



## Policy Attachment 07/23/18

Book	Policy Manual
Section	200 Pupils
Title	Possession/Administration of Asthma Inhalers/Epinephrine Auto-Injectors
Number	210.1 Vol III 2018
Status	First Reading

### Authority

The Board shall permit students in district schools to possess asthma inhalers and epinephrine auto-injectors and to self-administer the prescribed medication in compliance with state law and Board policy. [1][2]

**{X}** The Board shall authorize the district to stock epinephrine auto-injectors in the name of the school district for emergency administration by trained employees to a student believed to be experiencing an anaphylactic reaction. [3]

### Definitions

**Anaphylaxis** - a sudden, severe allergic reaction that involves various areas of the body simultaneously. In extreme cases, anaphylaxis can cause death.

**Asthma inhaler** shall mean a prescribed device used for self-administration of short-acting, metered doses of prescribed medication to treat an acute asthma attack. [4]

**Epinephrine auto-injector** shall mean a prescribed disposable drug delivery system designed for the **administration** of epinephrine to provide rapid first aid for **students** suffering the effects of anaphylaxis.

**Self-administration** shall mean a student's use of medication in accordance with a prescription or written instructions from a licensed physician, certified registered nurse practitioner or physician assistant.

### Delegation of Responsibility

The Superintendent or designee, in conjunction with the school nurse(s), **shall** develop **procedures** for student possession **and self-administration** of asthma inhalers or epinephrine auto-injectors and **emergency response**.

**{X}** , and for the acquisition, stocking and administration of stock epinephrine auto-injectors, and training of school employees responsible for the storage and use of epinephrine auto-injectors.

**The Superintendent or designee shall annually** distribute to students, parents/guardians, **and**

staff this policy along with the Code of Student Conduct **by publishing such in handbooks and newsletters, on the district's website, and through posted notices and other efficient methods.**[\[1\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

**{X}** The school physician shall be the prescribing and supervising medical professional for the district's stocking and use of epinephrine auto-injectors. The Superintendent or designee shall obtain a standing order from the school physician for administration of stock epinephrine auto-injectors.

**{X}** The school nurse shall be responsible for building-level storage of and administration of stock epinephrine auto-injectors.[\[3\]](#)

**{X}** The building principal shall annually notify parents/guardians of their right to opt-out of the provisions of this policy related to the administration of a stock epinephrine auto-injector. To opt-out, a parent/guardian shall sign and return the district's exemption form to the school nurse. The signed opt-out forms shall be maintained by the school nurse, and the school nurse shall provide trained school employees with the names of students whose parents/guardians have returned a signed opt-out form.[\[3\]](#)

### **Guidelines**

Administration of asthma inhalers and epinephrine auto-injectors shall comply with Board policy, district procedures and individualized student plans such as an Individualized Education Program (IEP), Section 504 Service Agreement (Service Agreement), Individualized Healthcare Plan (IHP), or Emergency Care Plan (ECP).[\[2\]](#)[\[3\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

In order to maintain a student's health and safety, each student's individualized plan shall address what information will be provided to school staff and other adults who have responsibility for the student in the school setting.[\[2\]](#)[\[9\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)

Student health records shall be confidential and maintained in accordance with state and federal laws and regulations.[\[13\]](#)[\[14\]](#)

### **Student Self-Administration of Asthma Inhalers and Epinephrine Auto-Injectors**

Before a student may possess or use an asthma inhaler or epinephrine auto-injector in the school setting, the Board shall require the following: [\[1\]](#)[\[8\]](#)

1. A written request from the parent/guardian that the school complies with the order of the licensed physician, certified registered nurse practitioner or physician assistant.
2. A written statement from the parent/guardian acknowledging that the school is not responsible for ensuring the medication is taken and relieving the district and its employees of responsibility for the benefits or consequences of the prescribed medication.
3. A written statement from the licensed physician, certified registered nurse practitioner or physician assistant that states:
  - a. Name of the drug.
  - b. Prescribed dosage.
  - c. Times medication is to be taken.
  - d. Length of time medication is prescribed.

- e. Diagnosis or reason medication is needed, unless confidential.
  - f. Potential serious reaction or side-effects of medication.
  - g. Emergency response.
  - h. If child is qualified and able to self-administer the medication.
4. **A written acknowledgement from the school nurse that the student has demonstrated that s/he is capable of self-administration of the asthma inhaler and/or epinephrine auto-injector in the school setting. Determination of competency for self-administration shall be based on the student's age, cognitive function, maturity and demonstration of responsible behavior.**[\[1\]](#)
  5. **A written acknowledgement from the student that s/he has received instruction from the student's licensed physician, certified registered nurse practitioner or physician assistant on proper safety precautions for the handling and disposal of the asthma inhaler and/or epinephrine auto-injector, including acknowledgement that the student will not allow other students to have access to the prescribed medication and that s/he understands appropriate safeguards.**

The district reserves the right to require a statement from the licensed physician, certified registered nurse practitioner or physician assistant for the continued use of a medication beyond the specified time period.[\[1\]](#)

A written request for student use of an asthma inhaler and/or epinephrine auto-injector shall be submitted annually, along with required written statements from the parent/guardian and an updated prescription. **If there is a change in the student's prescribed care plan, level of self-management or school circumstances during the school year, the parent/guardian and the licensed physician, certified registered nurse practitioner or physician assistant shall update the written statements.**[\[1\]](#)

**The student shall notify the school nurse immediately following each use of an asthma inhaler or epinephrine auto-injector.**[\[1\]](#)

Students shall be prohibited from sharing, giving, selling, and using an asthma inhaler or epinephrine auto-injector in any manner other than which it is prescribed during school hours, at any time while on school property, at any school-sponsored activity, and during the time spent traveling to and from school and school-sponsored activities. Violations of this policy, **provisions of a Service Agreement or IEP, or demonstration of unwillingness or inability to safeguard the asthma inhaler or epinephrine auto-injector may** result in loss of privilege to self-carry the asthma inhaler or epinephrine auto-injector and disciplinary action in accordance with Board policy **and applicable procedural safeguards.**[\[1\]](#)[\[2\]](#)[\[7\]](#)[\[16\]](#)[\[17\]](#)

If the district denies a student's request to self-carry an asthma inhaler or epinephrine auto-injector or the student has lost the privilege of self-carrying an asthma inhaler or epinephrine auto-injector, the student's prescribed medication shall be appropriately stored at a location in close proximity to the student. The **school nurse, other designated school employees and the** student's classroom teachers shall be informed where the medication is stored and the means to access the medication.[\[1\]](#)

### **{X} Standing Order From the School Physician**

**The school physician shall provide and annually renew a standing order for administration**

of stock epinephrine auto-injectors to students believed to be experiencing an anaphylactic reaction.

The standing order shall include at least the following information:

1. Type of epinephrine auto-injector.
2. Date of issue.
3. Dosage.
4. Signature of the school physician.

The standing order shall be maintained in the Superintendent's office, and copies of the standing order shall be kept in each location where a stock epinephrine auto-injector is stored.

### **{X} Acquisition, Storage and Disposal of Stock Epinephrine Auto-Injectors**

One or more school employees shall be designated within each school to be responsible for the storage and use of the stock epinephrine auto-injectors. [\[3\]](#)

Stock epinephrine auto-injectors shall be safely stored in the school nurse's office or other location designated by the school nurse in accordance with the drug manufacturer's instructions.

Stock epinephrine auto-injectors shall be made readily accessible to those employees who have completed the required training to administer it in the event of a student experiencing an anaphylactic reaction. All properly trained employees shall be informed of the exact location where stock epinephrine auto-injectors are being stored within the school nurse's office or other location.

The school nurse shall obtain sufficient supplies of stock epinephrine auto-injectors pursuant to the standing order in the same manner as other medical supplies acquired for the school health program. The school nurse or designee shall regularly inventory and refresh epinephrine auto-injector stocks, and maintain records thereof, in accordance with the established internal procedures, manufacturer recommendations and Pennsylvania Department of Health guidelines.

### **{X} Administration of Stock Epinephrine Auto-Injectors**

When responding to a student believed to be experiencing an anaphylactic reaction, a trained school employee shall: [\[3\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)[\[21\]](#)

1. Administer an epinephrine auto-injector that meets the prescription on file for either the student or the district. If the student is authorized to self-administer an epinephrine auto-injector, the trained school employee may provide the student with an epinephrine auto-injector that meets the prescription on file for either the student or the district for self-administration.
2. Call for medical help immediately (dial 9-1-1).
3. Take additional precautions or steps outlined in emergency response procedures and training, including the administration of a second dose of epinephrine, if necessary.
4. Stay with the student until emergency medical help arrives.

5. **Cooperate with Emergency Medical Services (EMS) personnel responding to the incident.**
6. **Notify the school nurse or designee of the incident.**

### **{X} Training**

**Before any school district employee may be responsible for the storage or administration of epinephrine auto-injectors under this policy, the employee must successfully complete a training course approved by the Pennsylvania Department of Health.[\[3\]](#)**

**Refresher training shall be completed every two (2) years, and a hands-on demonstration and review of this policy and any accompanying procedures shall be completed annually.**

**Evidence that such training has been completed shall be placed in the employee's personnel file.**

**A list of school district employees who successfully complete such training shall be maintained, updated and kept in the school nurse's office and the school district administration office.**

### **{X} Indemnification**

**The school district shall indemnify and hold harmless any employee who administers an epinephrine auto-injector in good faith to a student experiencing anaphylaxis, if all of these conditions apply:[\[3\]](#)[\[22\]](#)[\[23\]](#)[\[24\]](#)**

1. **The employee did not act with the intent to harm or with reckless indifference to a substantial risk or harm in administering the epinephrine auto-injector to the student.**
2. **The employee successfully completed the training required by this policy.**
3. **The employee promptly sought additional medical assistance before or immediately after administering the epinephrine auto-injector.**
4. **The employee administered the epinephrine auto-injector pursuant to this policy, and the student's individualized plan, if applicable.**

**NOTES:**

**If language regarding epinephrine auto-injector administration by school bus or school vehicle drivers is added to the policy, include a reference to Policy 810 with that language.**

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## Legal

1. [24 P.S. 1414.1](#)
2. [Pol. 103.1](#)
3. [24 P.S. 1414.2](#)
4. [24 P.S. 1401](#)
5. [22 PA Code 12.3](#)
6. [24 P.S. 510.2](#)
7. [Pol. 218](#)
8. [22 PA Code 12.41](#)
9. [Pol. 113](#)
10. [Pol. 209.1](#)
11. [Pol. 210](#)
12. [24 P.S. 1409](#)
13. [Pol. 113.4](#)
14. [Pol. 216](#)
15. [Pol. 810](#)
16. [Pol. 113.1](#)
17. [Pol. 227](#)
18. [42 Pa. C.S.A. 8332](#)
19. [42 Pa. C.S.A. 8337.1](#)
20. [42 Pa. C.S.A. 8541](#)
21. [42 Pa. C.S.A. 8545](#)
22. [24 P.S. 1414.9](#)
23. [42 Pa. C.S.A. 8547](#)
24. [42 Pa. C.S.A. 8548](#)

[Pennsylvania Department of Health Guidance - Epinephrine Auto-Injector Administration, May 2018](#)

Last Modified by Frank Bruno on June 13, 2018



Book	Policy Manual
Section	200 Pupils
Title	Copy of Penn Wood High School Dress Code
Number	221.1
Status	
Adopted	May 27, 2003
Last Revised	July 25, 2016

### **Purpose**

The majority of parents/guardians and staff surveyed wish to propose to the William Penn School District Board of Directors a mandatory school dress code policy to adopt for all students in grades nine (9) through twelve (12).

Parents/Guardians and staff firmly believe young people who are safe and secure, who learn basic American values and the essentials of good citizenship, are better students.

Many parents/guardians, teachers, and school officials have come to see school dress as one (1) positive and creative way to reduce discipline problems, prevent future discipline problems from occurring, and increase school safety.

It has been observed that the adoption of a mandatory school dress code policy can promote school safety, improve discipline, and enhance the learning environment.

### **Authority**

The William Penn School District Board of Directors does hereby formally propose this policy requiring all Penn Wood High School students in grades nine through twelve to follow the prescribed school dress code, beginning in the 2009-2010 school year. Furthermore, it is not the intention of the School Board or other groups to infringe upon the rights of any individual, but rather to provide a safe environment for all students to receive the education they so rightfully deserve. [\[1\]](#)[\[2\]](#)

### **Guidelines**

Students are expected to wear appropriate dress for school. Parents/Guardians, teachers, and peers are encouraged to advise students about what is and is not appropriate. For health and safety reasons, shoes must be worn at all times in school and on school property. Students are not permitted to wear "hoodies" in the School Building at any time. Students will be expected to remove hoodies and place them in their lockers before the start of homeroom period for the entire school day. In the winter months, students may be allowed to wear hoodies should the Administration deem

the climate in the building makes wearing of outside clothing necessary. The Administration will make an announcement in the case that students would be permitted to wear hoodies due to cold indoor temperatures. All students are required to wear in plain view, on the upper torso, the unobstructed school-issued ID card. Duplicate cards will be issued to repeat offenders at a cost of five dollars (\$5.00) per card.[3]

To clarify our expectations, a committee of Student Council and teachers compiled a list of inappropriate attire. In accordance with this School Board approved code, students will not be permitted to wear:

1. Long shirts that hang (approximately) longer than the wrist.
2. Visible underwear. Pants are to be worn at the natural waist.
3. Tank tops, body shirts, or spaghetti strap tops.
4. Outfits that expose the midriff, belly or posterior.
5. Skirts, shorts, or dresses shorter than the outstretched arm's longest finger.
6. Excessively torn garments that expose skin.
7. Yoga pants, short-shorts, or bike shorts.
8. Tights/leggings may not be worn without a skirt, dress, or shorts of appropriate length over the tights.
9. Hats, caps, scarves, or hoods (inside the building).
10. Clothing with obscene, profane, or inflammatory language or graphics.
11. Flip-flops, slippers, or spiked or stiletto heels.
12. Outdoor coats (inside the building).
13. Any other attire deemed inappropriate by the school administration.
14. Specific dress requirements may be issued for certain programs such as physical education, laboratory sciences, and Vo-Tech programs.
15. Inappropriately dressed students for whom a parent/guardian cannot be reached to bring appropriate clothes or grant permission to go home to change may be sent to In-School Suspension.

- Legal
1. [24 P.S. 1317.3](#)
  2. [22 PA Code 12.11](#)
  3. Pol. 221

Last Modified by Frank Bruno on July 12, 2018





Book	Policy Manual
Section	200 Pupils
Title	Copy of Suspension and Expulsion
Number	233
Status	
Adopted	December 20, 1993
Last Revised	June 26, 2006

### **Purpose**

The Board recognizes that exclusion from the educational program of the schools, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and one that cannot be imposed without due process. The Board shall define and publish the types of offenses that would lead to exclusion from school. Exclusions affecting students with disabilities shall also be governed by applicable state and federal law and regulations. [\[1\]](#)[\[2\]](#)[\[3\]](#)

### **Authority**

The Board may, after a proper hearing, suspend or expel a student for such time as it deems necessary, or may permanently expel a student. [\[1\]](#)[\[4\]](#)[\[5\]](#)

Every principal or teacher in charge of a public school may temporarily suspend any student for disobedience or misconduct.

### **Guidelines**

#### **Exclusion From School - Suspension**

The principal or person in charge of the school may suspend any student for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days and shall immediately notify the parent/guardian and the Superintendent in writing when the student is suspended. [\[1\]](#)[\[4\]](#)

No student may be suspended without notice of the reasons for which s/he is suspended and an opportunity to be heard on his/her own behalf before the school official who holds the authority to reinstate the student. Prior notice is not required where it is clear that the health, safety or welfare of the school population is threatened. Suspensions may not be made to run consecutively beyond the ten-school day period.

When a suspension exceeds three (3) school days, the student and parent/guardian shall be given the opportunity for an informal hearing with the designated school official. Such hearing shall take

place as soon as possible after the suspension, and the district shall offer to hold it within the first five (5) days of the suspension. [\[5\]](#)

Informal hearings under this provision shall be conducted by the building principal, Superintendent and/or person in charge of the school.

### Purpose of Informal Hearing

The purpose of the informal hearing is to permit the student to explain the circumstances surrounding the event leading to the suspension, to show why the student should not be suspended, and to discuss ways to avoid future offenses. [\[5\]](#)

### Due Process Requirements for Informal Hearing

1. The student and parent/guardian shall be given written notice of the reasons for the suspension. [\[5\]](#)
2. The student and parent/guardian shall receive sufficient notice of the time and place of the informal hearing.
3. The student may question any witnesses present at the informal hearing.
4. The student may speak and produce witnesses who may speak at the informal hearing.
5. The school district shall offer to hold the informal hearing within five (5) days of the suspension.

### Exclusion From Class - In-School Suspension

No student may receive an in-school suspension without notice of the reasons for which s/he is suspended and an opportunity to be heard prior to the time the suspension becomes effective. The parent/guardian shall be informed of the suspension action taken by the school. [\[6\]](#)

Should the in-school suspension exceed ten (10) consecutive school days, the student and parent/guardian shall be offered an informal hearing with the building principal. Such hearing shall take place prior to the eleventh day of the in-school suspension. The procedure shall be the same as the procedure for informal hearings held in connection with out-of-school suspensions. [\[5\]](#)

The district shall provide for the student's education during the period of in-school suspension.

### Exclusion From Student Activities and Programs

Any student suspended for Offenses of Violence, Harassment, Bullying, Possession of any Weapon or Illegal or Controlled Substance Violations, including Alcohol, may not participate in any student activities or programs for the duration of the suspension or expulsion, with an additional 60 calendar day probation period consisting of school days beginning from the date of the incident.

### Expulsion

Expulsion is exclusion from school by the Board for a period exceeding ten (10) consecutive school days. The Board may permanently expel from the district rolls any student whose misconduct or disobedience warrants this sanction. No student shall be expelled without an opportunity for a formal hearing before the Board, a duly authorized committee of the Board, and/or a qualified hearing examiner appointed by the Board, and upon action taken by the Board after the hearing. [\[1\]](#)[\[4\]](#)[\[5\]](#)

## Expulsion Hearings

A formal hearing shall be required in all expulsion actions. [\[7\]](#)

The formal hearing shall observe the due process requirements of: [\[5\]](#)

1. Notification of the charges in writing by certified mail to the student's parent/ guardian.
2. At least three (3) days' notice of the time and place of the hearing, which shall include a copy of this policy, hearing procedures, and notice of the right to representation by legal counsel. A student may request the rescheduling of the hearing when s/he demonstrates good cause for an extension.
3. The hearing shall be private unless the student or parent/guardian requests a public hearing.
4. Representation by counsel at the parent's/guardian's expense and parent/guardian may attend the hearing.
5. Disclosure of the names of witnesses against the student and copies of their written statements or affidavits.
6. The right to request that witnesses against the student appear in person and answer questions or be cross-examined.
7. The right to testify and present witnesses on the student's behalf.
8. A written or audio record shall be kept of the hearing and a copy made available to the student at the student's expense, or at no charge if the student is indigent.
9. The hearing shall be held within fifteen (15) school days of the notice of charges, unless a delay is mutually agreed to by both parties or is delayed by:
  - a. The need for laboratory reports from law enforcement agencies.
  - b. Evaluations or other court or administrative proceedings are pending due to a student's invoking his/her rights under the Individuals with Disabilities Education Act (IDEA).
  - c. Delay is necessary due to the condition or best interests of the victim in cases of juvenile or criminal court involving sexual assault or serious bodily injury.
10. Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

## Adjudication

A written adjudication shall be issued after the Board has acted to expel a student. The adjudication may include additional conditions or sanctions. [\[8\]](#)

## Attendance/School Work During Suspension and Prior to Expulsion

Students serving an out-of-school suspension must make up missed exams and work, and shall be permitted to complete assignments pursuant to established guidelines. [\[1\]](#)[\[9\]](#)

Students who are facing an expulsion hearing must be placed in their normal classes if the formal hearing is not held within the ten-school day suspension.

If it is not possible to hold the formal hearing within the first ten (10) school days, the school district may exclude such a student from class for up to five (5) additional – fifteen (15) total – school days if, after an informal hearing, it is determined that the student's presence in his/her normal class would constitute a threat to the health, safety or welfare of others.

Any further exclusion prior to a formal hearing may be only by mutual agreement. Such students shall be given alternative education, which may include home study.

#### Attendance/School Work After Expulsion

Students who are under seventeen (17) years of age are still subject to compulsory school attendance even though expelled and shall be provided an education.[\[1\]](#)

The parent/guardian has the initial responsibility of providing the required education and shall, within thirty (30) days, submit written evidence to the school that the required education is being provided or that they are unable to do so. If the parent/guardian is unable to provide for the required education, the school district shall, within ten (10) days of receipt of the parent's/guardian's notification, make provision for the student's education.

#### Students With Disabilities

A student with a disability shall be provided educational services as required by state and federal laws and regulations and Board policies.[\[10\]](#)[\[11\]](#)

#### Delegation of Responsibility

The Superintendent or designee shall develop rules and regulations to implement this policy which include:

1. Publication of a Code of Student Conduct, in accordance with Board policy on student discipline.[\[12\]](#)
2. Procedures that ensure due process when a student is being deprived of the right to attend school.
3. Regulations regarding student records which require that records of disciplinary suspension be maintained in accordance with Board policy on student records.[\[13\]](#)
4. The name of a student who has been disciplined shall not become part of the agenda or minutes of a public meeting, nor part of any public record of the Board. Such students may be designated by code.
5. Any student who has been expelled may apply for readmission to school upon such conditions as may be imposed by the Board.

## Legal

1. [22 PA Code 12.6](#)
2. [22 PA Code 14.143](#)
3. [34 CFR 300.519-300.529](#)
4. [24 P.S. 1318](#)
5. [22 PA Code 12.8](#)
6. [22 PA Code 12.7](#)
7. [2 Pa. C.S.A. 101 et seq](#)
8. [2 Pa. C.S.A. 101](#)
9. [Pol. 204](#)
10. [Pol. 113](#)
11. [Pol. 113.1](#)
12. [Pol. 218](#)
13. [Pol. 216](#)
- 20 [U.S.C. 1400 et seq](#)
- 22 [PA Code 12.3](#)
- 22 [PA Code 14.143](#)

Last Modified by Frank Bruno on July 9, 2018



Book	Policy Manual
Section	800 Operations
Title	Transportation
Number	810 Vol III 2018
Status	First Reading

### **Purpose**

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

### **Definitions**

**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.**[\[1\]](#)

**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.**[\[1\]](#)

### **Authority**

**The Board 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.**[\[2\]](#)[\[3\]](#)[\[4\]](#)

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

The Board 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.[\[3\]](#)[\[11\]](#)

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

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

**The Board shall provide transportation for children in foster care in accordance with federal and state laws and regulations, and the local transportation plan.**[\[18\]](#)[\[19\]](#)

**The Board shall provide transportation for homeless children and youths in accordance with federal and state laws and regulations.**[\[20\]](#)[\[21\]](#)

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.[\[22\]](#)

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

### **Delegation of Responsibility**

The school bus/**vehicle** driver shall be responsible **to maintain order** while **students** are being transported.

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

The building principal may suspend a student from bus transportation for disciplinary reasons, and the parents/guardians shall be responsible for the student's transportation.[\[7\]](#)

The Superintendent or designee shall be responsible to:

1. Maintain records and make required reports regarding school transportation.[\[5\]](#)[\[7\]](#)
2. Distribute rules governing student conduct during transport; such rules shall be binding on all students transported by the district.[\[7\]](#)
3. **Provide each school bus/school vehicle driver with:**
  - a. **The Pennsylvania School Bus Driver's Manual;**
  - b. **The written rules for student conduct on buses/vehicles;**
  - c. **The procedures for evacuation drills; and**
  - d. **Any additional laws and applicable Board policies and administrative regulations which apply to school bus/vehicle drivers.**
4. {X} Establish administrative regulations that specify the number of chaperones to accompany students in connection with school-related activities and field trips.[\[7\]](#)[\[25\]](#)
5. {X} Prepare a district map or schedule indicating each bus stop and bus route.[\[7\]](#)

### **Guidelines**

## **Student Health Information**

**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]**

**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]**

## **Evacuation Drills**

**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]**

### **NOTES:**

Title 22, Sec. 23.4 - discipline, field trips, contracted negotiations, records

Title 22, Sec. 23.6 - authorized passengers

Computation of distance - 1366

Field Trips – 24 P.S. Sec. 517 (farm show), 1361 (nonpublic); Title 22, Sec. 23.4

Ten-mile boundaries - 1361

Other boundaries - 1 ½ miles - 1362

Payments/reimbursements - 2541, 2542, Title 22 Sec. 23.31-23.40

Transportation - Title 22, Chapter 23

School Buses/Vehicles - Title 67, Chapter 171

Bus Drivers Minor Children – Title 22 Sec. 23.6

Definitions of motor vehicle – Vehicle Code – 75 Pa. C.S.A. Sec. 102

If the district has existing language in policy on transportation routes and stops, which addresses students being limited to a single bus stop or single residence, recommend reviewing the language with the solicitor based on recent court cases regarding student transportation and residency (*Watts v Manheim Township SD*, *Wyland v West Shore SD*). Consult Legal with questions.

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## 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](#)
- [24 P.S. 1331](#)
- [24 P.S. 1365](#)
- [24 P.S. 1366](#)
- [24 P.S. 2541](#)
- [24 P.S. 2542](#)

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Book	Policy Manual
Section	800 Operations
Title	Contracted Services Personnel
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### **Purpose**

In its effort to provide cost-effective programs, the Board **uses outside independent contractors for a variety of purposes. The district is required to ensure that such contractors comply with certain legal requirements regarding contractor employees involved in the delivery of services to the district. This policy is adopted to outline those requirements and the manner in which the district shall direct and monitor contractor compliance.**

### **Definitions**

**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.**

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

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

### **Authority**

The **district** is required by law to ensure that independent contractors and **contractor** employees 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.** [\[2\]](#)[\[3\]](#)[\[4\]](#)

### **Guidelines**

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

- 1. Mandatory requirements for criminal history **background checks**, child abuse **certifications**,**

**employment history reviews, and arrest and conviction reporting** for contracted services involving direct contact with children, as mandated by law and set forth in this policy.[\[5\]](#)

2. **A requirement that all contracted transportation providers provide a program of drug and alcohol testing for covered drivers. A covered driver shall include any contractor employee who drives, operates or is in the actual physical control or movement of a school bus or a commercial vehicle owned, leased or operated by the independent contractor in connection with school district services.**[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)
3. **That failure to comply with this policy and the requirements for criminal history background checks and child abuse certifications, employment history reviews, and required reporting of employee arrests, convictions or other misconduct by an independent contractor or contractor employee shall be grounds for termination** of the contract.

**The Superintendent or 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.**[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[11\]](#)

**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.**

### **Pre-Employment Requirements**

#### ***Employment History Review -***

Independent contractors shall conduct an employment history review, in compliance with state law, prior to assignment of a **contractor** employee to perform work for the district **in a position or assignment involving direct contact with children**. The independent contractor may use the information for the purpose of evaluating an applicant's fitness to be hired or for continued employment of a current **contractor** employee and may report the information as permitted by law.[\[4\]](#)

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

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

#### ***Criminal History -***

**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.**[\[2\]](#)[\[3\]](#)

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

### ***Tuberculosis Test -***

**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.** [\[12\]](#)[\[13\]](#)

### **Arrest and Conviction Reporting Requirements**

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

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 designee.**

**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.** [\[3\]](#)[\[11\]](#)

**{X}** 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. [\[14\]](#)

### **Educator Misconduct**

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

### **Training**

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

1. Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct.
2. Provisions of the Educator Discipline Act, including mandatory reporting requirements. [\[17\]](#)
3. District policy related to reporting of suspected abuse and sexual misconduct. [\[18\]](#)
4. Maintenance of professional and appropriate relationships with students. [\[19\]](#)

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. [\[1\]](#)

**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.**

### **Child Abuse Reporting**

**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. [\[18\]](#)[\[20\]](#)**

### **Confidentiality**

**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 his/her responsibilities. Contractor employees with access to confidential student information shall maintain the confidentiality of that information in accordance with Board policies and procedures and applicable law. If a contractor employee has questions about the confidentiality of student information, the contractor employee should consult with the building principal. [\[21\]](#)[\[22\]](#)**

### **NOTES:**

Chapter 8 of the State Board of Education Regulations has not been updated since August of 1990 and does not reflect current statutory requirements.

Chapter 3490 of the Protective Services regulations of the Department of Human Services has not been updated since July 1999 and does not reflect current statutory requirements.

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## 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](#)

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