



## **Policy and Human Resources Committee**

Thursday, January 10, 2019  
6:30PM – District Office Conference Room

*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 and November 8, 2018 meeting**

### **Old Business**

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

### **New Business**

- ✚ First Readings of Board Operating Guidelines
  - ✚ 006 – Meetings
- ✚ First Readings of Policies:
  - ✚ 103 – Nondiscrimination in School and Classroom Practices
  - ✚ 103.1 - Nondiscrimination - Qualified Students with Disabilities
  - ✚ 121 – Field Trips
  - ✚ 123.1 – Concussion Management
  - ✚ 231 – Social Events and Class Trips

### **Public Comment**

### **Adjournment**



**Policy Committee Meeting Minutes – October 16, 2018**

**Board Chair** – Mr. Doug McDonough

**Administrative Liaison** – Mrs. Megan Candido

**Attendance** – Please see the accompanying committee attendance sheet.

Mr. McDonough called the meeting to order at 6:34pm.

The minutes of the June 14, 2018 and September 13, 2018 meeting minutes were approved.

**Old Business**

**Old Business**

✚ Second Readings of Local Board Procedures

✚ 006 – Meetings

- There was discussion about abstention – when it would be permissible for school directors to abstain from voting.

✚ Second Readings of Policies

✚ 108 – Adoption of Textbooks

- The committee discussed the frequency of periodic review of textbooks.

✚ 246 – School Wellness

- The committee discussed the relevancy of *Safe Routes* existing in this policy and recommended duplicating safe routes into a policy related to transportation.






✚ 806 – Child Abuse

- There was discussion about whether the District has authority to indemnify mandated reporters from civil liability.

✚ 907 – School and Classroom Visitors

## **New Business**

### **New Business**

-  First Readings of Local Board Procedures
  -  005 – Organization of the Board
    - The committee discussed procedure for committee formation and membership.
-  First Readings of Policies:
  -  121 – Field Trips
    - The committee discussed the need of substitute nurses to accompany students with medical needs on field trips.
  -  122 – Extracurricular Activities

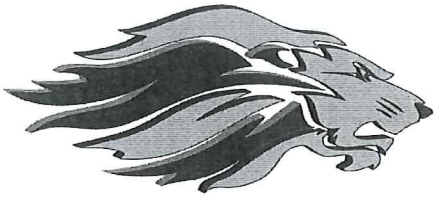
## **Public Comment**

There was no public comment.

Mr. McDonough adjourned the meeting at 7:54pm.

Respectfully submitted,

Megan Candido  
*Director of Human Resources*



Committee Meeting Sign-In and Attendance

Name (Please Print)	Committee (C) or Public (P)
Tom Marrone	C <input checked="" type="radio"/> P
Meg Thompson	<input checked="" type="radio"/> C P
Alyssa Marton	<input checked="" type="radio"/> C P
Megan Canello	<input checked="" type="radio"/> C P
MARK COWELL	<input checked="" type="radio"/> C P
Doug McDonough	<input checked="" type="radio"/> C P
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**Please note:** This sign-in sheet will be included in the meeting minutes and posted to the District's website.



## **Policy Committee Meeting Minutes – November 8, 2018**

**Board Chair-** Mr. Doug McDonough

**Administrative Liaison** – Mrs. Megan Candido

**Attendance** – Please see accompanying committee attendance sheet.

Mr. Mark Cowell called the meeting to order at 6:30pm.

Approval minutes from the October 16, 2018 meeting was postponed until the next Policy Committee meeting.

### **Old Business**

- ✚ Second Readings of Local Board Procedures
  - ✚ 005 – Organization of the Board
    - The committee discussed the process of members of the public becoming committee members.
- ✚ Second Readings of Policies:
  - ✚ 121 – Field Trips
    - The committee discussed self-administration of medication.
  - ✚ 122 – Extracurricular Activities
    - The committee discussed costs for extra-curricular activities and discussed the members of the ad hoc committee for Extra Duty Responsibilities.

### **New Business**

- ✚ First Readings of Policies:
  - ✚ 105 – Curriculum
    - The committee discussed academic standards.
  - ✚ 704 – Maintenance
  - ✚ 808 – Food Services
  - ✚ 810 – Transportation
  - ✚ 818 – Contracted Services Personnel

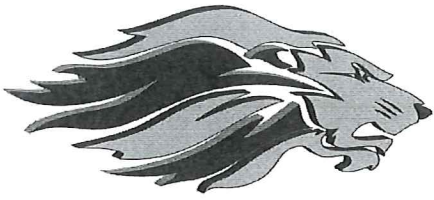
### **Public Comment**

Mr. Band inquired about Policy 231, *Social Events and Field Trips*, and how payment is handled if a student cannot afford to attend an event or trip. The committee will bring Policy 231 forward to the next Policy Committee meeting.

Mr. Cowell adjourned the meeting at 8:15pm.

Respectfully submitted,

Megan Candido  
*Director of Human Resources*



NEW HOPE-SOLEBURY SCHOOL DISTRICT  
*Engaging, Enriching, and Empowering All Students  
 through a World-Class Education*

Committee Meeting Sign-In and Attendance

Name (Please Print)	Committee (C) or Public (P)
Charles Malone (Admin)	C P
STAN MARCUS	(C) P
Meg Thompson	(C) P
Megan Candido	(C) P
# MARK COWELL	(C) P
Melvin Band	C (P)
ANDREW ORDOVER	(C) P
Doug Mc Donough	(C) P
	C P
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**Please note:** This sign-in sheet will be included in the meeting minutes and posted to the District's website.



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.

~~B. To this end, the~~ **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.

**B.** The curriculum shall be designed to provide students the opportunity to achieve the academic standards established by ~~the Board~~ **the Pennsylvania Department of Education.**

**C.** Attaining the academic standards requires students to demonstrate the acquisition and application of knowledge. [\[1\]](#)[\[3\]](#)[\[4\]](#)

~~B.~~ **D.** 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~~ **District's** curriculum shall provide the following:

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

**B.** 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. C.~~ 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. D.~~ 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. E.~~ The Board encourages, where it is feasible and in the best interest of ~~district~~ **District** students, participation in state-initiated pilot programs of educational research.

~~E. F.~~ The Board directs the Superintendent to **actively** 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 9, 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**.

**B.** 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 **sudents** or personnel, **and return a written report to the Superintendent or the Superintendent's 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 analyses.**

**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 and facilities.**

**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 9, 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.

**E.** The price charged to students **for food** shall be established annually by the District in compliance with state and federal laws.[\[4\]\[13\]](#)

**F. Nonprogram food shall be priced to generate sufficient revenues to cover the cost of such items.**

**1. 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.**

**2. Nonprogram foods include but are not limited to adult meals and a-la-carte items.**

**3. 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.

**C. A periodic review of the cafeteria accounts shall be made by the ~~Business Administrator~~ Chief Operations Officer.** [3][4]

**D. 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, and the National School Lunch Program.** [2][3][4][6][7][8][9][10]

~~E.~~ **E. 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]

**F. The Superintendent or the Superintendent's designee shall annually notify students, parents/guardians and employees concerning the contents of this policy.**

**1. 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.

1. 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.**

**3. 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.~~

**b. Notify parents/guardians when the student's school meal account reaches a negative balance.**

**c. 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. The District 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.**

**i. 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.**

**2. 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.

**a.** Such a conflict of interest would arise when the employee, officer, or ~~agency~~ **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.

**a.** 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.

**a.** 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.**

**2. 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.**

**3. 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 9, 2018



Book	Policy Manual
Section	800 Operations
Title	Transportation
Number	810
Status	Policy Committee Review
Adopted	March 29, 1993
Last Revised	March 22, 2018

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 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 of which the school bus/vehicle driver is aware, 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 the Superintendent's 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 **student'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

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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.**

**B.** The ~~district~~ **District** shall monitor and evaluate such services to assure their effectiveness.

**C. 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.**

**D. 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

## **H. 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. For the purposes of this policy, "Direct Contact with Children" shall mean 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.**

**B. 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.**

**C. 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.**[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[11\]](#)

**D. 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.**

#### **E. 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.**

**b. 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.**[\[4\]](#)

**c. 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.**[\[4\]](#)

**d. 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.**

**c. 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.**

**b. 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.**

**c. 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]**

**d. 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.**

**e. 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]**

**f. 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.

**2.** 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. 3.** 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]

**4. 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.**

**B. 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.**

**C. 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 9, 2018



Book	Policy Manual
Section	000 Local Board Procedures
Title	Meetings
Code	006
Status	
Adopted	March 29, 1993
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Proposed deletions: ~~strike through~~

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

## I. Parliamentary Authority

A. All Board meetings shall be conducted in an orderly and business-like manner.

B. Robert's Rules of Order "(RROO)" shall govern the Board in its deliberations in all cases in which RROO are not inconsistent with statute, regulations of the State Board, or Board procedures.[\[1\]](#)[\[2\]](#)

## II. Quorum

A. A quorum shall be five (5) School Directors present at a meeting.

B. No business shall be transacted at a meeting without a quorum, but the School Directors present at such a meeting may adjourn to another time.[\[3\]](#)

## III. Presiding Officer

A. The President shall preside at all Board meetings.

B. In the absence, disability or disqualification of the President, the Vice-President shall act instead.

C. If neither person **the President or the Vice-President** is present, a School Director shall be elected President Pro Tempore by a plurality of those present and voting to preside at that meeting only.

1. Where no such majority is achieved on the first vote, a second vote shall be cast for the two (2) candidates who received the greatest number of votes.[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

**2. The plurality of those Directors present and voting shall continue to deliberate and vote on those two (2) candidates until a majority is achieved.**

## IV. Notice

A. Notice of all open public meetings shall be given by publication of the date, place, and time of such meetings in the newspaper(s) of general circulation designated by the Board, and the posting of such notice at the administrative offices of the Board, and by any additional means the Board deems appropriate.[\[8\]](#)[\[9\]](#)

B. Notice of regular meetings shall be given by publication and posting of a schedule showing the date, place and time of all regular meetings for the fiscal year at least three (3) days prior to the time of the first regular meeting.[\[8\]](#)[\[9\]](#)

C. Notice of all special meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the special meeting, except that such notice shall be waived when a special meeting is called to deal with an actual emergency involving a clear and present danger to life or property.[\[8\]](#)[\[9\]](#)

D. Notice of all rescheduled meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the rescheduled meeting.[\[8\]](#)[\[9\]](#)

E. Notice of all recessed or reconvened meetings shall be given by posting a notice of the place, date and time of the recess or reconvened meeting and sending copies of such notice to interested parties.[\[8\]](#)

F. Notice of all public meetings shall be given to the media designated by the Board.

G. Notice of all public meetings shall be given to any individual who so requests.[\[9\]](#)

H. Notice of all regular and special Board meetings shall be given to School Directors no later than three (3) days prior to the time of said meeting.[\[9\]](#)[\[10\]](#)

[\[9\]](#)[\[10\]](#)

## **V. Regular Meetings**

A. Regular Board meetings shall be public and shall be held at specified places at least twelve (12) times per year, at least once every two (2) months.[\[2\]](#)[\[11\]](#)

### **1. Agenda**

a. It shall be the responsibility of the Superintendent or the Superintendent's designee, in cooperation with the Board Secretary and Board President, to prepare an agenda of the items of business to come before the Board at each regular meeting.

b. The agenda, together with all relevant reports, shall be provided each School Director at least three (3) days before the meeting.

c. If the agenda includes an item of business related to removal of an officer of the Board, the agenda shall be provided to each School Director at least seven (7) days before the meeting.

d. Any additions or changes to the prepared agenda may be requested by a School Director or the Superintendent and must be approved by a majority vote of the School Directors present at the meeting.

### **B. Order of Business**

1. The order of business for regular meetings shall follow what has been prepared on the meeting agenda.

## **VI. Special Meetings**



A. Special meetings may be called for special or general purposes and shall be public except when conducted as an executive session for purposes authorized by law.[\[2\]](#)[\[5\]](#)[\[10\]](#)[\[12\]](#)

B. The President may call a special meeting at any time and shall call a special meeting upon presentation of the written requests of three (3) or more School Directors.

1. Upon the President's failure or refusal to call a special meeting, such meeting may be called at any time by a majority of the School Directors.[\[5\]](#)

C. The order of business for special Board meetings shall follow what has been prepared on the **special** meeting agenda.[\[10\]](#)

## **VII. Public Participation**

A. At each public Board meeting, prior to official action by the Board, an opportunity shall be provided for public comment in accordance with law and Board Policy 903 and Board procedures.[\[2\]](#)[\[13\]](#)

## **VIII. Voting**

A. All motions shall require for adoption a majority vote of those School Directors present and voting, except as provided by statute or Board procedures or as outlined in sections VIII C of this BOG.

B. All votes on motions and resolutions shall be oral roll call votes.

### **1. Before a vote is taken, the Chair puts the question to the voting members.**

**a. Those in favor of the motion say "Aye" or "Yes"**

**b. Those opposed say "Nay" or "No."**

### **2. A majority vote is more than half of the votes cast by persons legally entitled to vote.**

**a. A tie vote is a lost vote.**

### **3. Any motion that requires a 2/3 vote or a unanimous vote, as outlined in Section VIII.C.1 and Section VIII.C.2, infra, is obtained by a roll call vote.**

**a. A 2/3 vote means at least 2/3 of the votes cast by persons legally entitled to vote.**

### **4. A unanimous vote means that it is carried only if all persons legally entitled to vote.**

### **5. The votes are tallied and the Chair reports that the motion is carried or the motion is lost.**

**a. If a board member is in doubt about the vote, that member may call out "division" or "roll call vote."**

**b. If "division" or "roll call vote" is demanded by any board member, the motion shall be put to a roll call vote.**

**i. A roll call vote requires that each voting member be questioned individually about how that member votes on the question presented.**

**ii. The votes are tallied and the Chair reports that the motion is carried or the motion is lost.**

## C. Special Voting Requirements

~~\*Indicates actions for which the minutes also must reflect how each School Director voted.~~

1. The following action requires the unanimous affirmative consent of all members of the Board remaining in office:
  - a. Combine or reorganize into a larger District. [\[40\]](#).
  - b. Appoint as Board Secretary a former School Director who has resigned, before the expiration of the term for which the Director was elected. ~~\*~~[\[14\]](#)[\[15\]](#).
  - c. Appoint as solicitor a former School Director who has resigned, before the expiration of the term for which the Director was elected. ~~\*~~[\[14\]](#)[\[15\]](#).
2. The following actions require the recorded affirmative votes of two-thirds of the full number of School Directors:
  - a. Transferring, during the first three (3) months of the fiscal year, budgeted funds set apart or appropriated to a particular item of expenditure. ~~\*~~[\[15\]](#)[\[16\]](#)[\[17\]](#).
  - [\[15\]](#)[\[16\]](#)[\[17\]](#).
  - c. Incur a temporary debt or borrow money upon such obligation (non-emergency). ~~\*~~[\[17\]](#)[\[19\]](#).
  - d. Adding or increasing appropriations to meet an emergency or catastrophe. ~~\*~~[\[15\]](#)[\[17\]](#).
  - e. Elect to a teaching position a person who has served as a School Director and who has resigned from the Board, before the expiration of the term for which the Director was elected. ~~\*~~[\[14\]](#)[\[15\]](#).
  - f. Conveying land or buildings to certain charities or other public agencies without following prescribed valuation procedures or with more favorable financing. ~~\*~~[\[15\]](#)[\[18\]](#).
  - g. Adopt or change textbooks without the recommendation of the Superintendent. ~~\*~~[\[15\]](#)[\[21\]](#).
  - [\[15\]](#)[\[20\]](#).
3. The following actions require the recorded affirmative votes of a majority of the full number of School Directors:
  - a. Fixing the length of the school term. ~~\*~~[\[15\]](#).
  - b. Adopting textbooks recommended by the Superintendent. ~~\*~~[\[15\]](#)[\[22\]](#).
  - c. Appointing the District Superintendent and Assistant Superintendent(s). ~~\*~~[\[15\]](#)[\[23\]](#)[\[24\]](#).
  - d. Appointing teachers and principals. ~~\*~~[\[15\]](#).
  - e. Adopting the annual budget. ~~\*~~[\[15\]](#)[\[25\]](#).
  - f. Election of an officer to the Board.
  - g. Appointing tax collectors and other appointees. ~~\*~~[\[15\]](#)[\[26\]](#)[\[27\]](#).
  - h. Levying and assessing taxes. ~~\*~~[\[15\]](#)[\[28\]](#).

- i. Purchasing, selling, or condemning land.\*[15]
- j. Locating new buildings or changing the location of old ones.\*[15]
- k. Creating or increasing any indebtedness.\*[15]
- l. Adopting planned instruction.[15][29]
- m. Establishing additional schools or departments.\*[15]
- n. Designating depositories for school funds.\*[15][30][31]
- o. Expending District funds.
- p. Authorizing the transfer of any unencumbered balance, or portion thereof, from one appropriation to another, or from one spending agency to another during the last nine (9) months of the fiscal year.\*[15][17]
- q. Entering into contracts of any kind, including contracts for the purchase of fuel or any supplies where the amount involved exceeds \$100 (including items subject to \$10,000 bid requirements).\*[15][32]
- r. Fixing salaries or compensation of officers, teachers, or other appointees of the Board.\*[15]
- s. Entering into contracts with and making appropriations to the Intermediate Unit for the District's proportionate share of the cost of services provided or to be provided by the Intermediate Unit.\*[15]
- t. Dismissing, after a hearing, a Superintendent, Assistant Superintendent or non-tenured employee.\*[15][33][34]
- u. Adopting a corporate seal for the District.[41]
- v. Determining the location and amount of any real estate required by the District for school purposes.\*[15][35]
- w. Vacating and abandoning property to which the Board has title.\*[15][36]
- x. Determining the holidays, other than those provided by statute, to be observed by special exercises and those on which the schools shall be closed for the whole day.
- y. Appointing a School Director to fill a vacancy on the Board.\*[15][37]
- z. Calling a special meeting when the President has failed to do so after written request of three (3) members of the Board.[5][38]
- aa. Removing School Directors.[38]
- bb. Declaring that a vacancy exists on the Board by reason of the failure or neglect of a School Director to qualify.[38]
- cc. Removing an officer of the Board.[39]
- dd. Removing an appointee of the Board.[39]
- ee. Adopting, amending or repealing Board policy.[39]

**ff. Any other motion not specifically enumerated in sections VIII.C.1 and VIII.C.2 above.**

## IX. Abstention from Voting

A. For purposes of this subsection, the following definitions shall apply:

1. **Conflict of interest** - use by a public official of the authority of the public official's office or any confidential information received through the public official's holding public office for the private pecuniary benefit of the public official, a member of the public official's immediate family or a business with which public official or a member of the public official's immediate family is associated. The term does not include an action having a de minimis economic impact or which affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the public official, a member of the public official's immediate family or a business with which the public official or a member of the public official's immediate family is associated. [\[42\]](#)
2. **De minimis economic impact** - an economic consequence which has an insignificant effect. [\[42\]](#)
3. **Immediate family** - parent, spouse, child, brother or sister. [\[42\]](#)
4. **Business with which associated** - any business in which the person or a member of the person's immediate family is a Director, officer, owner, employee or has a financial interest. [\[42\]](#)
5. **Relative** - father, mother, brother, sister, husband, wife, son, daughter, stepson, stepdaughter, grandchild, nephew, niece, first cousin, sister-in-law, brother-in-law, uncle, or aunt.

B. A School Director shall be required to abstain from voting when the issue involves either one of the following:

1. Prior to the vote being taken, the School Director shall verbally disclose the nature of the conflict in public, and shall also provide the Board Secretary with a written memorandum stating the nature of the conflict, which shall be attached to the Board minutes as a public record.
2. Conflict of interest under the Ethics Act. [\[42\]](#)[\[43\]](#)[\[44\]](#)
3. Relative recommended for appointment to or dismissal from a teaching position. [\[20\]](#)[\[45\]](#)
4. The Board is encouraged to seek the guidance of the District solicitor or the State Ethics Commission for questions related to conflict of interest. [\[43\]](#)[\[44\]](#)

## X. Minutes

A. The Board shall cause to be made, and shall retain as a permanent record of the District, minutes of all open Board meetings.

B. Said minutes shall be comprehensible and complete and shall show: [\[46\]](#)[\[47\]](#)

1. Date, place, and time of the meeting.
2. The names of School Directors present.
3. Presiding officer.
4. Substance of all official actions.
5. Actions taken.

6. Recorded votes and a record by individual members of all roll call votes taken. [\[48\]](#)

7. Names of all residents who appeared officially and the subject of their testimony.

C. The Board Secretary shall provide each School Director with a copy of the minutes of the last meeting along with the agenda for the next regular meeting **at least 3 days prior to the next scheduled meeting.** [\[1\]](#)

D. The minutes of Board meetings shall be approved at the next succeeding Board meeting and signed by the Board Secretary. [\[49\]](#)

E. Notations and any tape or audiovisual recordings shall not be the official record of a public Board meeting but may be available for public access, upon request, in accordance with Board policy.

1. Any notations and/or audiovisual recordings of a Board meeting shall be retained and disposed of in accordance with the District's records retention schedule. [\[1\]](#)[\[50\]](#)[\[51\]](#)

## **XI. Recess/Reconvene**

A. The Board may at any time recess or adjourn a meeting upon the majority vote of those School Directors present.

B. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was acted upon.

C. Notice of the rescheduled meeting shall be given as provided in Board policy. [\[8\]](#)[\[9\]](#)[\[52\]](#)

## **XII. Executive Session**

A. The Board may hold an executive session, which is not an open meeting, before, during, or at the conclusion of an open meeting, or at some other time.

B. The presiding officer shall announce the reason for holding the executive session; the announcement can be made at the open meeting prior to or after the executive session. [\[12\]](#)[\[53\]](#)[\[54\]](#)

C. The Board may discuss the following matters in executive session:

1. Employment issues.
2. Labor relations.
3. Purchase or lease of real estate.
4. Consultation with an attorney or other professional advisor regarding potential litigation or identifiable complaints that may lead to litigation.
5. Matters that must be conducted in private to protect a lawful privilege or confidentiality.
6. School safety and security, of a nature that if conducted in public, would: [\[12\]](#)
  - a. Be reasonably likely to impair the effectiveness of school safety measures.
  - b. Create a reasonable likelihood of jeopardizing the safety or security of an individual or a school, including a building, public utility, resource, infrastructure, facility or information storage system.

D. Official actions based on discussions held in executive session shall be taken at a public meeting.

### XIII. Work Sessions

- A. The Board may meet as a "Committee of the Whole" in an open meeting to vote on or to discuss issues.[\[2\]](#)[\[52\]](#)
- B. A meeting of the "Committee of the Whole," not regularly scheduled, may be called at any time by the President<sup>7</sup>.
- C. ~~the~~ **The** President shall call such a meeting when requested to do so by School Directors.
1. Public notice of the meeting of the ~~"committee of the whole"~~ **"Committee of the Whole"** shall be made in accordance with BOG ~~006~~, **Section IV, supra.**
- C. The Board Secretary shall provide notice of a meeting of the Committee of the Whole as per the notice provisions of Board procedures.[\[8\]](#)[\[9\]](#)

### XIV. School Board Committee Meetings

- A. School Board Committees are those that are established by the School Board through a majority vote.
1. Committees can be ad hoc or standing.
- B. Committee meetings may be called at any time by the committee chairperson, with proper public notice, or when requested to do so by three (3) members of the committee.[\[8\]](#)[\[9\]](#)[\[52\]](#)
- C. A majority of the total membership of a committee shall constitute a quorum.
- D. Unless held as an executive session, standing committee meetings shall be open to the public, other School Directors, and the Superintendent.[\[2\]](#)
- E. A majority of the committee or the chairperson may invite Board employees, consultants or other persons who have special knowledge of the area under investigation to attend the meeting.
- F. School Directors who are not committee members but who attend committee meetings may not vote on committee matters.

#### **Last Revised:**

**October 25, 2018**

Legal	1. 24 P.S. 407
	2. 65 Pa. C.S.A. 701 et seq
	3. 24 P.S. 422
	4. 24 P.S. 405
	5. 24 P.S. 426
	6. 24 P.S. 427
	7. 24 P.S. 428
	8. 65 Pa. C.S.A. 703
	9. 65 Pa. C.S.A. 709
	10. 24 P.S. 423
	11. 24 P.S. 421
	12. 24 P.S. 425
	13. Pol. 903

14. 24 P.S. 324
15. 24 P.S. 508
16. 24 P.S. 609
17. 24 P.S. 687
18. 24 P.S. 707
19. 24 P.S. 634
20. 24 P.S. 1129
21. 24 P.S. 803
22. Pol. 108
23. 24 P.S. 1071
24. 24 P.S. 1076
25. Pol. 604
26. Pol. 005
27. Pol. 606
28. Pol. 605
29. Pol. 107
30. 24 P.S. 621
31. Pol. 608
32. Pol. 610
33. 24 P.S. 1080
34. 24 P.S. 514
35. 24 P.S. 702
36. 24 P.S. 708
37. 24 P.S. 315
38. Pol. 004
39. Pol. 003
40. 24 P.S. 224
41. 24 P.S. 212
42. 65 Pa. C.S.A. 1102
43. 65 Pa. C.S.A. 1103
44. Pol. 827
45. 24 P.S. 1111
46. 24 P.S. 518
47. 65 Pa. C.S.A. 706
48. 65 Pa. C.S.A. 705
49. 24 P.S. 433
50. Pol. 800
51. Pol. 801
52. Pol. 006
53. 65 Pa. C.S.A. 707
54. 65 Pa. C.S.A. 708

24 P.S. 408

24 P.S. 671

24 P.S. 1075

24 P.S. 1077

65 Pa. C.S.A. 1101 et seq

Pol. 612

Last Modified by Policy Staff on January 2, 2019





Book	Policy Manual
Section	100 Programs
Title	Nondiscrimination in School and Classroom Practices
Number	103
Status	Policy Committee Review
Adopted	October 28, 1991
Last Revised	July 15, 2013

Proposed deletions: ~~strike through~~

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

## I. Authority

A. The Board declares it to be the policy of this District to provide an equal opportunity for all students to achieve their maximum potential through the programs offered in the schools without discrimination on the basis of race, color, age, creed, religion, sex, sexual orientation, gender identity or expression, ancestry, national origin, marital status, pregnancy or handicap/disability.

[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)

**B. The District strives to maintain a safe, positive learning environment for all students that is free from discrimination. Discrimination is inconsistent with the educational and programmatic goals of the District and is prohibited on school grounds, at school-sponsored activities and on any conveyance providing transportation to or from a school entity or school-sponsored activity.**

~~B.~~ **C.** The District shall provide to all school District students, without discrimination, all school District programs, activities and services. The District shall make reasonable accommodations for identified physical and mental impairments that constitute handicaps and disabilities, consistent with the requirements of federal and state laws and regulations.

~~C.~~ **D.** The Board encourages students and third parties who have been subject to discrimination to promptly report such incidents to designated employees.

~~D.~~ **E.** The Board directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated.

**F.** Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with this policy and the District's legal and investigative obligations.

~~E.~~ **G.** No reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

## II. Definitions

## **A. Discriminatory Harassment**

**1. Harassment by students, employees or third parties on the basis of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy, handicap/disability or for participation in reports or investigations of alleged discrimination is a form of discrimination and is subject to this policy. A person who is not necessarily an intended victim or target of such harassment but is adversely affected by the offensive conduct may file a report of discrimination.**[\[20\]](#)[\[21\]](#)[\[22\]](#)[\[23\]](#)[\[25\]](#)[\[25\]](#)[\[26\]](#)

**2. For purposes of this policy, "harassment" shall consist of unwelcome conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance and which relates to an individual's or group's race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability when such conduct is:**

**a. Sufficiently severe, persistent or pervasive; and**

**b. A reasonable person in the complainant's position would find that it creates an intimidating, threatening or abusive educational environment such that it deprives or adversely interferes with or limits an individual or group of the ability to participate in or benefit from the services, activities or opportunities offered by a school.**

## **B. Sexual Harassment**

**1. Sexual harassment is a form of discrimination on the basis of sex and is subject to this policy. For purposes of this policy, "sexual harassment" shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, nonverbal, written, graphic or physical conduct of a sexual nature when:**

**a. Submission to such conduct is made explicitly or implicitly a term or condition of a student's status in any educational or other programs offered by a school; or**

**b. Submission to or rejection of such conduct is used as the basis for educational or other program decisions affecting a student; or**

**c. Such conduct deprives a student or group of individuals of educational aid, benefits, services or treatment; or**

**d. Such conduct is sufficiently severe, persistent or pervasive that a reasonable person in the complainant's position would find that it unreasonably interferes with the complainant's performance in school or school-related programs, or otherwise creates an intimidating, hostile, or offensive school or school-related environment such that it unreasonably interferes with the complainant's access to or participation in school or school-related programs.**

**2. Federal law declares sexual violence a form of sexual harassment. "Sexual violence" means physical or sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual may also be unable to give consent due to an intellectual or other disability. Sexual violence includes but is not limited to rape, sexual assault, sexual battery and sexual coercion.**

## **II. III. Delegation of Responsibility**

A. In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Superintendent or his/her **the Superintendent's** designee as the District's Compliance Officer.

B. The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.

C. The Compliance Officer is responsible to **ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of nondiscrimination procedures in the following areas:**

1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.
2. Training - Provision of training for students and staff to prevent, identify and alleviate problems of discrimination.
3. Student Access - Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. District Support - Assurance that like aspects of the school program receive like support as to staffing and compensation, facilities, equipment, and related matters.
5. Student Evaluation - Review of tests, procedures, and guidance and counseling materials for stereotyping and discrimination.

**6. Resources - Maintain and provide information to staff on resources available to alleged victims in addition to the school complaint procedure, such as making reports to the police, available assistance from domestic violence or rape crisis programs and community health resources including counseling resources.**

**7. Complaints - Monitor and provide technical assistance to building principals or designee in processing complaints.**

D. The building principal or his/her **the building principal's** designee shall be responsible to complete the following duties when receiving a complaint of discrimination: **If the building principal is the subject of the complaint, refer the complainant to the Compliance Officer to carry out these responsibilities.**

1. Inform the student or third party of **complainant about this policy including** the right to file a complaint and the complaint procedure **an investigation of both oral and written complaints of discrimination.**

**2. Seek to obtain consent from parents/guardians to initiate an investigation where the complainant or alleged victim is under age eighteen (18).**

~~2.~~ **3. Inform the complainant that s/he parents/guardians of the complainant that the complainant** may be accompanied by a parent/guardian during all steps of the complaint procedure.

~~4. Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint.~~

**4. When a parent/guardian requests confidentiality and will not consent to the alleged victim's participation in an investigation, explain that the school shall take all reasonable steps to investigate and respond to the complaint consistent with that request for confidentiality as long as doing so does not preclude the school from responding effectively to the discrimination and preventing discrimination of other students.**

**5. Provide relevant information on resources available in addition to the school complaint procedure, such as making reports to the police, available assistance from domestic violence or rape crisis programs and community health resources including counseling resources.**

**6. Immediately notify the Compliance Officer of the complaint. The Compliance Officer shall assess whether the investigation should be conducted by the building principal, another District employee, the Compliance Officer or an attorney and shall promptly assign the investigation to that individual. When a parent/guardian has requested confidentiality and will not consent to the alleged victim's participation in an investigation, the Compliance Officer shall provide the parent/guardian with a letter containing information related to the District's legal obligations to conduct an investigation and address violations of this policy, and any other information appropriate to the specific complaint.**

**7. After consideration of the allegations and in consultation with the Compliance Officer and other appropriate individuals, promptly implement interim measures as appropriate to protect the complainant and others as necessary from violation of this policy during the course of the investigation.**

~~3.~~ **8.** Notify the complainant and the accused of the progress at appropriate stages of the procedure.

### **III. IV. Guidelines**

#### **A. Complaint Procedure – Student/Third Party**

##### **1. Step 1 – Reporting**

a. A student or third party who believes-s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building principal. **Any person with knowledge of conduct that may violate this policy is encouraged to immediately report the matter to the building principal.**

b. A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal, **as well as properly making any mandatory police or child protective services reports required by law.[27]**

c. If the building principal is the subject of a complaint, the student, third party or employee shall report the incident directly to the Compliance Officer.

d. The complainant or reporting employee may be encouraged to use the report form available from the building principal **or Compliance Officer, or to put the complaint in writing; however, but oral complaints shall be acceptable accepted, documented and the procedures of this policy implemented.**

**e. The person accepting the verbal or written complaint may provide factual information on the complaint and the investigative process, the impact of**

**choosing to seek confidentiality and the right to file criminal charges.**

**f. In all other respects, the person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the complainant or those accused of a violation of this policy.**

2. Step 2 – Investigation

**a. The Compliance Officer shall ensure that the individual assigned to investigate the complaint has an appropriate understanding of the relevant laws pertaining to discrimination issues and this policy and how to conduct investigations.**

b. The investigator shall work with the Compliance Officer to assess the anticipated scope of the investigation, who needs to be interviewed and what records may be relevant to the investigation.

**c. The investigator shall conduct an adequate, reliable and impartial investigation.**

**d. The complainant and the accused may suggest additional witnesses and provide other evidence during the course of the investigation.**

**e. When the initial complaint involves allegations relating to conduct which took place away from school property, school-sponsored activities or school conveyances, the investigation may include inquiries related to these allegations to determine whether they resulted in continuing effects such as harassment in school settings.**

~~b.~~ **f.** The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the allegations.

**g.** The investigator may also evaluate any other information and materials relevant to the investigation.

**h.** The person making the report, parties, parents/guardians and witnesses shall be informed of the prohibition against retaliation for anyone's participation in the process and that conduct believed to be retaliatory should be reported.

**i.** All individuals providing statements or other information or participating in the investigation shall be instructed to keep the matter confidential and to report any concerns about confidentiality to the investigator.

**j.** If the investigation reveals that the conduct being investigated may involve a violation of criminal law, the investigator shall promptly notify the Compliance Officer, who shall promptly inform law enforcement authorities about the allegations.[27][28]  
[29]

~~e.~~ **k.** The obligation to conduct this investigation shall not be negated by the fact that a criminal **or child protective services** investigation of the incident **allegations** is pending or has been concluded.

**l. The investigator should coordinate with any other ongoing investigations of the allegations, including agreeing to requests for a short delay in fulfilling the District's investigative responsibilities during the fact-finding portion of a criminal or child protective services investigation.**

**m. Such delays shall not extend beyond the time necessary to prevent interference with or disruption of the criminal or child protective services investigation.**

### 3. Step 3 – Investigative Report

a. The investigator shall prepare and submit a written report within fifteen (15) days ~~of the initial report of alleged discrimination,~~ unless additional time to complete the investigation is required **the nature of the allegations, anticipated extent of the investigation or the availability of witnesses requires the investigator and the Compliance Officer to establish a different due date.**

b. **The parties shall be notified of the anticipated date the investigative report will be completed and of any changes to the anticipated due date during the course of the investigation.**

c. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, **the information and evaluation that formed the basis for this determination,** and whether it is a violation of this policy **the conduct violated this policy and of any other violations of law or Board policy which may warrant further District action,** and a recommended disposition of the complaint.

**d. An investigation into discriminatory harassment or sexual harassment shall consider the record as a whole and the totality of circumstances in determining whether a violation of this policy has occurred, recognizing that persistent and pervasive conduct, when taken together, may be a violation even when the separate incidents are not severe.**

~~b. e.~~ Findings of the investigation shall be provided to the complainant, the accused, and the compliance officer **The complainant and the accused shall be informed of the outcome of the investigation, for example, whether the investigator believes the allegations to be founded or unfounded, within a reasonable time of the submission of the written report to the extent authorized by the Family Educational Rights and Privacy Act (FERPA) and other applicable laws. The accused shall not be notified of the individual remedies offered or provided to the complainant.**[\[30\]](#)[\[31\]](#)[\[32\]](#)

### 4. Step 4 – District Action

a. If the investigation results in a finding that **some or all of the allegations of** the complaint is factual **are established** and constitutes a violation of this policy, the District shall take prompt, corrective action **designed** to ensure that such conduct ceases and will not recur **and that no retaliation occurs.**

**b. The District shall promptly take appropriate steps to prevent the recurrence of the prohibited conduct and to address the discriminatory effect the prohibited conduct had on the complainant and the school or school program environment.**

**c. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant.**

**d. The Compliance Officer shall follow up by assessing the effectiveness of the corrective action at reasonable intervals.**

**e. If an investigation results in a finding that a different policy was violated separately from or in addition to violations of this policy, or that there are circumstances warranting further action, such matters shall be addressed at**

**the conclusion of this investigation or through disciplinary or other appropriate referrals where further evaluation or investigation is necessary.**

~~b. f.~~ Disciplinary actions shall be consistent with the Code of Student Conduct, Board policies and District procedures, applicable collective bargaining agreements, and state and federal laws.

~~c. g.~~ Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws including Title VII of the Civil Rights Act 1964; the Age Discrimination Act of 1975; and the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination law

## B. Appeal Procedure

1. If the complainant **or the accused** is not satisfied with a finding of no violation of **made pursuant to** the policy or with the corrective action recommended **in the investigative report,** ~~s/he~~ **the complainant or accused** may submit a written appeal to the Compliance Officer within fifteen (15) days. **If the Compliance Officer investigated the complaint, such appeal shall be made to the Superintendent.**

2. The Compliance Officer **individual receiving the appeal** shall review the investigation and the investigative report and may also conduct **or designate another person to conduct** a reasonable **supplemental** investigation **to assess the sufficiency and propriety of the prior investigation.**

3. The Compliance Officer **person handling the appeal** shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the ~~building principal~~ **investigator** who conducted the initial investigation.

### **Revision History:**

**July 15, 2013**

#### Legal

1. 20 U.S.C. 1681 et seq
2. 22 PA Code 12.1
3. 22 PA Code 12.4
4. 22 PA Code 15.1 et seq
5. 22 PA Code 4.4
6. 24 P.S. 1301
7. 24 P.S. 1310
8. 24 P.S. 1601-C et seq
9. 24 P.S. 5004
10. 29 U.S.C. 794
11. 42 U.S.C. 12101 et seq
12. 42 U.S.C. 1981 et seq
13. 42 U.S.C. 2000d et seq
14. 43 P.S. 951 et seq
15. Pol. 103.1
16. Pol. 218
17. Pol. 247
18. Pol. 249

19. U.S. Const. Amend. XIV, Equal Protection Clause
20. 29 CFR 1604.11
21. 29 CFR 1606.8
22. Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
23. Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)
24. Office for Civil Rights - Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability (Oct. 26, 2010)
25. Office for Civil Rights - Resources for Addressing Racial Harassment
26. Office for Civil Rights - Revised Harassment Guidance: Harassment of Students by School Employees, Other Students or Third Parties Title IX (January 2001)
27. Pol. 806
28. 18 Pa. C.S.A. 2709
29. Pol. 815
30. Pol. 216
31. 20 U.S.C. 1232g
32. 34 CFR Part 99
- 28 CFR Part 35
- 28 CFR Part 41
- 34 CFR Part 100
- 34 CFR Part 104
- 34 CFR Part 106
- 34 CFR Part 110
- Pol. 113
- Pol. 122
- Pol. 123
- Pol. 138
- Pol. 701

103Attach-ReportFormComplaints.doc (29 KB)

103Attach-TemplateLetter.docx (24 KB)

Last Modified by Policy Staff on December 20, 2018





Book	Policy Manual
Section	100 Programs
Title	Nondiscrimination - Qualified Students with Disabilities
Code	103.1
Status	Policy Committee Review
Adopted	April 19, 2010

Proposed deletions: ~~strike through~~

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

## I. Authority

A. The Board declares it to be the policy of this District to ensure that all District programs and practices are free from discrimination against all qualified students with disabilities. The Board recognizes its responsibility to provide academic and nonacademic services and programs equally to students with and without disabilities.. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)

B. The District shall provide to each qualified student with a disability enrolled in the District, without cost to the student or parent/guardian, a free and appropriate public education (FAPE). This includes provision of education and related aids, services, or accommodations which are needed to afford each qualified student with a disability equal opportunity to participate in and obtain the benefits from educational programs and extracurricular activities without discrimination, to the same extent as each student without a disability, consistent with federal and state laws and regulations.

C. The Board encourages students and parents/guardians who believe they have been subjected to discrimination or harassment to promptly report such incidents to designated employees.

D. The Board directs that complaints of discrimination or harassment shall be investigated promptly, and corrective **or preventative** action be taken for substantiated allegations. Confidentiality of all parties, **witnesses, the allegations, the filing of a complaint and the investigation** shall be maintained, consistent with the District's legal and investigative obligations.

E. The District shall not intimidate, threaten, coerce, discriminate or retaliate against any individual for the purpose of interfering with any right or privilege secured by this policy.

## II. Definitions

A. "Qualified student with a disability" shall be defined as a student who has a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of the District's educational programs, nonacademic services or extracurricular activities. [\[11\]](#)[\[12\]](#)

B. "Section 504 Team" shall be defined as a group of individuals who are knowledgeable about the student, the meaning of the evaluation data and the placement options for the student. This could

include, as appropriate, documentation or input from classroom teachers, counselors, psychologists, school nurses, outside care providers and the student's parents/guardians.[3][8]

C. "Section 504 Service Agreement" or ("Service Agreement") shall be defined as an individualized plan for a qualified student with a disability which sets forth the specific related aids, services, or accommodations needed by the student, which shall be implemented in school, in transit to and from school, and in all programs and procedures, so that the student has equal access to the benefits of the school's educational programs, nonacademic services, and extracurricular activities. [13]

D. "Disability harassment" shall be defined as intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the school's educational programs, nonacademic services, or extracurricular activities.[10]

### III. Delegation of Responsibility

A. In order to maintain a program of nondiscrimination practices that is in compliance with applicable law and regulations, the Board designates the Director of ~~Special Education~~ **Student Services** as the District's Section 504 Coordinator.[14]

B. In addition, each school within the District shall designate the Section 504 building administrator for that building.

C. The District shall publish and disseminate this policy and complaint procedure on or before the first day of each school year by posting it on the District's web site, if available, and in the student handbook. The District shall notify parents/guardians of students residing in the District of the District's responsibilities under applicable laws and regulations, and that the District does not discriminate against qualified individuals with disabilities.[15][16]

### IV. Guidelines

#### A. Identification and Evaluation

1. The District shall conduct an annual child find campaign to locate and identify every District student with a disability thought to be eligible for Section 504 services and protections. The District may combine this search with the District's IDEA child find efforts, in order to not duplicate efforts.[16][17]

2. If a parent/guardian or the District has reason to believe that a student should be identified as a qualified student with a disability, should no longer be identified as a qualified student with a disability, or requires a change in or modification of the student's current Service Agreement, the parent/guardian or the District shall provide the other party with written notice.[18][19][20]

3. The District shall establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need related services because of a disability.[20]

4. The District shall specifically identify the procedures and types of tests used to evaluate a student, and provide the parent/guardian the opportunity to give or withhold consent to the proposed evaluation(s) in writing.[20]

5. The District shall establish procedures for evaluation and placement that assure tests and other evaluation materials:

- a. Have been validated and are administered by trained personnel.

- b. Are tailored to assess educational need and are not based solely on IQ scores.
- c. Reflect aptitude or achievement or anything else the tests purport to measure and do not reflect the student's impaired sensory, manual or speaking skills (except where those skills are what is being measured).

## B. Service Agreement

1. If a student is determined to be a qualified student with a disability, the District shall develop a written Service Agreement for the delivery of all appropriate aids, services, or accommodations necessary to provide the student with FAPE. [\[13\]](#)
2. The District shall not implement a Service Agreement until the written agreement is executed by a representative of the District and a parent/guardian. [\[13\]](#)
3. The District shall not modify or terminate a student's current Service Agreement without the parent's/guardian's written consent. [\[18\]](#)

## C. Educational Programs/Nonacademic Services/Extracurricular Activities

1. The District shall educate a qualified student with a disability with students who are not disabled to the maximum extent appropriate to the needs of the student with a disability. A qualified student with a disability shall be removed from the regular educational environment only when the District determines that educating the student ~~[22][23]~~ in the regular educational environment with the use of related aids, services, or accommodations cannot be achieved satisfactorily. Placement in a setting other than the regular educational environment shall take into account the proximity of the alternative setting to the student's home. [\[21\]\[22\]](#)
2. The District shall not discriminate against any qualified student with a disability in its provision of nonacademic services and extracurricular activities, including but not limited to, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs, and referrals to agencies which provide assistance to individuals with disabilities. [\[21\]\[22\]\[23\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)[\[27\]](#)

## D. Discipline

1. When necessary, the District shall discipline qualified students with disabilities in accordance with state and federal laws and regulations and Board policies. [\[33\]](#)[\[34\]](#)

## E. Parental Involvement

1. Parents/Guardians have the right to inspect and review all relevant school records of the student, meet with the appropriate school officials to discuss any and all issues relevant to the evaluation and accommodations of their child, and give or withhold their written consent to the evaluation and/or the provision of services. [\[13\]](#)[\[19\]](#)[\[20\]](#)[\[28\]](#)

## F. Confidentiality of Student Records

1. All personally identifiable information regarding a qualified student with a disability shall be treated as confidential and disclosed only as permitted by the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, state regulations, and Board policy. [\[29\]](#)[\[30\]](#)[\[31\]](#)[\[32\]](#)

## G. Referral to Law Enforcement and Reporting Requirements

- 1. For reporting purposes, the term incident shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a**

**controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.**[\[35\]](#)[\[36\]](#)[\[37\]](#)

**2. The Superintendent or the Superintendent's designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a qualified student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement, and Board policies. The Superintendent or designee shall respond in a manner that is consistent with the student's Service Agreement and Behavior Support Plan, if applicable.**[\[11\]](#)[\[13\]](#)[\[21\]](#)[\[29\]](#)[\[33\]](#)[\[38\]](#)[\[39\]](#)[\[40\]](#)[\[41\]](#)[\[42\]](#)[\[43\]](#)[\[44\]](#)[\[45\]](#)[\[46\]](#)[\[47\]](#)[\[48\]](#)

**3. In making a determination of whether to notify the local police department of a discretionary incident committed by a qualified student with a disability, including a student for whom an evaluation is pending, the Superintendent or designee shall use the same criteria used for students who do not have a disability.**[\[10\]](#)[\[39\]](#)[\[48\]](#)[\[49\]](#)

**4. For a qualified student with a disability who does not have a Behavior Support Plan as part of the student's Service Agreement, subsequent to notification to law enforcement, the district, in consultation with the student's parent/guardian, shall consider whether a Behavior Support Plan should be developed as part of the Service Agreement to address the student's behavior.**[\[13\]](#)[\[40\]](#)

**5. In accordance with state law, the Superintendent shall annually, by July 31, report to the Office for Safe Schools on the required form all new incidents committed by qualified students with disabilities, including students for whom an evaluation is pending, which occurred on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity.**[\[36\]](#)[\[48\]](#)

#### **G. H.** Procedural Safegaurds

1. The District shall establish and implement a system of procedural safeguards that includes notice of rights to the parent/guardian of a student suspected of being a qualified student with a disability, an opportunity for the parent/guardian to review relevant records, an impartial hearing with an opportunity for participation by the student's parent/guardian, and a review procedure.[\[28\]](#)[\[50\]](#)

2. A student or parent/guardian filing a claim of discrimination need not exhaust these procedures prior to initiating court action under Section 504.[\[19\]](#)

#### **H. I.** Parental Request for Assistance

1. Parents/Guardians may file a written request for assistance with the Pennsylvania Department of Education (PDE) if one (1) or both of the following apply:[\[28\]](#)

- a. The District is not providing the related aids, services and accommodations specified in the student's Service Agreement.
- b. The District has failed to comply with the procedures and state regulations.

2. PDE shall investigate and respond to requests for assistance and, unless exceptional circumstances exist, shall, within sixty (60) calendar days of receipt of the request, send to the parents/guardians and District a written response to the request. The response to the parents'/guardians' request shall be in the parents'/guardians' native language or mode of communication.[\[28\]](#)

#### ~~I.~~ **J.** Informal Conference

1. At any time, parents/guardians may file a written request with the District for an informal conference with respect to the identification or evaluation of a student, or the student's need for related aids, services or accommodations. Within ten (10) school days of receipt of the request, the District shall convene an informal conference. At the conference, every effort shall be made to reach an amicable agreement.[\[28\]](#)

#### ~~J.~~ **K.** Formal Due Process Hearing

1. If the matters raised by the District or parents/guardians are not resolved at the informal conference, the District or parents/guardians may submit a written request for an impartial due process hearing. The hearing shall be held before an impartial hearing officer and shall be conducted in accordance with state regulations.[\[28\]](#)[\[51\]](#)

#### ~~K.~~ **L.** Judicial Appeals

1. The decision of the impartial hearing officer may be appealed to a court of competent jurisdiction.[\[28\]](#)

#### ~~L.~~ **M.** Complaint Procedure

1. This complaint procedure is in addition to and does not prevent parents/guardians from using any option in the procedural safeguards system.[\[10\]](#)

##### a. Step 1 – Reporting

~~1.~~ **i.** A student or parent/guardian who believes ~~s/he~~ has been subject to conduct by any student, employee or third party that constitutes a violation of this policy is encouraged to immediately report the incident to the Section 504 building administrator.

**ii.** Any person with knowledge of conduct that may violate this policy, is encouraged to immediately report the matter to the Section 504 building administrator.

~~2.~~ **iii.** A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the Section 504 building administrator, **as well as properly making any mandatory police or child protective services reports required by law.**[\[52\]](#)

~~3.~~ **iv.** If the Section 504 building administrator is the subject of a complaint, the student, parent/guardian or employee shall report the incident directly to the District's Section 504 Coordinator.

~~4.~~ **v.** The complainant or reporting employee is encouraged to use the report form available from the Section 504 building administrator, but oral complaints shall be acceptable. Oral complaints shall be documented by the Section 504 building administrator. **The person accepting the verbal or written complaint may provide factual information on the complaint and the investigative process, the impact of choosing to seek confidentiality and the right to file criminal charges. In all other respects, the person**

**accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the complainant or those accused of a violation of this policy.**

b. Step 2 – Investigation

**i. The Section 504 Coordinator shall ensure that the individual assigned to investigate the complaint has an appropriate understanding of the relevant laws pertaining to discrimination issues and this policy and how to conduct investigations.**

~~1. ii.~~ Upon receiving a complaint of discrimination, the Section 504 building administrator shall immediately notify the District's Section 504 Coordinator. The Section 504 Coordinator shall authorize the Section 504 building administrator to investigate the complaint, unless the Section 504 building administrator is the subject of the complaint or is unable to conduct the investigation. If the complaint is about the Director of Pupil Services **Student Services**, and complaint shall be referred to the Superintendent. If the complaint is about the Superintendent, the complaint shall be referred to the Board President.

~~2. iii.~~ The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.

**iv. The investigator shall work with the Section 504 Coordinator to assess the anticipated scope of the investigation, who needs to be interviewed and what records may be relevant to the investigation.**

**v. The investigator shall conduct an adequate, reliable and impartial investigation.**

**vi. The complainant and the accused may suggest additional witnesses and provide other evidence during the course of the investigation.**

**vii. When the initial complaint involves allegations relating to conduct which took place away from school property, school-sponsored activities or school conveyances, the investigation may include inquiries related to these allegations to determine whether they resulted in continuing effects such as harassment in school settings.**

**viii. The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the allegations. The investigator may also evaluate any other information and materials relevant to the investigation.**

**ix. The person making the report, parties, parents/guardians and witnesses shall be informed of the prohibition against retaliation for anyone's participation in the process and that conduct believed to be retaliatory should be reported.**

**x. All individuals providing statements or other information or participating in the investigation shall be instructed to keep the matter confidential and to report any concerns about confidentiality to the investigator.**

~~3. xi.~~ If the investigation results in a determination **reveals** that the conduct being investigated may involve a violation of criminal law, the Section 504

building administrator shall promptly inform law enforcement authorities about the incident **allegations**.<sup>[10]</sup><sup>[52]</sup><sup>[53]</sup><sup>[54]</sup>

4. **xii.** The obligation to conduct this investigation shall not be negated by the fact that a criminal **or child protective services investigation of the allegations** is pending or has been concluded.

**xiii. The investigator should coordinate with any other ongoing investigations of the allegations, including agreeing to requests for a short delay in fulfilling the district's investigative responsibilities during the fact-finding portion of a criminal or child protective services investigation. Such delays shall not extend beyond the time necessary to prevent interference with or disruption of the criminal or child protective services investigation.**

c. Step 3 – Investigative Report

~~1. i.~~ **i.** The Section 504 building administrator shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required. **The parties shall be notified of the anticipated date the investigative report will be completed and of any changes to the anticipated due date during the course of the investigation.**

**ii.** The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, **the information and evaluation that formed the basis for this determination**, and whether it ~~the conduct is a violation of~~ **violated** this policy **and of any other violations of law or Board policy which may warrant further district action**, and a recommended disposition of the complaint.

**iii. An investigation into disability harassment shall consider the record as a whole and the totality of circumstances in determining whether a violation of this policy has occurred, recognizing that persistent and pervasive conduct, when taken together, may be a violation even when the separate incidents are not severe.**

~~iv.~~ Findings of the investigation shall be provided to the complainant, the accused, and the District's Section 504 Coordinator **The complainant and the accused shall be informed of the outcome of the investigation, for example, whether the investigator believes the allegations to be founded or unfounded, within a reasonable time of the submission of the written report to the extent authorized by the Family Educational Rights and Privacy Act (FERPA) and other applicable laws. The accused shall not be notified of the individual remedies offered or provided to the complainant.**<sup>[29]</sup><sup>[30]</sup><sup>[31]</sup><sup>[32]</sup>

d. Step 4 – District Action

~~1. i.~~ **i.** If the investigation results in a finding that **some or all of the allegations of** the complaint ~~is factual~~ are established and constitutes a violation of this policy, the District shall take prompt, corrective action designed to ensure that such conduct ceases and will not recur, **and that no retaliation occurs.**

**ii. The District shall promptly take appropriate steps to prevent the recurrence of the prohibited conduct and to address the discriminatory effect the prohibited conduct had on the complainant and the school or school program environment.**



**iii. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant.**

**iv. The Section 504 Coordinator shall follow up by assessing the effectiveness of the corrective action at reasonable intervals.**

**v. If the investigation results in a finding that a different policy was violated separately from or in addition to violations of this policy, or that there are circumstances warranting further action, such matters shall be addressed at the conclusion of this investigation or through disciplinary or other appropriate referrals where further evaluation or investigation is necessary.**

2. **vi.** Disciplinary actions shall be consistent with the Student Code of Conduct, Board policies and administrative regulations, district **District** procedures, applicable collective bargaining agreements, and state and federal laws.

## V. Appeal Procedure

1. If the complainant or the accused is not satisfied with a finding made pursuant to the policy or with recommended corrective action, s/he may submit a written appeal to the district's Section 504 Coordinator within fifteen (15) days.
2. The Section 504 Coordinator shall review the investigation and the investigative report and may also conduct a reasonable **supplemental** investigation **to assess the sufficiency and propriety of the prior investigation.**
3. The Section 504 Coordinator shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the Section 504 building administrator who conducted the initial investigation.

## Legal

1. 22 PA Code 12.1
2. 22 PA Code 12.4
3. 22 PA Code 15.1 et seq
4. 22 PA Code 4.4
5. 28 CFR Part 35
6. 28 CFR Part 36
7. 29 U.S.C. 794
8. 34 CFR Part 104
9. 42 U.S.C. 12101 et seq
10. Pol. 103
11. 22 PA Code 15.2
12. 42 U.S.C. 12102
13. 22 PA Code 15.7
14. 34 CFR 104.7
15. 22 PA Code 15.4
16. 34 CFR 104.32
17. Pol. 113
18. 22 PA Code 15.5
19. 22 PA Code 15.6



20. 34 CFR 104.35
21. 22 PA Code 15.3
22. 34 CFR 104.34
23. 34 CFR 104.37
24. Pol. 112
25. Pol. 122
26. Pol. 123
27. Pol. 810
28. 22 PA Code 15.8
29. 22 PA Code 15.9
30. Pol. 216
31. 20 U.S.C. 1232g
32. 34 CFR Part 99
33. Pol. 218
34. Pol. 233
35. 22 PA Code 10.2
36. 24 P.S. 1303-A
37. 35 P.S. 780-102
38. 22 PA Code 10.21
39. 22 PA Code 10.22
40. 22 PA Code 10.23
41. 22 PA Code 10.25
42. 24 P.S. 1302.1-A
43. Pol. 113.2
44. Pol. 218.1
45. Pol. 218.2
46. Pol. 222
47. Pol. 227
48. Pol. 805.1
49. 22 PA Code 15.1
50. 34 CFR 104.36
51. 22 PA Code 14.162
52. Pol. 806
53. 18 Pa. C.S.A. 2709
54. Pol. 815

[103\\_1Attach-ReportFormComplaints.doc \(30 KB\)](#)[103\\_1Attach-District-InitiatedEvalNotice.doc \(29 KB\)](#)[103\\_1Attach-Parent\\_GuardianRequest-PermissionToEvaluate.doc \(56 KB\)](#)[103\\_1Attach-ProceduralSafeguards.doc \(35 KB\)](#)

Last Modified by Policy Staff on January 3, 2019



Book	Policy Manual
Section	100 Programs
Title	Field Trips
Code	121
Status	
Adopted	November 23, 1992
Last Revised	November 29, 2018

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.
  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.

## III. Authority

- A. The Board shall only be required to approve 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 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. 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.[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.[4][5]
3. Medication shall be administered in accordance with applicable laws, regulations, Board policies and District procedures.[6][7]

- 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.[2]
- G. Field trip planning forms must be submitted to the principal ten (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.[8]
- 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.[7]~~

## Revision History:

June 2, 2014

**November 29, 2018**

## Legal

1. Pol. 105
2. Pol. 231
3. 24 P.S. 517
4. Pol. 103.1
5. Pol. 113
6. Pol. 210
7. Pol. 210.1
8. Pol. 916
- 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 January 2, 2019



Book	Policy Manual
Section	100 Programs
Title	Concussion Management
Code	123.1
Status	Policy Committee Review
Adopted	March 4, 2013

Proposed deletions: ~~strike through~~

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

## I. Purpose

A. The Board recognizes the importance of ensuring the safety of students participating in the District's athletic programs.

B. This policy has been developed to provide guidance for prevention, detection and treatment of concussions sustained by students while participating in an athletic activity.

## II. Definitions

A. For purposes of this policy, "**appropriate medical professional**" shall mean any or all of the following:[\[1\]](#)

1. A licensed physician who is trained in the evaluation and management of concussions.
2. A licensed or certified health care professional trained in the evaluation and management of concussions and designated by a licensed physician trained in the evaluation and management of concussions.
3. A licensed psychologist neuropsychologically trained in the evaluation and management of concussions or who has postdoctoral training in neuropsychology and specific training in the evaluation and management of concussions.

B. For the purposes of this policy, "**athletic activity**" shall mean any or all of the following:[\[1\]](#)

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

## **5. Physical Education classes**

## **6. Recess Activities**

### **III. Delegation of Responsibility**

A. Each school year, prior to participation in an athletic activity, every student athlete and every student athlete's parent/guardian shall sign and return the acknowledgement of receipt and review of the Concussion and Traumatic Brain Injury Information Sheet.[\[4\]](#)

B. The Superintendent or his/her **the Superintendent's** designee shall develop ~~administrative regulations~~ **procedures** to implement this policy, which shall include protocols for concussion management.

### **IV. Guidelines**

A. The District shall hold an informational meeting prior to the start of each athletic season for all competitors regarding concussions and other head injuries, the importance of proper concussion management, and how preseason baseline assessments can aid in the evaluation, management and recovery process.

B. In addition to annual mandatory attendance by student athletes prior to participation, such meetings may include parents/guardians, coaches, other appropriate school officials, physicians, neuropsychologists, athletic trainers and physical therapists.[\[4\]](#)

#### **C. Additional Procedures for Student and Student-Athlete Injuries Involving Prevention and Treatment of Head, Brain, Neck and Back**

1. The District shall require the parent/guardian of any student participating in an athletic activity to sign and return to the student's school an acknowledgment of receipt and review of the concussion and traumatic brain injury information sheet which is administered to student-athletes every school year. This form will be developed, approved and required by PIAA.

2. The athletic training staff shall keep head coaches informed of student-athlete injury status.

#### **D. Pre-Testing/Baseline Testing for Student Athletes**

1. The ImPACT test is mandatory and free to District student athletes in all sports.

2. Students may also receive baseline testing from their own personal physician, which the District will consider and may accept, if provided by the student or the student's parent/guardian, as part of the District's determination for return-to-play.

#### **E. Mandatory Reporting**

1. The District requires that coaches, athletic directors, and parents/guardians report student athlete injuries involving head, brain, neck, and back to the building principal as soon as possible after any necessary steps have been taken to stabilize and secure the necessary medical assistance for the student.

#### **F. Removal From Play**

1. A student who, as determined by a game official, coach from the student's team, certified athletic trainer, licensed physician, licensed physical therapist or other official designated by



the District, exhibits signs or symptoms of a concussion or traumatic brain injury while participating in an athletic activity shall be removed from participation at that time.[\[4\]](#)

#### G. Return to Play

1. The coach shall not return a student to participation until the student is evaluated and cleared for return to participation in writing by an appropriate medical professional. The Board may designate specific appropriate medical professional(s) to provide written clearance for return to participation.[\[4\]](#)

#### H. Training

1. All coaches shall annually, prior to coaching an athletic activity, complete a concussion management certification training course offered by the Centers for Disease Control and Prevention, the National Federation of State High School Associations, or another provider approved by the Department of Health.[\[4\]](#)

#### I. Penalties

1. A coach found in violation of the provisions of this policy related to removal from play and return to play shall be subject to the following penalties:[\[4\]](#)

- a. For a **first** violation, suspension from coaching any athletic activity for the remainder of the season.
- b. For a **second** violation, suspension from coaching any athletic activity for the remainder of the season and for the next season.
- c. For a **third** violation, permanent suspension from coaching any athletic activity.

#### Legal

1. 24 P.S. 5322
2. Pol. 123
3. Pol. 122
4. 24 P.S. 5323

Last Modified by Policy Staff on January 2, 2019



Book	Policy Manual
Section	200 Pupils
Title	Social Events and Class Trips
Code	231
Status	Policy Committee Review
Adopted	March 29, 1993

Proposed deletions: ~~strike through~~

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

## I. Purpose

- A. The Board recognizes the value of student social events and class trips in enhancing and enriching the school experience for the children **students** of this ~~school district~~ **School District**.

## II. Authority

- A. The Board will make school facilities available and provide appropriate staff for the conduct of social events within the school facilities which have been approved by the Superintendent.[\[3\]](#)
- B. For overnight school trips, approval is required by the Board.
- C. As voluntary participants in school social events and class trips, students shall be held responsible for compliance with rules set forth in advance for their conduct, and infractions of those rules will be subject to the same disciplinary measures as are applied during the regular school program.[\[2\]](#)

### D. Senior Class Trips

1. Senior class trips can be meaningful and memorable to students during their final year of school. A carefully planned senior class trip can have educational value and can serve as a culminating experience for students--something to look forward to. A senior class trip provides opportunities for planning, leadership, initiative, and camaraderie.
2. The ~~school district~~ **School District** may approve senior class trips subject to the following guidelines:
  - a. Early planning. Senior students, and their parents, will be involved in planning which must be completed by a date stipulated by the administration.
  - b. One half (1/2) or more of the senior class, must indicate their intention to participate through payment of a deposit. The Superintendent can recommend exceptions to the Board of School Directors.
  - c. The total cost for lodging, meals, transportation, and admissions should be kept within reasonable limits to ensure participation by as many students as possible.

- d. Adequate adult chaperones must be provided, so that the ratio of participating students to chaperones is no more than twenty to one.
- e. Trips should not be scheduled on days when schools are in session, according to the school calendar as originally adopted. Exceptions require administrative and ~~school board~~ **School Board** approval. In no case shall more than two (2) days of school time be approved for this purpose.
- f. Insurance provisions to protect students, their families, and all ~~school-district~~ **School District** personnel must be arranged.
- g. During the course of a senior class trip, ~~school-district~~ **School District** standards shall apply to matters such as dress, use of alcohol, etc.

#### E. Trips By Student Organizations

1. This policy is designed to deal with trips by student organizations such as band, choir, ski club, etc. rather than field trips which are part of the instructional program. The ~~school board~~ **Board of School Directors** may approve student trips subject to the following guidelines:
  - a. Trips are for students. The only exceptions are approved staff members and parent chaperones.
  - b. Trips should be planned to not interfere with the school calendar as originally adopted. Exceptions will be very carefully scrutinized and approved by the school board.
  - c. Adequate adult chaperones must be provided, so that the ratio of participating students to chaperones is no more than twenty to one.
  - d. Student membership in any school organization is not to be denied because of a student's nonparticipation in any trip.
  - e. In regard to student behavior, school rules shall apply during the course of any trip.
  - f. Parent approval forms shall be required for all student participants.
  - g. The trip must be one for which the ~~school-district's~~ **School District's** insurance carrier will insure the ~~school-district~~ **School District**, its agents, employees, servants, and chaperones from liability for any negligent act or omission under the policies of the ~~district~~ **District** then in effect.
  - h. The ~~principal's~~ **Principal's** approval in writing must be secured before planning proceeds, and the Superintendent's approval in writing is required before any commitments are made.
  - i. The number of trips by any one school organization and the cost of trips will be limited.
  - j. The number of students participating must be:
    - i. Sufficient to warrant the trip.
    - ii. A majority of the members of the club or activity.
  - k. If any of the above conditions are not met, a trip may not be considered school sponsored or school endorsed. In such cases there is to be no trip planning on school

premises or during school hours, no in school staff participation in planning, no collection of monies, and no handling of funds by or through the school.

#### F. Foreign Travel

1. While it is recognized that travel to foreign countries can be a valuable educational experience for students and teachers, professional staff members are to avoid any conflict regarding teaching duties or any overt endorsement of student tours from which the staff member might benefit financially.
2. Participation in school events is not a right and may be denied to any student who has demonstrated disregard for the rules of the school.

### III. Definitions

**A. Educational Trip (Example: 7th Grade Trip to the Mines): These school sponsored activities may not relate directly to the curriculum, but do improve students' understanding of an educational objective. These are opportunities for educational enrichment beyond classroom environments. These trips are not funded by the Annual School Budget. Participation is voluntary and is usually limited to students in a particular class or grade level.**

**B. Class Recreational Trip (Example: Senior Class Trip): These trips are approved as the Board recognizes the value of student social events and class trips to enhance and enrich the school experience for the children of our School District. These trips are voluntary and not funded by the Annual School Budget.**

**C. Student Organization or Club Trip: Student Organization and Club Trips for competitions will not be funded by the Annual School Budget unless the competition is the terminal regional, state, or national competition for the organization or club. Student Organization trips for recreation are not funded by the Annual School Budget.**

**D. Travel-Study Trip (Example: Trips sponsored by the District's Foreign Language Department): A school-sponsored activity which combines instruction and travel for an extended period of time on this continent or abroad. Participating students may be from different grade levels or classes. Participation is voluntary and such trips are not funded through the Annual School Budget.**

### III. IV. Delegation of Responsibility

A. The Superintendent shall develop procedures for the conduct of student social events and class trips which shall include the following:

1. The designation of a staff member who shall be the Board employee responsible for the event.[\[3\]](#)
2. The provision of adequate adult supervision or police protection as required by the circumstances of the event.
3. The formulation of rules and regulations governing the conduct and safety of all participants and the promulgation of such rules and regulations to all students and adults involved.[\[2\]](#)

### V. Developing a Trip Proposal for Administrative Approval

**A. In the development of a plan for a trip, the staff is responsible for assuring that:**

- 1. The objectives of the trip are specifically related to the District's goals, instructional program or regularly scheduled extracurricular and co-curricular activities.**
- 2. Proper supervision of the students is maintained at all times.**
- 3. The total on-going school program will not be adversely affected by participation of the students and staff on the trip. Consideration of the school calendar is given as delineated in Board Policy.**
- 4. Appropriate educational experiences will be provided for those eligible students who do not participate in the trip.**
- 5. The proposed program is feasible within the time allotted.**
- 6. If possible, there will be a preview visit by the teacher or another staff member**
- 7. Teachers not participating in the trip who have regularly scheduled classes for students for whom the trip is planned are informed of the trip at least two weeks prior.**
- 8. When a trip is made to a business or industry, an employee of the host company serves as a guide.**
- 9. An overnight senior class trip must have 50% participation.**
- 10. Other trips must have sufficient participation to warrant the cost.**
- 11. Trips must have an educational component.**

## **VI. Procedures for Non-Overnight Trips**

**A. Proposals for non-overnight trips are submitted to the Principal for approval according to the Principal's time guidelines for trip approval.**

**B. Plans for the trip are developed by the school administration and staff:**

- 1. Appropriate transportation arrangements are made.**
- 2. Written parent/guardian's consent for student participation is obtained on the appropriate form.**
- 3. Parents/guardians are provided with specific written information regarding objectives of the trip, costs, transportation arrangements including departure time and approximate time of return, chaperones and insurance information.**
- 4. The Principal or the Principal's designee is responsible for the following activities:**
  - i. Obtaining and retaining on file written parent/guardian's permission for students participating.**
  - ii. Approving the list of staff and non-staff chaperones.**
  - iii. Assuring that all plans and arrangements are understood by the participants and parents/guardians.**

**5. School staff is responsible for the following activities:**

**i. Carrying a list of the names of participating students and chaperones and submitting a copy of the list to the Principal prior to the trip. The list of chaperones should specify who has overall responsibility for the trip, who are certified staff members, who are approved aides, and who are parents/guardians or other non-staff adults.**

**ii. Emphasizing responsible student behavior and providing appropriate supervision.**

**iii. Notifying the Principal of any emergency situation such as an accident involving student(s) or a student missing from the group.**

**iv. Organizing contact information for students on the trip and communicating procedures for chaperones on the trip.**

**6. Students participating on a trip during school hours are permitted to make up work missed and the students' absence is recorded as excused.**

**VII. Procedures for Overnight Trips**

**A. Plans for the school sponsored overnight trip are cooperatively developed by the administration and staff and approved by the Superintendent.**

**1. Proposals for school-sponsored trips to foreign countries should be submitted to the Board of School Directors by the Superintendent at least six months prior to the date of the trip.**

**2. School sponsored groups shall accept no invitation to participate in an overnight trip activity without the prior approval of the Principal and the Superintendent. The Superintendent will report such trips to the Board of School Directors at the next board meeting for Board approval.**

**3. The number of chaperones (professional staff and parents of students) shall be equal to a ratio of at least 1 chaperone to 20 students.**

**4. If the Superintendent approves the plan, the staff will prepare a detailed written proposal according to the guidelines listed in Section V.**

**5. The fully developed proposal with supporting data is submitted to the Principal or the Principal's designee for approval.**

**6. The Principal is responsible for reviewing and approving or disapproving all proposed school sponsored trips, and for assuring that every effort has been made to provide a stimulating learning experience and that all reasonable provisions are made for the safety of students.**

**B. Content of a Proposal**

**1. A statement of the objectives of the school-sponsored trip and an outline of anticipated educational experiences and/or of the course of study to be followed.**

**2. An itemized statement of basic costs, usually including transportation, meals, and accommodations, with evidence that the fees charged are competitive for the services provided. Other expenses not included in basic costs should be listed.**

**3. A statement of expenses (if any) not included in the basic costs as appropriate to the school-sponsored trip such as required inoculations, passport and visa expenses, costs of a personal nature, and optional trip insurance.**

**4. Procedures for maintaining financial records for purposes for auditing.**

**5. Identification of accommodations to be used with assurance that they satisfy the following criteria:**

**a. Are nondiscriminatory.**

**b. Have adequate health and safety standards.**

**c. Are adapted and suitable for individuals with disabilities.**

**6. The detailed itinerary, departure, travel schedule and return.**

**7. The names of qualified individuals who will serve as chaperones.**

**8. Identification of a travel agency, if appropriate, and evidence that the agency satisfies the following criteria:**

**a. Has experience in handling school groups.**

**b. Can provide proof of satisfactory service.**

**c. Can provide customer references (individuals who have used the service for similar programs).**

**d. Has quoted a fee that is competitive for services provided.**

**e. Has well developed procedures for handling personal emergencies of the participants.**

**9. Orientation plans for parents/guardians and students including written information concerning the program such as that listed below:**

**a. The aims and objectives of the program of travel.**

**b. The standards of conduct established for the program.**

**c. The responsibilities students assume by participating in the program.**

**d. The basic cost of travel, meals, accommodations, and other expenses not included in the basic fee.**

**e. Travel arrangements, overnight accommodations, if appropriate, and the itinerary.**

**f. Arrangements for coping with illness, accidents, or other emergencies.**

**g. Need for special equipment and clothing.**

**10. Safety and Security Considerations**

**a. All overnight trips are subject to a determination of safety and security for the participants.**

**b. National and international conditions will be taken into consideration in determining trip approval or cancellation.**

**c. The Board of School Directors and/or Superintendent reserves the right to deny approval or cancel because of issues of safety and security.**

### **11. Medical Services**

**a. If medical service is not required for any student who is participating on an overnight trip, this section shall not apply.**

**b. If medical service is required for any student who is participating on the overnight trip, the School District will:**

**i. Contact the parent/guardian/doctor to determine if the medical treatment can be altered.**

**ii. Arrange for the medical services to be provided at the host site.**

**iii. Arrange for a certified nurse to participate on the trip.**

### **12. Time-Line Guidelines for Overnight Trips**

**a. Requests for overnight trips that take place outside the forty eight contiguous states must be presented to the Board of School Directors for approval at least 6 months prior to the date of the scheduled trip.**

**b. Requests for overnight trips that take place within the forty eight contiguous states must be presented to the Board of Education for approval at least 3 months prior to the date of the proposed trip.**

**c. Exceptions can be made on a case by case basis if circumstances warrant it.**

**d. Cancellation of trips that have received approval shall be made no later than four weeks prior to the trip.**

**e. In the event of a national or world crisis, a trip may be cancelled by the Board of School Directors and/or Superintendent.**

### **VIII. Trip Chaperones**

**A. Only certified teaching staff members shall assume direct responsibility for student supervision.**

**B. Teaching staff members may be assisted in their supervisory functions by properly approved teacher aides and by parents/guardians or other adult chaperones approved by the Principal.**

**C. The role of the teacher aides, parents/guardians, or other adult, non-certified chaperones must be limited to that of observing and monitoring student conduct and reporting any disciplinary problems to staff members.**

**D. For any school-sponsored trip, there shall be one administrator or teacher with overall responsibility for the trip, and there shall be at least one certified staff member chaperone for every 20 students.**



**E. Responsible and dependable chaperones should be selected by school personnel and approved by the Principal. Parents/guardians will be given priority as chaperones over other non-staff adults.**

**F. The administrator or teacher in charge of the trip as the responsibility of briefing the chaperones on the rules and prohibitions with accompanying results if the rules are violated.**

**G. All rules are to be in writing and on file so that no misunderstanding can arise regarding chaperones' responsibilities.**

**H. The chaperones should be briefed on the exact itinerary and informed that there will be no deviations from the published itinerary.**

**I. Non-School District employees must have appropriate clearances at their own expense per the District's volunteer requirements.**

**J. All chaperones shall follow all rules applicable to the group.**

**K. No chaperone shall use alcohol or drugs at any time, on-duty or off-duty during the trip.**

**L. The decision as to whether an administrator and/or nurse should attend overnight trips shall be decided by the School Board and Superintendent based on the following considerations:**

**1. Number of students participating.**

**2. Age of students participating.**

**3. Number of chaperones participating.**

**4. Risk factors of the endeavor.**

**5. Superintendent's recommendation based on a careful assessment of School District liability which may include review by the School District's solicitor and/or a review by the School District's insurance carrier.**

## **IX. Student Expectations**

**A. Students are responsible to maintain appropriate behavior as is defined in the student handbook.**

Legal  
2. 24 P.S. 510  
3. 24 P.S. 511

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POLNEWH231ARATT4.pdf (7 KB)

POLNEWH231ARATT5.pdf (9 KB)

POLNEWH231ARATT2.pdf (9 KB)

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Overnight Trip Med Form.pdf (404 KB)

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