

**Lower Merion School District**

**ADMINISTRATIVE REGULATIONS**

Policy No.: 915  
Section: COMMUNITY  
Title: SCHOOL RELATED ORGANIZATIONS  
Date Last Revised: 11/8/19; 9/6/19; 9/8/17

**915 SCHOOL RELATED ORGANIZATIONS**

**I. Standards for Recognition of School Related Organizations**

The Board of School Directors will recognize certain organizations described herein as school-related organization (“School Related Organizations”) with all the rights and privileges thereof provided that:

- A. The name of the School Related Organization includes, where appropriate, the name of the school with which the organization is affiliated.
- B. The School Related Organization has by-laws or other formal operating procedures (“By-laws”) which are available to its members at the school’s office or school’s library and to the public at the office of the Superintendent of Schools.
- C. The By-laws include provisions with respect to membership; dues, if any; the officers and committees; and a method for changing any of the provisions in the By-laws, including reasonable notice to the membership of any proposed change.
- D. The provisions of the By-laws and the actions of the School Related Organization are consistent with state and federal law and the policies and administrative regulations of the District.
- E. The School Related Organization:
  - 1. Must have at least one general meeting a year open to members for the purpose of, among other items of business, the election of officers upon due notice to all members in accordance with its By-laws;
  - 2. Must hold all general meetings on District property (Home and School Associations (HSAs) are expected to meet at their home school unless meeting with another HSA) absent approval of the Superintendent to hold the meeting elsewhere;
  - 3. Must have an executive board or executive committee;
  - 4. Must provide notice to all members of all meetings of the executive board or executive committee;
  - 5. Is encouraged to hold all meetings of the executive board or executive committee on District property where practicable;
  - 6. Is encouraged to permit attendance of all members at meetings of the executive board or executive committee where practicable; and

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7. Understands that willful and repeated violations of this section may lead to removal of Board officers.
- F. The School Related Organization’s dues, which are included in its By-laws, are in a reasonable amount. Furthermore, if the organization raises funds by means other than dues, the fund-raising is in accordance with the Board’s policy and the administrative regulations regarding fund-raising activities.
- G. The School Related Organization must be non-partisan and non-sectarian in its organization, activities and expenditures of funds.
- H. Before a School Related Organization affiliates with a nonschool-related organization or corporation the Superintendent must determine that the affiliation is consistent with the policies of the District.

**II. Recognized School Related Organizations**

The Board has recognized the following organizations and types of organizations as School Related Organizations:

- Home and School Associations,
- the Interschool Council of the Lower Merion School District,
- the Committee for Special Education,
- the Lower Merion Township Scholarship Fund,
- the Education Foundation of Lower Merion,
- the Committee to Address Race in Education,
- the Lower Merion/Harriton Alumni Association.

A. The Interschool Council of the Lower Merion School District

1. The Interschool Council is an organized affiliation of District Parents/Guardians who are interested in education which includes in its membership representatives of all the recognized home and school associations of the District.
2. The Board considers the Interschool Council an appropriate channel of communication and cooperation among the HSAs and recommends that the HSAs participate by designating appropriate representatives to the Interschool Council and to its committees in accordance with Interschool Council By-Laws.

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3. The Interschool Council shall be:
  - a. Non-partisan and non-sectarian in its organization, activities and expenditures of funds;
  - b. A non-profit organization, supported by the voluntary contributions of dues from HSAs (and such other fund-raising efforts as may be necessary in accordance with the District's administrative regulations for fund-raising activities);
  - c. Engaged in no controlling affiliations with other organizations or groups whose purposes are not consistent with those of Interschool Council; and
  - d. Governed by By-Laws that are consistent with the law and with the written and published policies and administrative regulations of the District as interpreted by the Superintendent. The District shall approve any change to the Interschool Council By-Laws which shall govern selection of members. These by-laws are to be made available in their current form to its members, and to the public, at the office of the Superintendent.
  
4. The purpose of the Interschool Council shall be:
  - a. To study, inform and to exchange ideas and experiences regarding the education of children;
  - b. To promote the educational development of children by furthering effective relationships between the District and the community;
  - c. To coordinate and implement the work of individual parent-school groups throughout the District for the benefit of all children; and
  - d. To cooperate with the Administration and the Board
    - i. By undertaking studies, initiated either by Interschool Council members, the Administration, the Board, the teachers, or any interested persons; by informing the Administration of those studies it proposes to undertake; by presenting the results and recommendations of studies done by Interschool Council to the Administration and the Board.
    - ii. By bringing to the Administration and the Board questions on policies and programs that the Executive Board of Interschool Council may consider to be of educational concern.
    - iii. By reviewing policies and programs which the Administration or the Board may bring to the members of the Interschool Council for consultation; and,

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- iv. By participating on committees which the Administration or the School Board may establish to review policies and programs of common interest.
- e. The District will cooperate in studies or programs of the Interschool Council, provided that the Superintendent and/or the Board has previously determined that the studies or programs are necessary and are not inconsistent with the policies of the District. Any involvement of human or material resources of the District in such studies shall require the preliminary approval of the Superintendent.

**B. Additional Standards for Recognition of HSAs**

In order to qualify as a Home & School Association (HSA) recognized by this Policy, the organization must meet the following criteria in addition to the criteria set forth above:

1. The HSA must be designated by a name which includes the name of the school which is the focus of the HSA.
2. The HSA shall send a copy of any school directory and a copy of any newsletter it circulates to the Secretary of the Board for distribution to members of the Board.
  - HSAs are not required to publish a directory or newsletter but are encouraged to do so.
  - The school administration will cooperate in making information for a directory available.
3. The principal purpose of the HSAs shall be to further cooperation between the school and home, to advance the education of our children, and to provide communication which will develop a common understanding of educational goals as well as a mutual effort to attain them and to resolve problems of concern to parents and to the school.
  - a. From time to time, the HSAs may also desire to provide enrichment activities for students either before or after school hours within the school building. To the extent these activities involve an outside vendor providing a program or service for a fee, such vendor must follow the process outlined in Appendix B. The District at all times reserves the right to authorize or deny access to District facilities by any school related organization or related vendor.

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**III. Linkage to District Website by School Related Organizations**

School Related Organization’s websites shall comply with the following:

- A. **Student information.** No student information, (i.e., full name, partial name (except first name or pen name(s)), initials, addresses, phone number(s), social security number and photographs or videos of an individual student or group) may appear on the linked website, unless parental consent is given as provided in other District procedures.
- For disclosure of student names and photographs or videos of an individual student or group, parental consent may be obtained on an opt-out only basis as provided in District procedures for disclosure of directory information.<sup>1</sup>
  - Posting of all other student information may only be done with express written consent of the student’s parent/guardian or the student if student is 18 or over.
- B. **Employee Information.** Employee’s names and District employee e-mail addresses may be included in lists of names. No other employee information or images may be used in the linked website unless posted by the employee or prior written permission is given by the employee and provided to the District upon request.
- C. **Advertising.** The School Related Organization may indicate on its own website that an activity or event is being sponsored and the name of the corporate entity or individual sponsor.

**IV. Orientation of Leaders of School Related Organizations**

- A. The District will provide orientation regarding this regulation to all leaders of School Related Organizations. Such orientation will also include the District’s policies on distribution of literature, fundraising and use of District facilities.
- B. Orientation will occur annually and as soon as practical after the School Related Organizations selects their leaders for the school year.

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<sup>1</sup> See Administrative Regulation 216.

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V. By-Laws

Since School Related Organizations are required by Board policy to have by-laws, the administration provides **Appendix A** as an example of an acceptable by-law. All provisions contained under “Additional Required Conditions” of **Appendix A** must be included in any organization’s by-laws. By-laws must be submitted to the Office of the Superintendent within 90 days of the adoption date of this Administrative Regulation. For School Related Organizations approved after the adoption date of this Administrative Regulation, by-laws must be submitted to the Office of the Superintendent within 90 days after the Board’s formal recognition of the group as a School Related Organization. These deadlines may be extended by the Superintendent upon request by the School Related Organization. If any organization has not adopted by-laws pursuant to this Policy and Administrative Regulation, the by-laws set forth in Appendix A shall serve as that organization’s by-laws.

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#### Sample By-Laws for School Related Organizations

##### Article 1 – Name

The name of the parent organization shall be the [INSERT NAME].

##### Article II – Purpose

The [INSERT ORGANIZATION NAME] is organized for the purpose of supporting and benefiting District students in connection with District-related activities including but not limited to District or school events, Student Organizations, School-Sponsored Activities, or any other opportunities offered to students by the District or [INSERT NAME OF SCHOOL] School.

The [INSERT ORGANIZATION NAME] does not discriminate on the basis of race, color, religion, national or ethnic origin, age, sex, or disability.

##### Article III – Members

**Section 1.** Membership is limited to parents or adults responsible for the child attending schools, its principal and members of its professional and supportive staff. [In the secondary schools the membership may also include the students enrolled in the school.]

**Section 2.** Dues, if any, will be established by the executive board. If dues are charged, a member must have paid his or her dues at least 14 calendar days before the meeting to be considered a member in good standing with voting rights.

##### Article IV - Officers and Elections

**Section 1. Officers.** The officers shall be a president, vice president, secretary, and treasurer.

- a. **President.** The president shall preside over meetings of the organization and executive board, serve as the primary contact for the principal, represent the organization at meetings outside the organization, serve as an ex officio member of all committees except the nominating committee, and coordinate the work of all the officers and committees so that the purpose of the organization is served.
- b. **Vice President.** The vice president shall assist the president and carry out the president's duties in his or her absence or inability to serve.
- c. **Secretary.** The secretary shall keep all records of the organization, take and record minutes, prepare the agenda, handle correspondence, and send notices of meetings to the membership. The secretary also keeps a copy of the minutes book, bylaws, rules, membership list, and any other necessary supplies, and brings them to meetings.

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- d. **Treasurer.** The treasurer shall receive all funds of the organization, keep an accurate record of receipts and expenditures, and payout funds in accordance with the approval of the executive board. He or she will present a financial statement at every meeting and at other times of the year when requested by the executive board, and make a full report at the end of the year.

**Section 2. Nominations and Elections.** Elections will be held at the second to last meeting of the school year. The nominating committee shall select a candidate for each office and present the slate at a meeting held one month prior to the election. At that meeting, nominations may also be made from the floor. Voting shall be by voice vote if a slate is presented. If more than one person is running for an office, a ballot vote shall be taken.

**Section 3. Eligibility.** Members are eligible for office if they are members in good standing at least 14 calendar days before the nominating committee presents its slate.

**Section 4. Terms of Office.** Officers are elected for one year and may serve no more than two (2) consecutive terms in the same office. Each person elected shall hold only one office at a time.

**Section 5. Vacancies.** If there is a vacancy in the office of president, the vice president will become the president. At the next regularly scheduled meeting, a new vice president will be elected. If there is a vacancy in any other office, members will fill the vacancy through an election at the next regular meeting.

**Section 6. Removal from Office.** Officers can be removed from office with or without cause by a two-thirds vote of those present (assuming a quorum) at a regular meeting where previous notice has been given.

#### Article V - Meetings

**Section 1. Regular Meetings.** The regular meeting of the organization shall be on the first [INSERT DAY/DEFAULT IS MONDAY] of each month during the school year at [INSERT TIME/DEFAULT IS 7:00 P.M.], or at a time and place determined by the executive board at least one month before the meeting. The annual meeting will be held at the April regular meeting. The annual meeting is for receiving reports, electing officers, and conducting other business that may arise. The secretary will notify the members of the meetings in a flyer sent home with the students at least one week prior to the meeting.

**Section 2. Special Meetings.** Special meetings may be called by the president, any two members of the executive board, or five general members submitting a written request to the secretary. Previous notice of the special meeting shall be sent to the members at least 10 days prior to the meeting, by flyer and through phone calls.



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**Section 3. Quorum.** The quorum shall be [insert number/DEFAULT IS 5] members of the organization.

#### Article VI - Executive Board

**Section 1. Membership.** The Executive Board shall consist of the officers, principal, and standing committee chairs.

**Section 2. Duties.** The duties of the Executive Board shall be to transact business between meetings in preparation for the general meeting, create standing rules and policies, create standing and temporary committees, prepare and submit a budget to the membership, approve routine bills, and prepare reports and recommendations to the membership.

**Section 3. Meetings.** Regular meetings shall be held monthly, on the same day and at the same time each month, to be determined by the board. Special meetings may be called by any two board members, with 24 hours notice.

**Section 4. Quorum.** Half the number of board members plus one constitutes a quorum.

#### Article VII - Committees

**Section 1. Membership.** Committees may consist of members and board members, with the president acting as an ex officio member of all committees.

**Section 2. Standing Committees.** The following committees shall be held by the organization: Fundraising, Nominating, and Auditing.

**Section 3. Additional Committees.** The board may appoint additional committees as needed.

#### Article VIII - Finances

**Section 1.** A tentative budget shall be drafted in the fall for each school year and approved by a majority vote of the members present.

**Section 2.** The treasurer shall keep accurate records of any disbursements, income, and bank account information.

**Section 3.** The board shall approve all expenses of the organization.

**Section 4.** Two authorized signatures shall be required on each check over the amount of \$200. Authorized signers shall be the president, treasurer, and principal.

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**Section 5.** The treasurer shall prepare a financial statement at the end of the year, to be reviewed by the Audit Committee.

**Section 6.** Upon the dissolution of the organization, any remaining funds should be used to pay any outstanding bills and, with the membership's approval, spent for the benefit of the school.

#### Article IX - Dissolution

The organization may be dissolved with previous notice (14 calendar days) and a two-thirds vote of those present at the meeting.

#### Article X - Amendments

These bylaws may be amended at any regular or special meeting, providing that previous notice was given in writing at the prior meeting and then sent to all members of the organization by the secretary. Notice may be given by postal mail, e-mail, or fax. Amendments will be approved by a two-thirds vote of those present, assuming a quorum.

#### Article XI – Additional Required Conditions

[Name of Organization] recognizes and accepts that it is prohibited from imposing conditions of membership which serve to exclude students from participation in District or school events, Student Organizations, School-Sponsored Activities, or any other opportunities offered to students by the District or its schools.

[Name of Organization] recognizes that it may not require at any time parents and/or students to financially contribute to the group for any reason other than reasonable and customary dues.

[Name of Organization] recognizes and accepts that it is prohibited from using the District's name or logo without a license or express permission granted in writing by the Superintendent.

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#### **BEFORE/AFTER SCHOOL CLUBS AND ACTIVITIES SPONSORED BY HOME & SCHOOL ASSOCIATIONS**

**Background:** HSAs provide a tremendous service to our students, families, staff and schools. One of the many ways in which they seek to supplement the educational program and support families is by providing periodic enrichment and other activities. In order to better support HSA in organizing these activities and working with vendors, the District has worked closely with the ISC and HSA leadership to develop a process that is designed to more clearly define roles, create efficiencies in working with vendors, and support the HSA's desire to provide enrichment opportunities for students.

**Considerations:** To the outside observer, running a once-per-week after school activity for students may appear to be a fairly simple endeavor. However, even this type of activity requires consideration of many factors including, but not limited to, the following –

- *Facility needs and availability* – for example, what type of space, size, and set up is required? Who will be responsible for providing access to the building/facility for the vendor?
- *Equipment needs and availability* – for example, will the activity require access to computers or screens or basketballs? **\*\***(Use of equipment is limited and requires special permission)
- *Materials needed and availability* – for example, does the activity require paper, glue, or books? **\*\***(Use of materials is limited and requires special permission)
- *Supervision* – for example, who will be responsible for ensuring that students get to/from program safely and are supervised appropriately for the duration of the program? What is the plan if parents/guardians do not arrive in a timely fashion to pick up their child? Who will be notified when a child is not attending the program? Through what device/platform is such contact made?
- *Custodial needs* – for example, will a special set up be needed? How will clean-up be coordinated? Will additional custodial costs be incurred (based on the location, timing, etc.)?
- *Financial support for students* – how will access to the program be ensured for students on free/reduced lunch or subject to other economic hardships?
- *Student with Special Needs/Medical Needs* – How will students with identified needs (IEP/504) be accommodated in order to access the program?
- *Overall cost of program* – is the cost of the program reasonable relative to the industry standards?
- *Benefit to Families* – is this serving a need, is it a supplement, is it an enrichment opportunity?
- *Benefit to HSA* – What benefit does the HSA receive?
- *Insurance/Liability Considerations* – for example, what is the nature of the activity? Does the vendor have a minimum coverage as required by the District?
- *Advertising/communication* – what will be communicated to families and how will vendor ensure that it is clear LMSD has no responsibility or active oversight of my child's participation in the activity?
- *Etcetera*

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**Plan Moving Forward in 2019-20:** In light of the foregoing considerations, the District, in consultation with the Solicitor's office and the ISC, created a "Vendor Inquiry Form" (**Attachment A**). The purpose of this form is to support the work of the HSAs by building a network of "pre-approved" vendors. Using the District-suggested cover letter (**Attachment B**), HSA representatives will send these Vendor Inquiry Forms to their preferred and/or any new vendors. In order to move forward in the process, vendors must return the completed form to an assigned email account ([vendors@lmsd.org](mailto:vendors@lmsd.org)). Initial submissions will be reviewed by a committee representing the superintendent, business, and facilities offices as well as ISC and designated HSA representatives. Possible outcomes of the review process include, but are not limited to:

- Follow-up questions for vendor
- Decline vendor
- Approve vendor to move forward with conditions
- Approve vendor to move forward without conditions

If Vendor is approved to move forward, then they must agree to the conditions outlined in the questionnaire (such as clearances and insurance) and those that are memorialized in the proposed contract addendum (**Attachment C**). "Approved vendors" may work directly with any HSA. HSAs, however, must still seek approval from the Principal regarding any on-site activity. This building-level approval process involves the availability of the facility requested, security, custodial services, and supervision/coordination with arrival/dismissal. The principal has the discretion to decline based on such circumstances or if new information becomes available regarding the vendor that must be reviewed with District Administration.

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**ATTACHMENT A – Vendor Questionnaire – 2019-20 school year**

Please complete and return to [vendors@lmsd.org](mailto:vendors@lmsd.org). You may append additional information if the space provided is not sufficient.

Name

Address

Phone Number

Email address

Nature of enrichment opportunity(ies) (Please describe in detail):

How will this enrichment activity benefit the Home & School Association (HSA) or the school community?

Please describe how you propose to charge customers:

Nature of facilities required (such as classroom space, gym, auditorium, outdoor):

What are your insurance limits applicable to the enrichment opportunity?

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The District does not provide active supervision of any enrichment opportunity. In fact, no child shall be permitted to participate in an enrichment opportunity unless a copy of a signed enrollment form permitting participation in the enrichment opportunity is on file with the principal of the School where the child will be participating in the enrichment opportunity. That form must contain a prominently displayed disclaimer that states: **“I acknowledge that Lower Merion School District has no responsibility or active oversight of my child’s participation in [identify enrichment opportunity] including but not limited to selection and supervision of [Operator’s] employees.”** With this in mind, how will the enrichment opportunity be actively supervised?

District Policy may require all vendors and their employees to have current FBI and state criminal background clearances and state child abuse clearances. How will you ensure that you and your employees who will be on site at the District have required background clearances?

How do you plan to promote the program, recruit children/families, and communicate with parents/guardians?

What is your ability to accommodate children with disabilities and/or medical needs?

Please describe if and how you will provide financial assistance for qualified participating families.

What requirements do you impose on your customers to permit their child’s participation (such as waivers)?

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Are you a current District employee?                      Yes                      No

If Yes, you hereby acknowledge your obligation to abide by all policies and regulations of the District. Importantly, please refer to Policies/AR 357/457/557, 460, 555, and 827 for further instructions regarding additional disclosure and permission requirements for District staff.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Attest: \_\_\_\_\_ BY: \_\_\_\_\_

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**ATTACHMENT B – Vendor Letter – 2019-20 school year**

Re: Home and School Associations - Vendor Proposal Instructions – 2019-20

Dear Vendor:

As an accommodation to parents/guardians of students attending Lower Merion School District (“the District”), the Home and School Associations (HSAs) of each District school frequently contract with vendors to provide occasional or periodic enrichment opportunities for students (“enrichment opportunities”). You have been identified as a vendor that may be able to provide such opportunities.

If you are interested in being considered by one or more District HSAs, please complete and return the attached questionnaire. Since the HSAs are planning their programs for the 2019-20 school year, you are encouraged to respond as soon as possible.

Please return this form to the attention of [vendors@lmsd.org](mailto:vendors@lmsd.org).

Sincerely,

**LOWER MERION SCHOOL DISTRICT**



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#### **ATTACHMENT C - AGREEMENT FOR USE OF FACILITIES LOWER MERION SCHOOL DISTRICT**

The Lower Merion School District (the "District") and \_\_\_\_\_ (the "Vendor") have entered into or contemporaneously herewith are entering into an agreement whereby the Vendor will provide certain goods and/or services as described in **Attachment A** to District-enrolled students on District property during after school hours. Such goods and/or services are being sponsored by one or more District Home and School Association(s) ("HSA") and such sponsorship is for the benefit of students and the sponsoring HSA.

The District and the Vendor wish to alter, amend and supplement the terms of any prior understandings or agreements by agreeing to the following provisions, which supersede any provisions that conflict or are inconsistent therewith:

#### **1. Vendor Program Supervision:**

- a. Vendor agrees that staff will be available a minimum of 15 minutes before the program begins in order to receive students and will remain with students until they are dismissed to a parent/guardian and/or in accordance with parent/guardian's written instructions. Vendor will require all participating families to complete the release form in **Attachment B** prior to the beginning of the program. Using **Attachment C**, Vendor is responsible for communicating with school to confirm roster of students participating no later than three (3) business days before Vendor's program is scheduled to begin. Vendor may not add new registrants following said roster confirmation to the school.
- b. Vendor may not require volunteers to staff program. All staff must be over the age of 18 and produce clearances to the District prior to the scheduled start of Vendor's program pursuant to Paragraph 3, below. Individual exceptions may be considered for employees under the age of 18 who are supervised and not counting toward the staff-to-student ratio.
- c. Vendor is solely responsible for planning for and responding to medical and other emergencies that may occur during its program.

**2. Insurance:** Vendor shall provide a certificate of insurance, a minimum of 30 days prior to the event or the commencement of the contract term, clearly naming Lower Merion School District as additional insured in the amount of \$1,000,000.00 commercial general liability and property damage insurance combined.

#### **3. Clearances, Disclosure Forms, and Training:**

The following provisions apply to vendors who will have direct contact with students:

- A. Clearances. Vendor shall provide the following required clearances are:
  - PA State Police Background Check,
  - PA Child Abuse History Clearance, and
  - FBI Criminal Clearance.

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Please refer to the District website Employment page at:

<http://www.lmsd.org/about-lmsd/employment/index.aspx> well in advance of the beginning of the activity, as these clearances take time to obtain. Clearances must be dated no earlier than one year prior to the date presented to the District.

B. Disclosure Forms. The Vendor will provide the District with an executed PDE-6004 disclosure form for every employee or contractor who performs work for the District pursuant to this Agreement. The form shall be supplied to the District prior to the employee coming onto the District's property. Additionally, the Vendor will notify the District in writing within 72 hours if any employee or agent of the Vendor performing services under this Agreement is arrested or convicted of any crime.

C. Training. The Vendor agrees to provide all agents, employees, and representatives performing services under this Agreement with mandatory child abuse training in compliance with 24 P.S. §12-1205.6.

**4. Employment History Review:** Vendors who will have direct contact with children must perform an employment history review in accordance with Act 168 of 2014 for each employee, make records of the review available to the District upon request, and notify the District if it received an affirmative response with respect to any of the abuse and sexual misconduct background questions. The required form and additional information can be obtained at:

**[Sexual Misconduct/Abuse Disclosure Release](#)**

[www.portal.state.pa.us/.../commonwealth\\_of\\_pennsylvania's\\_sexual\\_misconduct-abuse\\_disclosure\\_release\\_pdf](http://www.portal.state.pa.us/.../commonwealth_of_pennsylvania's_sexual_misconduct-abuse_disclosure_release_pdf)

**[Act 168 - FAQs.pdf](#)**

[www.portal.state.pa.us/portal/server.pt/.../act\\_168\\_-\\_faqs\\_pdf](http://www.portal.state.pa.us/portal/server.pt/.../act_168_-_faqs_pdf)

**[Act 168 of 2014 - Procedures and Forms .pdf](#)**

[www.portal.state.pa.us/.../act\\_168\\_of\\_2014\\_-\\_procedures\\_and\\_forms\\_\\_pdf](http://www.portal.state.pa.us/.../act_168_of_2014_-_procedures_and_forms__pdf)

**5. Indemnification:** Under no circumstances shall the District be required to indemnify, defend, or hold harmless the Vendor, or the Vendor's agents, employees or representatives for any claims, damages, or injury caused by anyone other than an employee of the District acting in the course and scope of his/her/their employment. The Vendor will indemnify, defend and hold the District, its directors, officers, agents, employees and representatives harmless from any claims, damages, or losses suffered or incurred due to the negligence or other misconduct of the Vendor or the Vendor's agents, employees, or representatives.

**6. Food Vendors:** The use of outside food vendors for any event on District property must be approved by the District's Director of Nutritional Services for food safety policy and procedures. The District staff member in contact with the Vendor can facilitate communication between the Vendor and this Department.

**7. Use of District's Name:** The Vendor shall not use the District's name in any promotion or advertisement of the Vendor's business without the express written authorization of the District Superintendent or Designee.

**8. Confidentiality of Records:** In the performance of Vendor's duties, Vendor may have access to certain District records, including, but not limited to, student health, student educational programs, financial and other records ("District Records").

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- a. Vendor agrees that Vendor shall not to copy, duplicate, retain or disclose any District Records or any information contained therein, regardless of whether it is designated confidential or proprietary, to anyone in any format, other than to a District administrator for purposes related to Vendor's duties for the District; and
- b. Vendor agrees that Vendor will indemnify, defend and hold the District harmless from any claim or loss, including, but not necessarily limited to any claim for damages or loss of funding, arising from Vendor's copying, duplication, retention or disclosure or alleged copying, duplication, retention or disclosure of any District Records or information contained in any District Records.

**9. Non-Discrimination:** Vendor agrees that its program is available to all students regardless of handicap/disability, race, color, age, creed, religion, sex, sexual orientation, gender identity, gender expression, ethnicity or national origin. Vendor is responsible for any costs associated with accommodating students with disabilities or medical needs.

**10. Right to Know Laws.** Vendor agrees that it will, when requested by the District, cooperate with the District in complying with the Pennsylvania Right-to-Know Law, 65 P.S. §67.101 et seq., and any other similar laws, in complying with requests for public records made under such laws. Vendor's cooperation shall include, but not necessarily be limited to, prompt communication with the District regarding the existence of a record, the length of the record and other information requested by the District, adherence to the fee schedule issued by the District for any costs associated with producing or providing access to the record and promptly providing access to or copies of the record. If Vendor fails to cooperate with the District in response to a request for a public record, then Vendor shall indemnify the District for any and all costs incurred, including attorneys' fees of the District, as well as any costs, including any attorneys' fees of the requester, fines or other penalties imposed upon the District by a court of competent jurisdiction relating to Vendor's failure to cooperate with the District.

\_\_\_\_\_  
Vendor

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Date

LOWER MERION SCHOOL DISTRICT

By: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Date

**ADMINISTRATIVE REGULATIONS**

**915 SCHOOL RELATED ORGANIZATIONS**

**Appendix B**

**ATTACHMENT A**

<b>Vendor Name:</b>	
<b>Name of Responsible Party:</b>	
<b>Contact Number of Responsible Party:</b>	
<b>Brief Description of Program:</b>	
<b>Facility Needs:</b>	
<b>Other Materials/Equipment Needs:</b>	
<b>Duration of Program:</b>	
<b>Cost to Families:</b>	
<b>Staff to Student Ratio:</b>	
<b>Benefit to HSA:</b>	

**ADMINISTRATIVE REGULATIONS**

**915 SCHOOL RELATED ORGANIZATIONS**

**Appendix B**

**ATTACHMENT B**

**RELEASE OF LIABILITY**

\_\_\_\_\_  
DATE

I authorize my child \_\_\_\_\_ to be released to **[VENDOR]** immediately following the regular school day. I understand that neither the Lower Merion School District nor the Home & School Association is responsible for the supervision of children during their attendance at **[VENDOR]** or for the supervision or selection of **[VENDOR]**'s employees. I agree to release from liability and to indemnify and hold harmless the Lower Merion School District and the Home & School Association and any employees or agents representing or related in regards to the **[VENDOR]**.

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
SIGNATURE

**ADMINISTRATIVE REGULATIONS**

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**Appendix B**

**ATTACHMENT C**

**HOME & SCHOOL ASSOCIATION VENDOR ACTIVITY ROSTER**

This form must be completed and submitted no less than three (3) business days before Vendor's program is scheduled to being. The form must be submitted to the Main Office of the District School where the activity is to occur. Please attach additional sheets as necessary.

<b>Name of Vendor</b>		
<b>Location of Activity</b>		
<b>Dates of Activity</b>		
<b>Times of Activity</b>		
<b>Name and Contact information of Vendor's Employee Responsible for Supervision of Students During Activity</b>		<b>Vendor hereby certifies that this individual has all requisite clearances are attached or have been submitted to the LMSD.</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Vendor Name and Contact information if different from above</b>		

**Roster of Students Participating in Activity**

Student Last Name	Student First Name	Check if Parent/Guardian Release is Attached. If not, Student will not be permitted to attend Activity.
		<input type="checkbox"/>
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**ADMINISTRATIVE REGULATIONS**

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**Appendix B**

<b>Student Last Name</b>	<b>Student First Name</b>	<b>Check if Parent/Guardian Release is Attached. If not, Student will not be permitted to attend Activity.</b>
		<input type="checkbox"/>
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