A signed order from the physician is required prior to the field trip.

5. A secondary student on a field trip who has been deemed responsible by the school nurse, according to the criteria, will be given the opportunity to self-administer the student's own medication during the scheduled field trip. All medication except for inhalers, epi-pens and diabetic supplies must be given to an adult chaperone to maintain until medication is requested and retrieved by the student

Revision History:

June 2, 2014

Legal

1. Pol. 105
2. Pol. 231
3. 24 P.S. 517
4. 22 PA Code 4.4
5. Pol. 103.1
6. Pol. 113
7. Pol. 210
8. Pol. 210.1
- 24 P.S. 510

121 AR.pdf (350 KB)

POLNEWH121ARATT.pdf (114 KB)

Overnight Trip Med Form.pdf (404 KB)

Last Modified by Policy Staff on November 5, 2018



Book	Policy Manual
Section	100 Programs
Title	Extracurricular Activities
Number	122
Status	Policy Committee Review
Adopted	April 15, 2013

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. The Board recognizes the educational values inherent in student participation in extracurricular activities and supports the concept of student organizations for such purposes as building social relationships, developing interests in a specific area, and gaining an understanding of the elements and responsibilities of good citizenship.

II. Definitions

A. For purposes of this policy, "extracurricular activities" shall be those programs that are sponsored or approved by the Board and are conducted wholly or partly outside the regular school day; are marked by student participation in the processes of initiation, planning, organizing, and execution; and are equally available to all students who voluntarily elect to participate.[\[1\]](#)

B. For purposes of this policy, an "athletic activity" shall mean all of the following:[\[2\]](#)[\[3\]](#)

1. An athletic contest or competition, other than interscholastic athletics, that is sponsored by or associated with the school, including cheerleading, club-sponsored sports activities and sports activities sponsored by school-affiliated organizations.
2. Noncompetitive cheerleading that is sponsored by or associated with the school.
3. Practices, interschool practices and scrimmages for all athletic activities.

C. "Noninstructional time" is defined as the time set aside by the school before actual classroom instruction begins, after actual classroom instruction ends, or during the lunch hour.

III. Authority

A. The Board shall make school facilities, supplies and equipment available and shall assign staff members for the support of extracurricular activities for students. Such availability and assignment shall be in accordance with the Equal Access Act.[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

B. The Board encourages secondary level students to pursue clubs and interests that may not be related directly to any of the curriculum programs offered in the District. In pursuit of such goal

and in compliance with law, the Board maintains a limited open forum in which secondary students may meet for voluntary student-initiated activities unrelated directly to the curriculum, regardless of the religious, political, philosophical or other content of the speech related to such activities.

C. Any extracurricular activity shall be considered under the sponsorship of this Board when it has been approved by the Superintendent or his/her **the Superintendent's** designee upon recommendation of the building principal.

D. The Board shall maintain the program of extracurricular activities at no cost to participating students, except that:

1. Students may assume all or part of the costs for travel and attendance at extracurricular events and trips.
2. Where eligibility requirements are necessary or desirable, the Board shall be informed and must approve the establishment of eligibility standards before they are operable.

IV. Off-Campus Activities

A. This policy shall also apply to student conduct that occurs off school property and would otherwise violate the Code of Student Conduct if any of the following circumstances exist:[8]

1. The conduct occurs during the time the student is traveling to and from school or traveling to and from school-sponsored activities, whether or not via school District furnished transportation.
2. The student is a member of an extracurricular activity and has been notified that particular off-campus conduct could result in exclusion from such activities.
3. Student expression or conduct materially and substantially disrupts the operations of the school, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school.
4. The conduct has a direct nexus to attendance at school or a school-sponsored activity, for example, a transaction conducted outside of school pursuant to an agreement made in school that would violate the Code of Student Conduct if conducted in school.
5. The conduct involves the theft or vandalism of school property.
6. There is otherwise a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities.

V. Delegation of Responsibility

A. Each school year, prior to participation in an athletic activity, every student athlete and his/her **the student athlete's** parent/guardian shall sign and return the acknowledgement of receipt and review of the following:[10][11][12][14].

1. Concussion and Traumatic Brain Injury Information Sheet.
2. Sudden Cardiac Arrest Symptoms and Warning Signs Information Sheet.

B. The Superintendent or his/her **the Superintendent's** designee shall develop administrative regulations to implement the extracurricular activities program. All student groups shall adhere to Board policy and administrative regulations.

1. At the request of the Board, an ad hoc committee shall be periodically established with the purpose of recommending parameters and policies to the Board concerning Extra Duty Responsibilities.

VI. Guidelines

- A. Guidelines shall ensure that the program of extracurricular activities:
1. Assesses the needs and interests of and is responsive to District students.
 2. Invites the participation of parents/guardians and community in developing extracurricular activities. Such participation shall be in accordance with the Equal Access Act.[\[5\]](#)
 3. Involves students in developing and planning extracurricular activities.
 4. Ensures provision of competent guidance and supervision by staff.
 5. Guards against exploitation of students.
 6. Provides a variety of experiences and diversity of organizational models.
 7. Provides for continuing evaluation of the program and its components.
 8. Ensures that all extracurricular activities are open to all students and that all students are fully informed of the opportunities available to them.[\[1\]](#)[\[13\]](#)

VIII. Equal Access Act

- A. The District shall provide secondary students the opportunity for noncurriculum-related student groups to meet on the school premises during noninstructional time for the purpose of conducting a meeting within the limited open forum on the basis of religious, political, philosophical, or other content of the speech at such meetings. Such meetings must be voluntary, student-initiated, and not sponsored in any way by the school, its agents or employees.[\[5\]](#)
- B. The meetings of student groups cannot materially and substantially interfere with the orderly conduct of the educational activities in the school.
- C. The Superintendent or ~~his/her~~ **the Superintendent's** designee shall establish the length of sessions, number of sessions per week, and other limitations deemed reasonably necessary for the orderly conducting of noncurriculum-related to student groups.
- D. The District retains the authority to maintain order and discipline on school premises in order to protect the well-being of students and employees and to ensure that student attendance at such meetings is voluntary.

Legal

1. 22 PA Code 12.1
2. 24 P.S. 5322
3. 24 P.S. 5332
4. 24 P.S. 511
5. 20 U.S.C. 4071 et seq
6. Pol. 103
7. Pol. 103.1
8. Pol. 218
10. 24 P.S. 5333
11. Pol. 123.1
12. Pol. 123.2
13. 22 PA Code 12.4
14. 24 P.S. 5323
- Pol. 110

Last Modified by Policy Staff on November 5, 2018



Book	Policy Manual
Section	100 Programs
Title	Curriculum
Number	105
Status	Policy Committee Review
Adopted	November 23, 1992
Last Revised	June 2, 2014

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. The Board recognizes its responsibility for the development, assessment and improvement of the educational program of the schools. To this end, the curriculum shall be evaluated, developed and modified on a continuing basis and in accordance with a plan for curriculum improvement.^[1]

~~III.~~ **II.** Authority

A. The Superintendent or ~~his/her~~ **the Superintendent's** designee shall be responsible for the curriculum of the District's schools. The curriculum shall be designed to provide students the opportunity to achieve the academic standards established by the Board. Attaining the academic standards requires students to demonstrate the acquisition and application of knowledge.^{[1][3][4]}

B. In order to provide a quality educational program for District students, the Superintendent or ~~his/her~~ **the Superintendent's** designee shall adopt a curriculum plan that includes the requirements for courses to be taught; subjects to be taught in the English language; courses adapted to the age, development and needs of students; and strategies for assisting those students having difficulty attaining the academic standards.^{[1][3][5][6][7][8]}

~~II.~~ **III.** Definition

A. For purposes of this policy, "curriculum" shall be defined as a series of planned instruction aligned with established academic standards in each subject that is coordinated, articulated and implemented in a manner designed to result in the achievement of academic standards at the proficient level by all students.^{[2][3][4]}

IV. Guidelines

A. The district's curriculum shall provide the following:

1. Continuous learning through effective collaboration among the schools of this district.

2. Continuous access for all students to sufficient programs and services of a library/media facility and classroom collection to support the educational program.[9]
3. Guidance and counseling services for all students to assist in career and academic planning.[10]
4. A continuum of educational programs and services for all students with disabilities, pursuant to law and regulation.[11]
5. Bilingual programs ~~Language Instruction Educational Program~~ for students whose dominant language is not English **English Learner students**, pursuant to law, and regulation **and Board policy**.[\[12\]](#)[\[13\]](#)
6. Compensatory education programs for students, pursuant to law and regulation.
7. Equal educational opportunity for all students, pursuant to law and regulation.[\[14\]](#)[\[15\]](#)
8. Career awareness and vocational education, pursuant to law and regulation.[\[16\]](#)
9. Educational opportunities for identified gifted students, pursuant to law and regulation.[\[17\]](#)
10. Regular and continuous instruction in required safety procedures.[\[18\]](#)

V. Delegation of Responsibility

- A. As the educational leader of the District, the Superintendent shall be responsible to the Board for the District's curriculum. The Superintendent or his/her **the Superintendent's** designee shall establish procedures for curriculum development, evaluation and modification, which ensure the utilization of available resources, and effective participation of administrators , teaching staff members, students, community members and ~~members of the Board~~ **School Directors**.[\[1\]](#)
- B. A listing of all curriculum materials shall be made available for the information of parents/guardians, students, staff and ~~Board members~~ **School Directors**.[\[1\]](#)[\[19\]](#)
- C. With prior Board approval, the Superintendent and/or his/her **the Superintendent's** designee may conduct pilot programs as deemed necessary to the continuing improvement of the instructional program. The Superintendent shall report periodically to the Board on the status of each pilot program, along with its objectives, evaluative criteria, and costs.
- D. The Board encourages, where it is feasible and in the best interest of district students, participation in state-initiated pilot programs of educational research.
- E. The Board directs the Superintendent to pursue actively state and federal aid in support of research activities.

Revision History:

June 2, 2014

Legal

1. 22 PA Code 4.4
2. 22 PA Code 4.3
3. 22 PA Code 4.12
4. Pol. 102
5. 24 P.S. 1511
6. 24 P.S. 1512
7. Pol. 107
8. Pol. 127
9. Pol. 109
10. Pol. 112
11. Pol. 113
12. 22 PA Code 4.26
13. Pol. 138
14. Pol. 103
15. Pol. 103.1
16. Pol. 115
17. Pol. 114
18. Pol. 805
19. Pol. 105.1
- 22 PA Code 4.21
- 22 PA Code 4.22
- 22 PA Code 4.23
- 22 PA Code 4.25
- 22 PA Code 4.27
- 22 PA Code 4.29
- 22 PA Code 4.82
- Pol. 100
- Pol. 106
- Pol. 116

Last Modified by Policy Staff on November 5, 2018



Book	Policy Manual
Section	700 Property
Title	Maintenance
Number	704
Status	Policy Committee Review
Adopted	March 29, 1993
Last Revised	February 28, 2000

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. Adequate maintenance of buildings, property and equipment is essential to fiscal responsibility and efficient management of district **District** facilities.

II. Authority

A. The Board directs a scheduled **that a continuous** program of inspection and maintenance of all school buildings and equipment **be established and implemented**. Wherever possible, maintenance shall be preventive.**[1][2][3]**

III. Delegation of Responsibility

A. A planned program of preventive maintenance shall be developed by the Director of Operations which will produce maximum performance and longevity of equipment and keep buildings and grounds in good condition.

B. The principals and Director of Operations shall carry on frequent inspections of all buildings, equipment, playgrounds, and playground apparatus to discover conditions which might be dangerous to health, safety, and comfort of the pupils or personnel, **and return a written report to the Superintendent or designee as to the findings of that inspection.**

C. Teachers shall be responsible for the safe use of buildings, grounds, and equipment in the classes which they teach or in the activities for which they are responsible.

D. Employees and students shall be encouraged to report promptly to the principal of the school or department head any defects in building, furniture, playground apparatus, or other equipment that might prove injurious to the comfort, health, safety of teachers, pupils, or other persons.

E. The Superintendent or the Superintendent's designee shall report periodically to the Board regarding the current maintenance and improvement program and projected maintenance needs that include cost analysis.

F. The Superintendent or the Superintendent's designee shall develop and supervise a maintenance program which shall include:

1. Regular program of maintenance, repair and improvement of buildings and facilities.

2. Critical spare parts inventory.

3. Equipment replacement program.

4. Long-range plans for building modernization and conditioning.

5. The Superintendent or the Superintendent's designee shall develop a maintenance check list applicable to all District buildings.

Revision History:

February 28, 2000

Legal

1. 24 P.S. 701

2. 24 P.S. 742

3. 24 P.S. 772

25 PA Code 171.1 et seq

Last Modified by Policy Staff on November 5, 2018



Book	Policy Manual
Section	800 Operations
Title	Food Services
Number	808
Status	
Adopted	March 29, 1993
Last Revised	May 25, 2017

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. The Board recognizes that students require adequate, nourishing food and beverages in order to grow, learn and maintain good health. The Board directs that students shall be provided with adequate space and time to eat meals during the school day.

II. Authority

A. The Board shall provide **a** food service **program** that meets the standards required by **shall be operated in compliance with all applicable** state and federal school breakfast and lunch programs **laws and regulations, as well as federal guidelines established by the Child Nutrition Division of the United States Department of Agriculture (USDA).**[\[1\]\[2\]\[3\]\[4\]\[5\]\[6\]\[7\]\[8\]\[9\]\[10\]](#)

B. The individual responsible for the operation and supervision of the food service program shall present to the Board each month for its approval a statement of receipts and expenditures for cafeteria funds.[\[4\]](#)

C. The District shall ensure that, in the operation of the food service program, no student, staff member, or other individual shall be discriminated against on the basis of race, color, national origin, age, sex or disability.[\[11\]\[12\]](#)

~~C.~~ **D.** Food sold by the District may be purchased by students and District employees but only for consumption on school premises. The price charged to students shall be established annually by the District in compliance with state and federal laws.[\[4\]\[13\]](#)

E. Nonprogram food shall be priced to generate sufficient revenues to cover the cost of such items. A nonprogram food shall be defined as a food or beverage, other than a reimbursable meal or snack, that is sold at the school and is purchased using funds from the child nutrition account. Nonprogram foods include but are not limited to adult meals and a-la-carte items. All revenue from the sale of nonprogram food shall accrue to the child nutrition program account.[\[13\]\[14\]](#)

III. Delegation of Responsibility

A. Operation and supervision of the food service program shall be the responsibility of the Food Services Director.

B. Cafeterias shall be operated on a nonprofit basis. A periodic review of the cafeteria accounts shall be made by the ~~Business Administrator~~ **Chief Operations Officer**.[\[3\]](#)[\[4\]](#)

C. The individual responsible for the operation and supervision of the food service program shall ensure that school meals meet the standards required by the School Breakfast Program, the National School Lunch Program.[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)

~~C.~~ **D.** The Superintendent or his/her **the Superintendent's** designee shall comply with state and federal requirements for conducting cafeteria health and safety inspections and ensuring employee participation in appropriate inspection services and training programs.[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)

E. The Superintendent or the Superintendent's designee shall annually notify students, parents/guardians and employees concerning the contents of this policy and applicable administrative regulations. Notification shall include information related to nondiscrimination.[\[11\]](#)

IV. Guidelines

A. To reinforce the ~~district's~~ **District's** commitment to nutrition and student wellness, foods served in school cafeterias shall:[\[19\]](#)

1. Be carefully selected to contribute to students' nutritional well-being and health.
2. Meet the nutrition standards specified in law and regulations and approved by the Board.
3. Be prepared by methods that will retain nutritive quality, appeal to students, and foster lifelong healthy eating habits.
4. Be served in age-appropriate quantities, at reasonable prices.

B. The District shall use food commodities for school menus available under the Federal Food Commodity Program.

C. Surplus accounts shall be used only for the improvement and maintenance of the cafeteria.[\[4\]](#)

D. All funds derived from the operation, maintenance or sponsorship of the food service program shall be deposited in the cafeteria fund, a special bank account, in the same manner as other District funds. Such funds shall be expended in the manner approved and directed by the Board, but no amount shall be transferred from the cafeteria fund to any other account or fund, except that ~~district~~ **District** advances to the food service program may be returned to the ~~district's~~ **District's** general fund from any surplus resulting from its operation.[\[4\]](#)

E. The District shall participate in the **National School Breakfast Program and the** National School Lunch Program.[\[6\]](#)[\[8\]](#)

F. The District shall offer meals to all students without regard to race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability.[\[11\]](#)[\[12\]](#)

G. ~~Free/Reduced-Price School Meals and Free Milk~~

1. The District shall provide free and reduced-price school meals and/or free milk to students in accordance with the terms and conditions of the National School Lunch Program, **and** the School Breakfast Program ~~and the Special Milk Program~~.[\[20\]](#)[\[21\]](#)

2. The District shall conduct direct certification three (3) times per year using the Pennsylvania Student Eligibility System (PA-SES) to identify students who are eligible for free school meal benefits without the need for submission of a household application. Direct certification shall be conducted:[20][21]

a. At or around the beginning of the school year.

b. Three (3) months after the initial effort.

c. Six (6) months after the initial effort.

d. The District may also conduct direct certification on a weekly or monthly basis.

~~2.~~ **3.** The District shall inform parents/guardians of the eligibility standards for free and reduced-price meals.

~~3.~~ **4.** Reasonable efforts shall be made to provide equal treatment for and protect the identity of students receiving free or reduced-price meals.

~~4.~~ **5.** A parent/guardian shall have the right to appeal a decision regarding his/her **the parent/guardian's** application for free or reduced-price food services to the Superintendent or his/her **the Superintendent's** designee.

H. Accommodating Students With Special Dietary Needs

1. The District shall make appropriate food service and/or meal accommodations to students with special dietary needs in accordance with applicable law, regulations and Board policy.
[22][23][24][25]

I. School Food Safety Inspections

1. The District shall obtain two (2) safety inspections per year in accordance with local, state, and federal laws and regulations.[16][17][30]

2. The District shall post the most recent inspection report and release a copy of the report to members of the public, upon request.

J. School Food Safety Program

1. The District shall comply with federal requirements in developing a food safety program that enables ~~district~~ **District** schools to take systematic action to prevent or minimize the risk of foodborne illness among students.[8][10][16]

2. The District shall maintain proper sanitation and health standards in food storage, preparation and service, in accordance with applicable state and local laws and regulations and federal food safety requirements.[17][30][31]

K. School Meal Service and Accounts

1. To ensure the effective operation of the District's food service program and delivery of school food program meals to students, the District shall:

~~2. The Superintendent or his/her designee shall be responsible for the following regulations:~~

~~1.~~ **a.** Individual accounts shall be assigned **Assign individual school meal accounts** to each student for accounting purposes for the purchase of meals served in school cafeterias, **which ensure that the identity of each student is protected.**

b. The District shall notify parents/guardians of low-balanced, typically when a student's account has less than a \$5.00 balance.

c. Notify parents/guardians when the student's school meal account reaches a negative balance. The notice shall include information on payment options.

~~c. d.~~ If a student's account is depleted of funds, he/she will receive a state reimbursable meal. Said meal will consist of sandwich and milk and shall provide the daily required nutrition required by law. **Provide a school food program meal to each student who does not have the money to pay for the school food program meal or who has a negative balance in the student's school meal account, unless the student's parent/guardian has specifically provided written notice to the District to withhold a school food program meal.** [3]

~~3. Students and parents/guardians shall be notified annually concerning the contents of this policy and district procedures.~~

3. When a student owes money for five (5) or more school food program meals, the District shall make at least two (2) attempts to contact the student's parent/guardian and shall provide the application for free/reduced-price school meal benefits to the parent/guardian to apply for benefits under federal school meal programs. The District may offer assistance to parents/guardians with applying for free/reduced-price school meal benefits. [3][20][21]

4. District schools shall be prohibited from: [3]

a. Publicly identifying or stigmatizing a student who cannot pay for a school food program meal or who has a negative school meal account balance. It shall not constitute public identification or stigmatization of a student for a school to restrict privileges and activities of students who owe money for school meals if those same restrictions apply to students who owe money for other school-related purposes.

b. Requiring a student who cannot pay for a school food program meal to perform chores or other work to pay for the meal, unless chores or other work are required of all students regardless of their ability or inability to pay for a school food program meal.

c. Requiring a student to discard a school food program meal after it was served to the student due to the student's inability to pay for the meal or due to a negative school meal account balance.

5. This policy and any applicable procedures regarding school meal charges and school meal accounts shall be communicated annually to school administrators, school food service personnel, other appropriate school staff, and contracted food service personnel.

6. The District shall provide parents/guardians with a written copy of this policy and any applicable procedures or administrative regulations at the start of each school year, when a student enrolls in school after the start of the school year, and when a parent/guardian is notified of a negative school meal account balance.

L. Collection of Unpaid Meal Charges

1. Reasonable efforts shall be made by the District to collect unpaid meal charges from parents/guardians. Efforts taken in the collection shall not have a negative impact on the student involved, but shall focus primarily on the parents/guardians responsible for providing funds for meal purchases.

M. Procurement

1. Procurement of goods or services for the food service program shall meet the requirements of applicable law, regulations and Board policy and procedures.[26][27][28]

N. Code of Conduct for School Food Authorities

1. The District seeks to conduct all procurement procedures in compliance with state regulations and to prohibit ~~conflict~~ **conflicts** of interest and actions of employees engaged in the selection, award, and administration of contracts.
2. No employee, officer or agent may participate in the selection, award, or administration of a contract supported by a Federal, State, or ~~local~~ **local** award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or ~~agent~~ **agency**, any member of his/her **the employee's, officer's, or agency's** immediate family, his/her ~~partner~~ **the employee's, officer's, or agency's partner**, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
3. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.
4. The standards of conduct may provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity. Based on the severity of the infraction, the ~~penalties~~ **penalties** could include a written reprimand to their personnel file, a suspension with or without pay, or termination.
5. Questions and concerns regarding procurement solicitations, contract evaluations, and awards should be directed to the Superintendent or his/her **the Superintendent's** designee, namely administrator directly in charge of food services.

O. Professional Standards for Food Service Personnel

1. The District shall comply with the professional standards for school food service personnel who manage and operate the National School Lunch and School Breakfast Programs. For purposes of this policy, professional standards include hiring standards for new food service program directors and annual continuing education/training for all individuals involved in the operation and administration of school meal programs. Such professional standards shall apply to both District-operated food service programs and contracted food service programs.[6][7][18][29]

Revision History:
May 25, 2017

Legal

1. 2 CFR Part 200
2. 24 P.S. 1335
3. 24 P.S. 1337
4. 24 P.S. 504
5. 24 P.S. 807.1
6. 42 U.S.C. 1751 et seq
7. 42 U.S.C. 1773
8. 7 CFR Part 210
9. 7 CFR Part 215
10. 7 CFR Part 220
11. FNS Instruction 113-1 (USDA)
12. 7 CFR 210.23
13. 42 U.S.C. 1760
14. 7 CFR 210.14
15. 3 Pa. C.S.A. 5713
16. 42 U.S.C. 1758(h)
17. 7 CFR 210.13
18. 7 CFR 210.30
19. Pol. 246
20. 42 U.S.C. 1758
21. 7 CFR Part 245
22. 7 CFR 15b.40
23. Pol. 103.1
24. Pol. 113
25. Pol. 209.1
26. Pol. 610
27. Pol. 626
28. Pol. 827
29. 7 CFR 210.15
30. 7 CFR 220.7
31. 7 CFR 210.9
- P.L. 111-296
- 7 CFR Part 15
- Pol. 103

Last Modified by Policy Staff on November 5, 2018



Book	Policy Manual
Section	800 Operations
Title	Transportation
Number	810
Status	Policy Committee Review
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Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. Transportation for students shall be provided in accordance with law and Board policy.

II. Authority

A. The District shall provide transportation for resident students in grades kindergarten through 12 to the District's public schools and charter, regional charter and nonpublic schools located in the District or within the District's transportation boundary or other placements as required by law or agreements. The District's transportation boundary is a distance not exceeding ten (10) miles by the nearest public highway outside the school District's border.[\[2\]](#)[\[3\]](#)[\[4\]](#)

~~A. B.~~ The District shall purchase, ~~lease,~~ equip, and maintain **school buses**/vehicles and/or contract for school bus/**vehicle** services for **the** transportation of students to and from school at regularly scheduled hours and for the transportation of students on field trips, athletic trips, and extracurricular activities.[\[2\]](#)[\[3\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)

~~B. C.~~ The District shall provide transportation for students living within the prescribed limits when walking conditions to the school are found to be hazardous by the Department of Transportation.
[\[3\]](#)[\[11\]](#)

~~C. D.~~ The District shall ~~transport~~ **provide transportation for** students **with disabilities**, without regard to distance or hazardous walking conditions, ~~in the following cases:~~ **when required by the student's individualized education program (IEP) or Section 504 Service Agreement.**
[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)

~~1. The student has significant mobility constraints, as document by a physician.~~

~~2. Transportation is specified by the student's IEP or service agreement.~~

~~D. E.~~ The Board **District** shall ~~transport~~ **provide transportation for** eligible resident students who are enrolled in nonpublic schools **or charter schools** within the distance **as** required by law.
[\[2\]](#)[\[4\]](#)[\[17\]](#)

F. The District shall provide transportation for children in foster care in accordance with federal and state laws and regulations, and the local transportation plan.[18][19]

G. The District shall provide transportation for homeless children and youths in accordance with federal and state laws and regulations.[20][21]

~~E. H.~~ A school bus driver shall not be employed until such driver has complied with the mandatory background check requirements for criminal history and child abuse and the District and/or the District's contractor has evaluated the results of that screening process.[10][11][20]

~~F. I.~~ The Board prohibits any diesel-powered motor vehicle weighing 10,001 pounds or more to idle for more than five (5) minutes in any continuous sixty-minute period while parked, loading or unloading, except as allowed by law.[22]

~~G. J.~~ The Board shall ensure that permanent signs, notifying drivers of the idling restrictions, are maintained on District property at locations where diesel-powered motor vehicles weighing 10,001 pounds or more load or unload.

1. Signs shall also be posted at locations that provide fifteen (15) or more parking spaces for such diesel-powered motor vehicles.[23][24]

K. The District shall cooperate with local municipalities, public safety agency, police departments and community organizations to develop and maintain safe routes to school.

III. Definitions

A. School bus means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.[1]

B. School vehicle means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school District. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.[1]

III. IV. Delegation of Responsibility

~~A.~~ The school bus/**vehicle** driver shall be responsible for the discipline of students **to maintain order** while they **students** are being transported.

B. The school bus/vehicle driver shall report all incidents, including, but not limited to, discipline problems, medical problems, bullying/harassment, safety issues, accidents or injuries, and violations of Pennsylvania's School Bus Stopping Law to the Superintendent or designee as soon as practicable.

~~B. C.~~ A student may be suspended from bus transportation by the principal for disciplinary reasons, in which case the parents/guardians are responsible for the pupil's transportation.[7]

~~C. D.~~ The Director of Operations shall:

1. ~~Promulgate rules to govern~~ **Establish regulations that specify** the number of chaperones to accompany students in connection with school-related activities and field trips.[7][25]

2. ~~Maintain~~ **Prepare** a district ~~District~~ map or schedule indicating each bus stop and bus route or prepare a schedule of bus stops and an itinerary of bus routes to be used in conjunction with a District map.[\[7\]](#)

~~C. E.~~ The ~~Business Administrator~~ **Chief Operations Officer** is responsible for:

1. Maintaining such records and making such **required** reports regarding school transportation as are required by the State Board of Education.[\[5\]](#)[\[7\]](#)

~~D. F.~~ Each Building Principal is responsible for:

1. ~~Promulgating and distributing~~ **Distributing** rules governing student conduct during transport to and from each school; such rules shall be binding on all students transported by the ~~Board~~ **District**.[\[7\]](#)

V. Guidelines

~~E. A.~~ Reports of Employee Crimes/Child Abuse

1. District bus drivers and/or the District's transportation contract carriers shall be responsible to inform the District in writing at the beginning of each school year whether or not they or any of their employees:

a. Have been charged, subsequent to approval as a District bus driver, with a criminal offense that would bar their employment as bus drivers or contracted service providers.

b. Were charged with a crime deemed "serious" under the criteria established by law.

c. Have been charged with or convicted of crimes that affect their suitability to have direct contact with children.

2. This responsibility is in addition to the requirement for clearances that must be presented to the District when an individual is initially hired by the District or the contract carriers

3. The District and contract carriers shall have procedures in place to ensure they are notified by their employees when the employees are charged with crimes or child abuse.

a. The procedures shall also include the provision that the failure on the part of employees to make such a timely notification shall subject them to disciplinary action, including termination.

4. If any bus driver has been charged as stated in this policy, the transportation contract carriers shall, in their written, yearly notification, include the name of the bus driver, nature of the offense, and the status of the disposition.

a. The District will review this information to determine if the bus driver shall continue to transport District students.

B. Student Health Information

1. When necessary for student safety, or when required by a student's IEP or Section 504 Service Agreement, a school bus/vehicle driver shall be provided with relevant student health and medical information.[\[16\]](#)[\[26\]](#)[\[27\]](#)[\[28\]](#)[\[29\]](#)

2. School bus/vehicle drivers shall maintain the confidentiality of student health/medical information in accordance with District policies and procedures and applicable law.[\[30\]](#)[\[31\]](#)

C. Evacuation Drills

1. Bus evacuation drills shall be conducted twice a year and reported to the Pennsylvania Department of Education, in accordance with law and Board policy. [32][33][34]

Revision History:

March 22, 2018

Legal

1. 75 Pa. C.S.A. 102
2. 24 P.S. 1361
3. 24 P.S. 1362
4. 24 P.S. 1726-A
5. 22 PA Code 23.1
6. 22 PA Code 23.2
7. 22 PA Code 23.4
8. Pol. 610
9. Pol. 611
10. Pol. 818
11. 67 PA Code 447.1 et seq
12. 22 PA Code 23.3
13. 24 P.S. 1374
14. Pol. 103
15. Pol. 103.1
16. Pol. 113
17. Pol. 140
18. 20 U.S.C. 6312
19. Pol. 255
20. 42 U.S.C. 11432
21. Pol. 251
22. 35 P.S. 4601 et seq
23. 35 P.S. 4608
24. 67 PA Code 212.101
25. Pol. 121
26. Pol. 209.1
27. Pol. 209.2
28. Pol. 210
29. Pol. 210.1
30. Pol. 113.4
31. Pol. 216
32. 24 P.S. 1517
33. 75 Pa. C.S.A. 4552
34. Pol. 805
35. 24 P.S. 1331

24 P.S. 1331
24 P.S. 1365
24 P.S. 1366
24 P.S. 2541
24 P.S. 2542
22 PA Code 15.1 et seq
22 PA Code 23.6
75 Pa. C.S.A. 4551-4553
20 U.S.C. 6301 et seq
42 U.S.C. 11431 et seq
49 CFR Part 37
49 CFR Part 38
Pol. 810.1

Last Modified by Policy Staff on November 5, 2018



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Section	800 Operations
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Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. In its effort to provide cost-effective programs, the Board ~~may need to utilize contracted services~~ **uses outside independent contractors for a variety of purposes.** The district **District** shall monitor and evaluate such services to assure their effectiveness. **The District is required to ensure that such contractors comply with certain legal requirements regarding contractor employees involved in the delivery of services to the District. This policy is adopted** to assist the Board in procuring and maintaining qualified and legally-certified services **to outline those requirements and the manner in which the District shall direct and monitor contractor compliance.**

III. ~~II.~~ Authority

A. ~~Mandatory background check requirements will be included in all bidding specifications for contracted services.~~

B. ~~A.~~ The district **District** is required by law to ensure that independent contractors and their **contractor** employees who have direct contact with children (the possibility of care, supervision, guidance, or control of children, or routine interaction with children) comply with the mandatory background check requirements for criminal history and child abuse certifications, **the employment history review requirement, and the arrest and conviction reporting requirements.** These clearances include FBI, State Police, and Department of Public Welfare clearances. Contract employees having contact with children are required to obtain certifications every thirty six (36) months. If a person has a current certification issued before December 31, 2014, he or she shall obtain the required certifications within thirty six (36) months of their most recent certification or, if the current certification is older than thirty six (36) months, no later than December 31, 2015. **[2][3][4]**

C. ~~Independent contractors shall conduct an employment history review, in compliance with state law, prior to issuing an offer of employment to a candidate or prior to assignment of a current employee to perform work for the District. Failure to accurately report required information shall subject the candidate or employee to discipline up to, and including, denial of employment or termination if already hired, and may subject the candidate or employee to civil and criminal~~

penalties. The independent contractor may use the information for the purpose of evaluating an applicant's fitness to be hired or for continued employment of a current employee and may report the information as permitted by law.

D. If an applicant's or current contract employee's criminal history record indicates conviction of a felony offense under the Controlled Substances, Drug, Device and Cosmetic Act within the five-year period immediately preceding verification, in no case shall an employer, administrator, supervisor, or other person responsible for employment decisions hire or approve the applicant.

E. Independent contractors and their employees shall report, on the designated form, all arrests and convictions as specified on the form. Independent contractors and their employees shall likewise report arrests and/or convictions that occur subsequent to initially submitting the form. Failure to accurately report such arrests and convictions may subject the individual to denial of employment/contract, termination if already hired/contracted, and/or criminal prosecution.

F. All independent contractors shall adopt policies and procedures that require their employees, who are providing services to the District and who have direct contact with children (i.e. the possibility of care, supervision, guidance or control of children, or routine interaction with children), to notify the contractor, in writing, within seventy two (72) hours of the occurrence, of an arrest or conviction required to be reported by law. Employees shall also be required to report to the contractor, within seventy two (72) hours of notification, that the employee has been listed as a perpetrator in the statewide database, in accordance with the Child Protective Services Law.

G. If the contractor receives notice of such arrest or conviction notification that the employee has been listed as a perpetrator in the statewide database, from either the employee or a third party, the contractor shall immediately report, in writing, that information to the District.

H. Mandatory background check requirements for criminal history and child abuse shall be included in all bidding specifications for contracted services. Language shall be included in all bidding specifications for contracted services notifying independent contractors that failure to comply with this policy and the requirements for background checks and reporting of employee misconduct by an independent contractor shall lead to cancellation of the contract.

I. If the person responsible for employment decisions or an administrator has a reasonable belief that a contract employee was arrested or convicted for an offense that would constitute grounds for denying employment, or was named as a perpetrator in a founded or indicated report of child abuse, or the contract employee has provided notice as required under the bill, the employer or administrator must immediately require that individual to submit current FBI, State Police, and DPW clearances.

J. If a contract employee does not disclose arrests or convictions as required, he or she will be subject to possible termination.

K. All contracts with providers of contracted services must contain a provision requiring the providers of those contracted services to notify the Superintendent any time that any of its employees or agents who are performing work on behalf of the District are either arrested or charged with a criminal offense.

L. All contracts with providers of bus services or other services that transport District students, employees, or property, must contain a provision requiring the providers of those contracted services to notify the Superintendent any time that any of its employees or agents who are performing work on behalf of the District have had his or her driver's license suspended or permanently revoked

II. III. Definitions

A. For purposes of this policy, contractor employee shall include an individual who:

1. Is employed or offered employment by an independent contractor or a subcontractor of an independent contractor, or is an individual independent contractor; and

2. Has or will have direct contact with children.

A. B. Direct Contact with Children - the possibility of care, supervision, guidance or control of children or routine interaction with children. [\[1\]](#)

C. For purposes of this policy, independent contractor shall mean an individual or entity that contracts with the District to provide services.

IV. Guidelines

~~A. Independent contractors and their employees shall not be employed until each has complied with the mandatory background check requirements for criminal history and child abuse and the district has evaluated the results of that screening process.~~

A. Prior to using contracted services, a written contractual agreement shall be entered into between the District and the independent contractor and maintained centrally by the District in a manner similar to that for other contracts. Requests for proposals, bid specifications for proposals and resulting contracts shall specify the following:

1. Mandatory requirements for criminal history background checks, child abuse certifications, employment history reviews, and arrest and conviction reporting for contracted services involving direct contact with children, as mandated by law and set forth in this policy. [\[5\]](#)

2. A requirement that all contracted transportation providers provide a program of drug and alcohol testing for covered drivers. A covered driver shall include any contractor employee who drives, operates or is in the actual physical control or movement of a school bus or a commercial vehicle owned, leased or operated by the independent contractor in connection with school District services. [\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)

3. That failure to comply with this policy and the requirements for criminal history background checks and child abuse certifications, employment history reviews, and required reporting of employee arrests, convictions or other misconduct by an independent contractor or contractor employee shall be grounds for termination of the contract.

B. The Superintendent or the Superintendent's designee shall review all information provided pursuant to this policy and determine if information is disclosed that precludes employment or continued service of an independent contractor or contractor employee. [\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[11\]](#)

C. Information submitted by an independent contractor or contractor employee in accordance with this policy shall be maintained centrally in a manner similar to that for school employees.

D. Pre-Employment Requirements

1. Employment History Review

a. Independent contractors shall conduct an employment history review, in compliance with state law, prior to assignment of a contractor employee to perform work for the District in a position or assignment involving direct contact with children. The independent contractor may use the information for

the purpose of evaluating an applicant's fitness to be hired or for continued employment of a current contractor employee and may report the information as permitted by law.[\[4\]](#)

b. Independent contractors shall inform the District, in writing, upon receipt of an affirmative response to any of the abuse and sexual misconduct background questions for a contractor employee. If the District objects to the assignment, the independent contractor may not assign the contractor employee to the District.[\[4\]](#)

c. Independent contractors shall, upon request, provide the District to which a contractor employee is assigned access to the employee's employment history review records.

2. Criminal History

a. Prior to assignment of contractor employees to perform work for the District in a position or assignment involving direct contact with children, contractor employees shall submit an official child abuse clearance statement and state and federal criminal history background checks (certifications) as required by law.[\[2\]](#)[\[3\]](#)

b. Contractor employees shall report, on the designated form, all arrests and convictions as specified on the form. Contractor employees shall likewise report arrests and/or convictions that occur subsequent to initially submitting the form. Failure to accurately report such arrests and convictions may subject the individual to denial of employment/contract, termination if already hired/contracted, and/or criminal prosecution.[\[3\]](#)

3. Tuberculosis Test

a. Contractor employees providing services for students shall undergo a test for tuberculosis in accordance with the regulations and guidance of the Pennsylvania Department of Health.[\[12\]](#)[\[13\]](#)

4. Arrest and Conviction Reporting Requirements

a. All independent contractors shall adopt policies and procedures that require their employees, who are providing services to the District and who have direct contact with children, to notify the independent contractor, in writing, within seventy-two (72) hours of the occurrence, of an arrest or conviction required to be reported by law. Contractor employees shall also be required to report to the independent contractor, within seventy-two (72) hours of notification, that the employee has been named as a perpetrator in a founded or indicated report pursuant to the Child Protective Services Law. The policies and procedures shall also include the provision that the failure on the part of contractor employees to make such a timely notification shall subject them to disciplinary action, including termination.[\[3\]](#)[\[11\]](#)

b. If the independent contractor receives notice of such arrest or conviction or that the contractor employee has been named as a perpetrator in a founded or indicated report, from either the contractor employee or a third party, the independent contractor shall immediately report, in writing, that information to the Superintendent or the Superintendent's designee.

c. The independent contractor shall immediately require a contractor employee to submit new certifications when there is a reasonable belief that the employee was arrested for or has been convicted of an offense required to

be reported by law, was named as a perpetrator in a founded or indicated report, or has provided written notice of such occurrence.[\[3\]](#)[\[11\]](#)

d. Contractor employees who provide transportation services shall immediately notify the independent contractor and the District's transportation supervisor of any traffic citations or the suspension, revocation or cancellation of operating privileges.[\[14\]](#)

E. Educator Misconduct

1. If the Superintendent reasonably suspects that conduct being reported involves an incident required to be reported under the Educator Discipline Act, the Superintendent or the Superintendent's designee shall notify the Pennsylvania Department of Education, in accordance with applicable law, regulations and Board policy 317.1.[\[15\]](#)[\[16\]](#)

F. Training

~~B.~~ **1.** Independent contractors shall provide their employees who have direct contact with children with mandatory training on child abuse recognition and reporting. The training shall include, but not be limited to, the following topics:[\[1\]](#)

~~1.~~ **a.** Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct.

~~2.~~ **b.** Provisions of the Educator Discipline Act, including mandatory reporting requirements.[\[17\]](#)

~~3.~~ **c.** District policy related to reporting of suspected abuse and sexual misconduct.[\[18\]](#)

~~4.~~ **d.** Maintenance of professional and appropriate relationships with students.[\[19\]](#)

~~C.~~ **2.** Employees of independent contractors who have direct contact with children are required to complete a minimum of three (3) hours of training every five (5) years.[\[1\]](#)

3. Contractor employees shall attend orientation and training sessions, as appropriate to the nature of their service. When training is provided for school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which contractor employees should also receive that training.

G. Child Abuse Reporting

A. All contractor employees who have reasonable cause to suspect that a child is the victim of child abuse shall make a report of suspected child abuse in accordance with applicable law, Board policy and administrative regulations.[\[18\]](#)[\[20\]](#)

H. Confidentiality

A. No contractor employee shall be permitted access to confidential student information unless the District has determined that such access is necessary for the contractor employee to fulfill the contractor's responsibilities. Contractor employees with access to confidential student information shall maintain the confidentiality of that information in accordance with Board policies and procedures and applicable law. If a contractor employee has questions about the confidentiality of student information, the contractor employee should consult with the building principal.[\[21\]](#)[\[22\]](#)

Revision History:
February 17, 2015

Legal	1. 24 P.S. 1205.6
	2. 23 Pa. C.S.A. 6344
	3. 24 P.S. 111
	4. 24 P.S. 111.1
	5. 55 PA Code 3490.132
	6. 49 CFR Part 382
	7. 67 PA Code 71.3
	8. 75 Pa. C.S.A. 1612
	9. 75 Pa. C.S.A. 3802
	10. Pol. 810.1
	11. 23 Pa. C.S.A. 6344.3
	12. 24 P.S. 1418
	13. 28 PA Code 23.44
	14. 75 Pa. C.S.A. 1606
	15. 24 P.S. 2070.9a
	16. Pol. 317.1
	17. 24 P.S. 2070.1a et seq
	18. Pol. 806
	19. Pol. 824
	20. 23 Pa. C.S.A. 6311
	21. Pol. 113.4
	22. Pol. 216
	24 P.S. 1362
	22 PA Code 8.1 et seq
	23 Pa. C.S.A. 6301 et seq
	75 Pa. C.S.A. 1601 et seq
	Pol. 610
	Pol. 810

Last Modified by Policy Staff on November 5, 2018