



POLICY STANDING COMMITTEE

11/9/2020 [5:00PM-6:00PM] @ Board of Directors Room

1. Call to Order

Minutes

Mrs. Steiner called the meeting to order at 5:06 p.m. Due to Pennsylvania's COVID-19 mitigation efforts calling for limits on the number of participants at indoor gatherings, the meeting was conducted both in-person and virtually, limiting the in-person attendance.

2. Roll Call

Minutes

Members Present: John Abel (via phone), Maria Memmi, Lewis Shaw, Terri Singer, Tricia Steiner (Board Members); Chu Ferns, Keith Graham, Beth Olmsted, Nicole Searfoss (Citizen Advisors)

Staff Members/Public Present: Michele Agee (Board Secretary), Jason Reifsnyder (Administration), Dave Sweigert

Members Absent: Lindsey Drew

3. Approval of Summary Minutes

Minutes

The September 14, 2020 Policy Standing Committee Meeting Minutes were attached. No corrections were noted.

4. Unfinished Business

5. Revised/Reviewed Policies

a. Policy 113.2 Behavior Support

While there have been no recent changes to the federal Individuals With Disabilities Education Act (IDEA) or its implementing regulations, or corresponding state law or regulations, there have been updates to the state's cyclical compliance monitoring process that prompted minor revisions to some of the policies related to special education.

Minor terminology revisions were made throughout policies 113.1 and 113.2 to consistently use the term Positive Behavior Support Plan. Language in Policy 113.2 was also revised to more clearly reflect the requirement for students to be educated in the Least Restrictive Environment (LRE). The definition and language on seclusion were updated to clarify that time spent in seclusion shall be limited, and that students in seclusion shall be under district staff supervision at all times, even when the supervising staff member may not be in the same room with the student at all times.

Language on use of physical restraints was also revised to directly specify that the use of restraints may be included in a student's Individualized Education Program (IEP) only with parental consent and in accordance with the parameters outlined in state regulations stipulated in the policy.

Minutes

On a motion by Dr. Shaw, seconded by Mrs. Memmi, Policy 113.2 was unanimously recommended to the full Board for 30-day review approval as amended.

b. 122 Extracurricular Activities

Act 73 of 2020 repealed the Sudden Cardiac Arrest Prevention Act (24 P.S. Sec. 5331 et seq.) and added a new section to the PA School Code, [24 P.S. Sec. 14-1425](#) which combines Sudden Cardiac Arrest and Electrocardiogram Testing. The new School Code provision mirrors the language from the Sudden Cardiac Arrest Prevention Act and adds language that requires schools to provide information about electrocardiogram testing, including the potential risks, benefits and evidentiary basis behind such testing. Schools are also required to inform parents and guardians about the option to request, from the family's medical provider, the administration of an electrocardiogram in addition to the comprehensive initial participation physical examination. The cost of electrocardiogram testing is the responsibility of the parent or guardian.

The PA Department of Health's Athlete/Parent/Guardian Sudden Cardiac Arrest Symptoms and Warning Signs Information Sheet and Acknowledgement of Receipt and Review Form needs to be updated to include information on electrocardiogram testing. PSBA provided notification of the necessary revision and we hope to see an updated form issued soon.

Policy 123.2 Sudden Cardiac Arrest has been updated with the new legal citation and language regarding electrocardiogram testing. Policies 122 and 123 were also updated with the new legal citation.

Minutes

On a motion by Dr. Shaw, seconded by Mrs. Memmi, Policy 122 was removed from the plate. There were no changes to note, no further approval required.

c. 123 Interscholastic Athletics

Act 73 of 2020 repealed the Sudden Cardiac Arrest Prevention Act (24 P.S. Sec. 5331 et seq.) and added a new section to the PA School Code, [24 P.S. Sec. 14-1425](#) which combines Sudden Cardiac Arrest and Electrocardiogram Testing. The new School Code provision mirrors the language from the Sudden Cardiac Arrest Prevention Act and adds language that requires schools to provide information about electrocardiogram testing, including the potential risks, benefits and evidentiary basis behind such testing. Schools are also required to inform parents and guardians about the option to request, from the family's medical provider, the administration of an electrocardiogram in addition to the comprehensive initial participation physical examination. The cost of electrocardiogram testing is the responsibility of the parent or guardian.

The PA Department of Health's Athlete/Parent/Guardian Sudden Cardiac Arrest Symptoms and Warning Signs Information Sheet and Acknowledgement of Receipt and Review Form needs to be updated to include information on electrocardiogram testing. PSBA provided notification of the necessary revision and we hope to see an updated form issued soon.

Policy 123.2 Sudden Cardiac Arrest has been updated with the new legal citation and language regarding electrocardiogram testing. Policies 122 and 123 were also updated with the new legal citation.

Minutes

On a motion by Dr. Shaw, seconded by Mrs. Memmi, Policy 123 was unanimously recommended to the full Board for 30-day review approval as amended.

d. 123.2 Sudden Cardiac Arrest

Act 73 of 2020 repealed the Sudden Cardiac Arrest Prevention Act (24 P.S. Sec. 5331 et seq.) and added a new section to the PA School Code, [24 P.S. Sec. 14-1425](#) which combines Sudden Cardiac Arrest and Electrocardiogram Testing. The new School Code provision mirrors the language from the Sudden Cardiac Arrest Prevention Act and adds language that requires schools to provide information about electrocardiogram testing, including the potential risks, benefits and evidentiary basis behind such testing. Schools are also required to inform parents and guardians about the option to request, from the family's medical provider, the administration of an electrocardiogram in addition to the comprehensive initial participation physical examination. The cost of electrocardiogram testing is the responsibility of the parent or guardian.

The PA Department of Health's Athlete/Parent/Guardian Sudden Cardiac Arrest Symptoms and Warning Signs Information Sheet and Acknowledgement of Receipt and Review Form needs to be updated to include information on electrocardiogram testing. PSBA provided notification of the necessary revision and we hope to see an updated form issued soon.

Policy 123.2 Sudden Cardiac Arrest has been updated with the new legal citation and language regarding electrocardiogram testing. Policies 122 and 123 were also updated with the new legal citation.

Minutes

On a motion by Dr. Shaw, seconded by Mrs. Memmi, Policy 123.2 was unanimously recommended to the full Board for 30-day review approval as amended.

6. New Policies

a. Policy 113.1 Discipline of Students with Disabilities

While there have been no recent changes to the federal Individuals With Disabilities Education Act (IDEA) or its implementing regulations, or corresponding state law or regulations, there have been updates to the state's cyclical compliance monitoring process that prompted minor revisions to some of the policies related to special education.

Minor terminology revisions were made throughout policies 113.1 and 113.2 to consistently use the term Positive Behavior Support Plan. Language in Policy 113.2 was also revised to more clearly reflect the requirement for students to be educated in the Least Restrictive Environment (LRE). The definition and language on seclusion were updated to clarify that time spent in seclusion shall be limited, and that students in seclusion shall be under district staff supervision at all times, even when the supervising staff member may not be in the same room with the student at all times.

Language on use of physical restraints was also revised to directly specify that the use of restraints may be included in a student's Individualized Education Program (IEP) only with parental consent and in accordance with the parameters outlined in state regulations stipulated in the policy.

Policy 113.1 includes language directing staff to share copies of a student's special education and disciplinary records when reporting an incident to local law enforcement or the appropriate authorities, in compliance with the Family Educational Rights and Privacy Act (FERPA)--this language has been a part of this policy on Discipline of Students With Disabilities for years because it is an essential step in the process of reporting to law enforcement in situations where such action is necessary as part of the disciplinary process. Based on the most recent compliance monitoring assessment documents, we have also added this language to Policy 113.4 on Confidentiality of Special Education Student Information because compliance monitors were seeking the same language in that policy related to student records and confidentiality. We have added that language to Policy 113.4, in addition to 113.1, and we also clarified the statement to reflect that district staff must comply with FERPA when transmitting copies of these records.

Minutes

On a motion by Dr. Shaw, seconded by Mrs. Memmi, Policy 113.1 was unanimously recommended to the full Board for 30-day review approval.

b. 113.4 Confidentiality of Special Education Student Information

While there have been no recent changes to the federal Individuals With Disabilities Education Act (IDEA) or its implementing regulations, or corresponding state law or regulations, there have been updates to the state's cyclical compliance monitoring process that prompted minor revisions to some of the policies related to special education.

Minor terminology revisions were made throughout policies 113.1 and 113.2 to consistently use the term Positive Behavior Support Plan. Language in Policy 113.2 was also revised to more clearly reflect the requirement for students to be educated in the Least Restrictive Environment (LRE). The definition and language on seclusion were updated to clarify that time spent in seclusion shall be limited, and that students in seclusion shall be under district staff supervision at all times, even when the supervising staff member may not be in the same room with the student at all times.

Language on use of physical restraints was also revised to directly specify that the use of restraints may be included in a student's Individualized Education Program (IEP) only with parental consent and in accordance with the parameters outlined in state regulations stipulated in the policy.

A small revision was also made to Policy 113.4 to ensure that the Record of Access for special education records should include a record of parties obtaining access to records in providing both special education and related services to students with disabilities.

Minutes

On a motion by Dr. Shaw, seconded by Mrs. Memmi, Policy 113.4 was unanimously recommended to the full Board for 30-day review approval.

c. Policy 146.1 Trauma-Informed Approach

The new policy guide on trauma-informed approach was developed as an optional policy for boards to consider. It incorporates the elements of School Code section [24 P.S. 1311-B](#), which required the state's School Safety and Security Committee to develop a model trauma-informed approach plan that must be used by a school entity who applies for School Safety and Security grant funding related to trauma-informed approach. The policy guide directs school staff to develop a trauma-informed approach plan for implementation and may be used by a board to guide the elements of the plan that are most important based on local decisions and resources. Boards may choose to adopt the policy and direct staff to develop a plan, whether or not they are applying for School Safety and Security grant funding related to trauma-informed approach to education.

For school entities who are applying for grant funding, the policy incorporates elements of the [state's model trauma-informed approach plan](#), which may be accessed through the PA Commission on Crime and Delinquency (PCCD) [website on school safety and security](#), as directed by the state School Safety and Security Committee.

The policy defines trauma and trauma-informed approach, in accordance with School Code, and also secondary trauma. It provides options, indicated by brackets { }, throughout that should be reviewed by the board and discussed with school administration to determine who will be able to oversee this work and what will best meet the needs of the school entity based on available resources and opportunities to partner with outside community organizations. For school entities partnering with outside providers, the state's model plan linked above provides a sample Memorandum of Understanding at the end that may be reviewed with your school solicitor and used to develop partnership agreements with outside agencies or providers.

While the policy is optional, there are two required elements related to training on trauma-informed approach: the requirement for 1 hour of training on trauma-informed approach for newly elected/appointed and re-elected/appointed school directors is also addressed in Policy 004, and the

requirement for 1 hour of trauma-informed approach training to be included in the Professional Development Plan is also addressed in Policy 333.

Training of other staff and contracted individuals working in the schools, including school security personnel, is optional but strongly recommended for a comprehensive approach to integrating trauma-informed approach to education throughout the school entity.

PSBA has developed online learning courses on trauma-informed approach that are accessible by logging in to myPSBA.org for additional learning. PSBA's Behavioral Health Resource guide, which lists agencies supporting mental and behavioral health across the state, is also attached at the top of this newsletter. The state's model trauma-informed approach plan linked above also has a variety of valuable resources for integrating trauma-informed approach to education.

Special thanks to William Zee, Esq., and Kalani Linnell, Esq., of Barley Snyder for providing their valuable perspective and input on the Trauma-Informed Approach policy guide.

Minutes

On a motion by Dr. Shaw, seconded by Mrs. Memmi, Policy 146.1 was unanimously recommended to the full Board for 30-day review approval.

d. Policy 252 Dating Violence

When a report of hazing, bullying or dating violence can be interpreted at the outset, or during the course of an investigation, to fall within the provisions of Title IX sexual harassment or other discrimination, it triggers the need to proceed with a joint, concurrent investigation into all allegations, coordinated with the full participation of the Compliance Officer and Title IX Coordinator.

Policy 252. Dating Violence has been updated to add the section relating to the joint investigative requirements for reports that can be interpreted at the outset, or during the course of an investigation, to fall within the provisions of Title IX Sexual Harassment and Other Discrimination. Please note that Policy 103 includes the federal Title IX definition for sexual harassment which contains, in part, a definition for dating violence that is different than the state definition for dating violence as defined in Policy 252.

Minutes

On a motion by Dr. Shaw, seconded by Mrs. Memmi, Policy 252 was unanimously recommended to the full Board for 30-day review approval.

e. Policy 317.1 Educator Misconduct

Educator Misconduct has been updated to add a section to address circumstances when allegations underlying a report of educator misconduct include conduct that appears to constitute Title IX Sexual Harassment and Other Discrimination.

Minutes

On a motion by Dr. Shaw, seconded by Mrs. Memmi, Policy 317.1 was unanimously recommended to the full Board for 30-day review approval.

f. Policy 832 Educational Equity

For the past two years, PSBA has worked collaboratively, including input from a task force of education stakeholders, to develop a comprehensive Educational Equity policy guide for our members to customize based on the context and specific needs of their local school community.

The adoption of an Educational Equity policy is not required by federal or state law or regulation, and therefore its development and adoption is a local decision.

Although not required by law, an Educational Equity policy may be helpful in establishing the foundation for fully incorporating equity into the school system by prioritizing equity and setting expectations for closing opportunity and achievement gaps.

Minutes

On a motion by Dr. Shaw, seconded by Mrs. Memmi, Policy 832 was unanimously recommended to the full Board for 30-day review approval as amended.

7. Public Comment**Minutes**

There were no members of the public present.

8. Adjournment**Minutes**

The meeting was adjourned at 5:53 p.m. The next Policy Meeting will be held on February 8, 2021.