

On May 15, 2023, The Spring-Ford Area School District Work Session was called to order at 7:34 p.m. in the cafeteria of the Spring-Ford High School with the following in attendance:

- Region I: Wendy Earle and Karen Weingarten
- Region II: Clinton L. Jackson and Colleen Zasowski
- Region III: Abby Deardorff and Erica Herman
- Presiding Officer: Erica Hermans
- Superintendent: Robert W. Rizzo
- Assistant Superintendents: Dr. Kelly M. Murray and Dr. Tina L. Giambattista
- Chief Financial Officer: Jim Fink
- Solicitor: Mark Fitzgerald, Esq.
- Student Reps.: Aditi Mangal and Arhan Kaul-arrived at 7:44 p.m.
- Absent: David R. Shafer and Dr. Margaret D. Wright
- Virtual: Dr. Jennifer Motzer

CALL TO ORDER

Mrs. Hermans called the meeting to order at 7:34 p.m.
Mrs. Bickert noted the role: In person: Mrs. Deardorff, Mrs. Earle, Mrs. Hermans, Mr. Jackson, Mrs. Weingarten, and Mrs. Zasowski. On Zoom: Dr. Motzer. Absent: Mr. Shafer and Dr. Wright.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

Mrs. Hermans announced there was an Executive Session prior to the Work Session at 6:30 p.m. to discuss personnel items.

I. PUBLIC TO BE HEARD ON AGENDA ITEMS ONLY

None

II. BOARD AND COMMITTEE REPORTS

Student Rep. Report

Aditi Mangal/Arhan Kaul

Ms. Mangal noted the events that happened around the district such as Prom, Decision Day, several art shows and then noted some upcoming events such as several concerts, makeup AP exams, Keystone Exams.

Extracurricular Activities

David Shafer

1st Tue. 6:30 p.m.

No report

Policy

Wendy Earle

2nd Mon. 6:30 p.m

Mrs. Earle noted several policies were reviewed and approved and sent to the solicitor. The minutes will be posted to the website once approved at the next meeting in June.

Curriculum/Technology Dr. Margaret Wright 2nd Mon. 7:30 p.m.

Dr. Motzer noted that for Technology, Mr. Catalano provided an update on the summer refresh and there will be a different deployment strategy. All students will be using chromebooks, there won't be any more ipads. For Curriculum, there was a lengthy discussion on LinkIt which is on the agenda for approval. This will provide data management and much more.

Finance Clinton L. Jackson 2nd Tue. 6:30 p.m.

Mr. Jackson noted the financial reports and the 2023-24 budget approval is on the agenda and is currently at a 4% increase.

Property Clinton L. Jackson 2nd Tue. 7:30 p.m.

Mr. Jackson noted updates on the maintenance and repairs around the district. They also discussed summer repairs that are planned, one of which is the HS Tennis Courts. Police statistics on Light Speed and Safe to Say were also noted.

MCIU Dr. Margaret Wright 4th Wed. 7:00 p.m.

No Report, will be moved to the Board Meeting.

Asst. Superintendent's Report Dr. Kelly Murray/Dr. Tina Giambattista

Dr. Murray noted the AP and Keystone exams are going on now and she also was able to sit in on the AP presentations and was impressed. Spring City Elementary received a Wellness recognition from Pottstown Health & Wellness Foundation.

Dr. Giambattista noted the concerts around the district were well attended and also talked about the athletic competitions and the Spring-Ford Education Foundation held its 5K this past weekend.

Solicitor's Report Mark Fitzgerald

Mr. Fitzgerald reported that in the next week or two, the US Department of Education will release new title 9 regulations.

III. MINUTES

Minutes A-B, no comments or questions.

- A.** Administration recommends approval of the April 17, 2023 Work Session minutes. **(Attachment A1)**
- B.** Administration recommends approval of the April 24, 2023 Board Meeting minutes. **(Attachment A2)**

IV. PERSONNEL

Personnel A-P, no comments or questions.

A. Resignations

1. **Hope K. Davis;** Special Education Teacher, Extended School Year. Effective: May 8, 2023.
2. **Sara T. Lansdown-Flannery;** English Language Development Teacher, Senior High School. Effective: June 9, 2023.
3. **Cory A. Lush;** Social Studies Teacher, Senior High School. Effective: June 9, 2023.
4. **Allie M. Pribula;** Teacher, Oaks Elementary. Effective: June 9, 2023.
5. **Maria A. Talone;** Summer R.A.M.S Teacher. Effective: May 3, 2023.

B. Leave of Absence

1. **Margaret C. Finnegan;** Secretary, 5/6th Grade Center, for an extension of a leave of absence per Board Policy. Effective: May 1, 2023 through May 5, 2023. *Correction from the April Board Agenda.*

2. **Emily A. Sonnon**; Elementary Teacher, Spring City Elementary for an extension of a leave of absence per the Professional Agreement. Effective: August 21, 2023, through the 2023-2024 school year.

C. Change of Status

1. **Elizabeth J. Fulton**; Secretary to temporary Administrative Assistant, 7th Grade Center. Compensation has been set at \$25.45 per hour, with benefits per the Secretary Benefit Summary. Effective May 23, 2023 for the remainder of the 2022-2023 school year and the full 2023-2024 school year.

D. Tenure

The individuals listed below have completed three (3) years of satisfactory service as temporary professional employees and are, therefore, entitled to tenure status:

1. **Krista M. Mansfield**

- E.** Administration recommends approval of the following Support Staff as Instructional Assistants for the 2023 Extended School Year Program (ESY). The program will be held at Evans Elementary, Monday through Thursday, 8:45 AM to 1:15 PM; July 5, 2023 through August 3, 2023, with a set up day from 12:30 PM - 4:00 PM on June 29, 2023. Compensation for new employees will be set at \$16.36/hour non-degree rate or \$17.36/hour degree rate. Current hourly employees will be paid at their current Instructional Assistant hourly rate plus benefits (FICA & Retirement). Funding will be from the Special Education funds.

1. **Devon N. Carlisle**
2. **Colleen M. Deschamp**
3. **Erin B. Lenker**
4. **Cheyenne K. Weston**

- F.** Administration recommends approval of the following Professional Staff as Special Education Teacher Substitutes for the 2023 Extended School Year Program (ESY). The program will be held at Evans Elementary, Monday through Thursday, 8:30 AM to 1:30 PM; July 5, 2023 through August 3, 2023, with a set up day from 12:30 PM - 4:00 PM on June 29, 2023. Compensation has been set at \$40.00/ hour plus benefits (FICA & Retirement). Funding will be from the Special Education funds.

1. **Elizabeth Shields**
2. **Amelia M. Smith**

- G.** Administration recommends approval of the following Professional Staff as Tutors for English Language Development Camp at Brooke Elementary School. The program will be held Tuesdays and Thursdays for 2 hour sessions from June 20, 2023 through August 4, 2023. Compensation has been set at \$40.00/hour plus benefits (FICA & Retirement). Funding will be paid from the ARP ESSER/7% Set Aside.

1. **Sandra Cerniglia**
2. **Allison L. Workman**

- H.** Administration recommends approval of the following Support Staff as Instructional Assistant Substitutes for the 2023 Extended School Year Program (ESY). The program will be held at Evans Elementary, Monday through Thursday, 8:45 AM to 1:15 PM; July 5, 2023 through August 3, 2023, with a set up day from 12:30 PM - 4:00 PM on June 29, 2023. Compensation will be set at the employees' current Instructional Assistant hourly rate plus benefits (FICA & Retirement). Funding will be from the Special Education funds.

1. **Kathya Holohan**

- I.** Administration recommends approval of the following Professional Staff as Special Education Teachers for the 2023 Extended School Year Program (ESY). The program will be held at the Evans Elementary School, Monday through Thursday, 8:30 AM to 1:30 PM; July 5, 2023 through August 3, 2023, with a set up day from 12:30 PM - 4:00 PM on June 29, 2023. Compensation has

- Check Report (All funds)
- ACH Report (All funds)
- Wires Report (All funds)
- Procurement Report (All funds)

D. Administration recommends approval of the following independent contracts.

1. **Jack Bracale, DMD - Royersford, PA.** to perform state mandated dental screenings of students in grades 3 and 7 during the 2023-2024 school year as requested by parents/guardians. Funding will be paid from the General Fund and shall not exceed \$10.00 per screening.
 2. **Cottage Seven Academy** to provide Extended School Year Services 2023 (ESY) for 1 student who receives services per the IEP. The total cost of the contract is not to exceed \$2,500.00. The funding will be paid from the Special Education Budget.
 3. **Cottage Seven Academy** to provide educational tuition for 1 student who receives school year services per the IEP for the 2022-23 school year. The total cost of the contract is not to exceed \$10,920.00 The funding will be paid from the Special Education Budget.
 4. **High School to Work Transition Services, Inc.** to provide a Spring-Ford Transitional Employment Program (S.T.E.P) for students with special needs which are included as part of the students' IEPs for Extended School Year (ESY) 2023. Payment for the Spring-Ford Transitional Employment Program (S.T.E.P) and individual transitional employment for ESY 2023 will not exceed \$9,198.00. The contract will be paid from the Special Education Budget.
 5. **Medley & Mesaric Therapy Associates, LLC (MMTA)** to conduct an Independent Educational Speech Evaluation for one student. The cost for the evaluation is not to exceed \$4,000.00. The contract will be paid from the Special Education Budget.
 6. **Pediatric Therapeutic Services Inc. (PTS)**, Conshohocken PA for the provision of occupational therapy, physical therapy, speech and language and behavior services for a three (3) year term. The contract addresses direct intervention, consultation, indirect services (i.e. meetings, in-service, paperwork), evaluations, early intervention and extended school year services. The contract is effective 7/1/2023 through 6/30/2026. The contract will be paid from the Special Education Budget and will not exceed the budgeted amount with the outlined contracted rates for 2023-24, 2024-25, and 2025-26 school years including ESY.
 7. **Montgomery County Intermediate Unit – Norristown, PA** to provide school-based ACCESS Program billing services for the 2023-2024 school year at an amount equal to 9% of the ACCESS dollars earned by the district. Funding will be paid from the Medical ACCESS dollars received.
 8. **Substitute Teacher Service (STS)** – Aston, PA. Provide Professional Staff, Instructional Assistant, and Secretary substitute services effective July 1, 2023 through June 30, 2026.
- E.** The Board of School Directors authorizes Fox Rothschild LLP to enter into an agreement for the property located at 500 Campus Drive in Upper Providence Township and further identified as tax parcel No. 61-00-01009-50-5 setting (i) the assessment of the property at \$3,752,000 for tax year 2021 (School District tax year 2021-22), (ii) the assessment of the property at \$4,023,000 for tax year 2022 (School District tax year 2022-23), and (iii) the assessment of the property at \$3,663,000 for tax year 2023 (School District tax year 2023-24) and for each subsequent tax year until a change in the property's assessment pursuant to applicable law.

- F. The Board of School Directors authorizes Fox Rothschild LLP to enter into an agreement for the property located at 100 Cresson Blvd. in Upper Providence Township and further identified as tax parcel No. 61-00-01208-19-8 setting (i) the assessment of the property at \$2,806,965 for tax year 2021 (School District tax year 2021-22), (ii) the assessment of the property at \$2,979,255 for tax year 2022 (School District tax year 2022-23), and (iii) the assessment of the property at \$2,803,680 for tax year 2023 (School District tax year 2023-24) and for each subsequent tax year until a change in the property's assessment pursuant to applicable law.
- G. Administration recommends the renewal of the Movia RAI (Robot-Assisted Instruction) Software License Enterprise – Teacher's Aide for the 2023-24 school year. The total cost shall not exceed \$27,450.00 and will be paid from the Special Education Budget.
- H. Administration recommends approval of attorney fees for an approved March 2023 Confidential In Lieu of FAPE Agreement (Settlement 2023-02). The total amount will not exceed \$8,000.00. Funding will be paid from the Special Education Budget.
- I. Administration recommends approval of ESY fees for an approved August 2022 Confidential In Lieu of FAPE Agreement (Settlement 2022-10) The total amount will not exceed \$4,000.00. Funding will be paid from the Special Education Budget.
- J. Administration recommends approval of the Memo of Understanding between the Spring-Ford Area School District and the Spring Valley Y of the Greater Philadelphia YMCA for the purpose of providing weekly swim lessons and recreational swim for children in the special needs program for grades K-12 from September 2023 to June 2024 at no cost to the district.
- K. Provision of educational services from Lakeside Youth Service d/b/a Lakeside Educational Network for eight in-School Counselors and ten student slots for special education services at the Lakeside School, Lakeside Girls Academy, Souderton Vantage Academy, or Upper Merion Vantage Academy plus transportation costs for the 2023-24 school year. The total contract cost shall not exceed \$1,185,050.00. The contract will be paid from the Special Education Budget.
- L. Provision of educational services from Buxmont Academy for three special education student slots and two general education slots from Buxmont Academy for the 2023-24 school year. The total contract cost shall not exceed \$156,186.94. The contract will be paid from the Special Education Budget.
- M. Administration recommends approval of a contract with Deaf-Hearing Communication Centre to provide professional sign language interpreting for meetings and events within the school for the 2023-24 school year. The total cost will not exceed \$1,500.00. The contract will be funded from the Assistant Superintendent Budget.
- N. Administration recommends approval of **Resolution #2023-04** for the adoption of the 2023-2024 General Fund Budget in the amount of \$190,519,698.00 which represents a tax increase of 4.00% (millage 30.8568). **(Attachment A4)**
- O. Administration recommends approval of **Resolution #2023-03** for the 2023-2024 Homestead and Farmstead Exclusion. **(Attachment A5)**
- P. Administration recommends approval of the Western Montgomery Career and Technology Center's 2023-2024 Budget in the amount of \$8,082,133.00. Spring-Ford's share of the cost is \$2,581,603.00 or an increase of \$132,986.00 from the prior year's budget. The district's contribution calculation is based on the 5-year average ADM ratio per agreement.

VI. PROPERTY

Property A, no questions or comments.

- A. Administration recommends approval for paving the Green Street access to the 9th Grade Center with S.J. Thomas through KPN Contract #2021JOCC-50. Funding will come from the Capital Reserve and shall not exceed \$50,000.00.

VII. PROGRAMMING AND CURRICULUM

Programming and Curriculum A, Dr. Murray shared that the vendor is going to allow the district to sign the 3-year contract and pay each year instead of all 3 years up front as originally proposed. There was Board discussion on this product and it was their request to have the motion revised for next week's approval to reflect this new language.

- A. Administration recommends the approval of **Linkit!** This is a one-year license which includes Data Warehousing, Intervention Manager, Navigator Analytics and Support/Professional Development. The cost is not to exceed \$67,000.00 and is a budgeted item that will be paid from the 2023-24 Assistant Superintendent Budget and ARP ESSER/7% Set Aside.

VIII. CONFERENCES AND WORKSHOPS

Conferences and Workshops, Mr. Jackson asked about item C and what will be learned in this conference. There was Board discussion on item B and what course is being taken and item D on the vendor who is providing this training.

- A. **Zoe Jacobs**, Social Studies Teacher to attend "*AP Economics-APS*" July 31, 2023 - August 3, 2023 at the MCIU in Norristown, PA. The total cost of the conference is \$950.00 (registration and transportation). Substitute coverage is not needed.
- B. **Andrew Walls**, LTS Music Teacher, to attend "*AP Summer Institute 2023*" July 10-13, 2023 at Cabrini University in Radnor, PA. The total cost of the conference is \$1,535.00 (registration, transportation, and meals). Substitute coverage is not needed.
- C. **Robert Catalano**, Director of Technology and **Dr. Kelly Murray**, Assistant Superintendent of Teaching, Learning, and Innovation, to attend "*Springhouse Project Management Essentials*" 3-day virtual training. The total cost of the workshop is not to exceed \$3,600.00 (registration). Substitute coverage is not needed.
- D. **Elizabeth Leiss**, Human Resource Director, to attend "*2023 Title IX Regulations Implementation for K-12 School Districts*" virtually August 7, 2023. The total cost is not to exceed \$440.00 (registration). Substitute coverage is not needed.
- E. **Gwen Phillips**, School Police Lieutenant, to attend "*5th Annual PASRO School Safety conference*" July 24-26, 2023 in Harrisburg, PA. The total cost of the conference is not to exceed \$1,060.00 (registration, transportation, hotel, and meals). Substitute coverage is not needed.

IX. OTHER BUSINESS

Other Business A-H, There was Board discussion on item A and what this conference is, item B, Mr. Rizzo stated this is approval then each year going forward would be approval of changes and item C a lengthy discussion on changing from active consent since the participation rate went down approximately 80%. Item E was also discussed and it was noted that the Pottstown Health & Wellness Foundation had paid for this in the past, and since it has not yet approved this year it was included in the budget. If the grant is approved, some of the money will be used to pay for this. The Board also asked for more specific staff fees. This motion will be rewritten for next week's approval to include this information.

- A. Board approval is needed to appoint 3 Board members to serve as the district's voting delegates for the 2023 PSBA Delegate Assembly. This year's assembly will be held on Saturday, November 4th at 9:00 am. Certification of appointed delegates is needed before August 25, 2023.
- B. Administration recommends approval of the Elementary Handbook (Code of Conduct), Intermediate School Handbook (Code of Conduct), Middle School Handbook (Code of Conduct), and High School Handbook (Code of Conduct). (**Attachment A6**)

- C. Administration recommends approval to participate in the Pennsylvania Youth Survey (PAYS) once again for students in grades 6, 8, 10, and 12. Administration of this survey helps the district's eligibility for Montgomery County Drug and Alcohol Funding. This funding enables the district to continue delivering drug and alcohol prevention and intervention-based programs to our students. The district has participated in this survey which is administered every two years since 1989. There is no cost to the district to participate in this survey.
- D. Board approval is needed for the appointment of **James D. Fink**, Chief Financial Officer, to the Office of Board Treasurer of the Spring-Ford Area School District Board of Directors for the term of one (1) year, effective July 1, 2023.
- E. Administration requests approval to register ten (10) students and one (1) staff member, **Alexandra Fritsch**, to participate in the Pennsylvania Masonic Youth Foundation's 2023 LifeSkills Conference that will take place in Elizabethtown, PA July 16th - 21st, 2023. This activity is an overnight trip. The cost includes a \$400 per student registration fee and shall not exceed \$4,000.00 and will be paid from the High School Budget. The staff member will be paid at the rate of \$30 per hour.
- F. Administration recommends approving the revised 2023-24 district calendar as submitted. **(Attachment A7)**
- G. The following policies are submitted for **Approval**:
1. **Policy #111** - Lesson Plans **(Attachment A8)**
 2. **Policy #113.1** - Discipline of Students with Disabilities **(Attachment A9)**
 3. **Policy #113.2** - Behavior Support **(Attachment A10)**
 4. **Policy #113.4** - Confidentiality of Special Education Student Information **(Attachment A11)**
 5. **Policy #137** - Home Education Programs **(Attachment A12)**
 6. **Policy #137.1** - Extracurricular Participation by Home Education Students **(Attachment A13)**
 7. **Policy #137.2** - Participation in Cocurricular Activities and Academic Courses by Home Education Students **(Attachment A14)**
 8. **Policy #137.3** - Participation in Career and Technical Education Programs by Home Education Students **(Attachment A15)**
 9. **Policy #201** - Admission of Students **(Attachment A16)**
 10. **Policy #815.2** - District Social Media **(Attachment A17)**
- H. The following policies are submitted for **First Read**:
1. **Policy #002** - Authority and Powers **(Attachment A18)**
 2. **Policy #003** - Functions **(Attachment A19)**
 3. **Policy #007** - Distribution **(Attachment A20)**
 4. **Policy #008** - Organizational Chart **(Attachment A21)**
 5. **Policy #121.1** - Overnight/Foreign Travel **(Attachment A22)**
 6. **Policy #209** - Health Examinations/Screenings **(Attachment A23)**
 7. **Policy #210.1** - Possession/Administration of Asthma Inhalers/Epinephrine Auto-Injectors **(Attachment 24)**
 8. **Policy #220** - Student Expression/Dissemination of Materials **(Attachment A25)**
 9. **Policy #221** - Dress and Grooming **(Attachment A26)**
 10. **Policy #237** - Electronic Devices **(Attachment**

X. BOARD COMMENT

None

XI. PUBLIC TO BE HEARD

None

XII. ADJOURNMENT

The Board unanimously adjourned the meeting at 8:55 p.m. with a motion from Mrs. Deardorff, seconded by Mrs. Earle.

Respectfully submitted,

Laurie J. Bickert
Board Secretary

On April 17, 2023, The Spring-Ford Area School District Work Session was called to order at 7:30 p.m. in the cafeteria of the Spring-Ford High School with the following in attendance:

Region I: Wendy Earle, Karen Weingarten and Dr. Margaret D. Wright
Region II: Clinton L. Jackson and Colleen Zasowski
Region III: Abby Deardorff, Erica Herman, and Dr. Jennifer Motzer
Presiding Officer: Erica Hermans
Superintendent: Robert W. Rizzo
Assistant Superintendents: Dr. Kelly M. Murray and Dr. Tina L. Giambattista
Chief Financial Officer: Jim Fink
Solicitor: Mark Fitzgerald, Esq.
Student Reps.: Aditi Mangal and Arhan Kaul
Absent: David R. Shafer

CALL TO ORDER

Mrs. Hermans called the meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

Mrs. Hermans noted that there was an Executive Session prior to the Work Session at 6:30 p.m. to discuss personnel items.

Mrs. Bickert took roll call with Mrs. Deardorff, Mrs. Earle, Mrs. Hermans, Mr. Jackson, Dr. Motzer, Mrs. Weingarten, Dr. Wright and Mrs. Zasowski in person. Mr. Shafer is absent.

I. PUBLIC TO BE HEARD ON AGENDA ITEMS ONLY

Steve Fry, Royersford - Budget

II. PRESENTATION

Mr. Swier gave an overview of DECA, Distributive Education Clubs of America. One thing they did this year was go to the 76ers career day. They compete in District Competition at Desales University, States at Hershey and Nationals in Orlando, FL. Program has grown from 44 in 2018 to 170 in 2022.

Mr. Fink started the presentation with looking at the obstacles. The state budget is required to be passed by June 30th and this impacts Special Education and Subsidy. Highlights include local increasing about 1.5% a year and earned income tax has been over performing the past few years. We are looking at about a 3 million dollar increase in wages and benefits. Support increases due to the meet and discussions we just spoke about. Professional wages due to the professional contract. Looking at a 2 million growth in medical and another 2 million in non personnel related costs. Mr. Fink noted that inflation is slowing down. The index says that no district can levy a tax increase past that %. Typically a district like ours only qualifies for a referendum exception for special education. The tax Impact, 1% real estate tax change is 1.225 million or about \$30 for \$100K assessment. At Index, 4.1% would be \$121.65 per \$100K assessment. Next steps for today, adopt the proposed final budget and this does not mean we are done. By law the budget needs to be done by end of June but the goal is to finalize it end of May because of the

amount of work that needs to be done by the tax office and the business office in order to get the tax bills out.

- A. Mr. Robert Swier**, 9th Grade Teacher and DECA Advisor, to present 2022-2023 DECA Program
- B. Mr. James D. Fink CPA, Chief Financial Officer**, Presentation and Discussion of the 2023-2024 Proposed Final Budget.

III. ACTION ITEM

Motion by Mrs. Deardorff to approve Action item A, seconded by Mrs. Earle.

Motion carries 8-0.

Motion by Mrs. Deardorff to approve Action item B, seconded by Mr. Jackson.

Motion carries 8-0.

- A.** Administration recommends approval of the overnight trip of three (3) students to compete in the PMEA-All-State from Wednesday April 19, 2023 through Saturday April 22, 2023 at Pocono Manor, PA and will be responsible for any missed work. The total cost for the students is \$1,320.00 (registration, hotel and transportation) and is to be paid by the district.
- B.** Administration recommends adoption of the Proposed Final Budget for the 2023-2024 school year in the amount of \$190,772,676.00. The proposed final budget must be approved thirty (30) days prior to the final budget adoption, and the proposed final budget will be made available for public inspection at least twenty (20) days prior to the adoption of the final budget.

IV. BOARD AND COMMITTEE REPORTS

Student Rep. Report

Aditi Mangal/Arhan Kaul

Student Rep Kaul noted past events which included the spring musical, SAT's, and Junior Prom. Student Rep Mangal noted upcoming events which included transition night for 4th grade, Earth day, PSSA's, Decision Day and AP Exams. She also provided some reminders such as SNAP and the post-prom event needing volunteers.

Community Relations

Colleen Zasowski

1st Tue. 6:30 p.m.

Mrs. Zasowski reported that Community Relations discussed projects submitted. Trademarking was brought back to table such as the SF Ram and Crest. Penspra Awards were received. Ms. Crew is working on updating the handbooks and will be uploaded to the website and will be ADA compliant.

Policy

Wendy Earle

2nd Mon. 6:30 p.m.

Mrs. Earle recapped the policies that were reviewed.

Curriculum/Technology

Dr. Margaret Wright

2nd Mon. 7:30 p.m.

Dr. Wright reported that Mr. Catalano shared the refresh process and that the know before is going very well with the training for staff and phishing attempts are being reported. There are a large amount of curriculum renewals. Mrs. Zasowski asked about the action item for \$600,000 and Mr. Catalano noted that this is in line with the 12-year plan. Also asked about Virtual High School, Dr. Murray said there is still a need for students to take classes otherwise not available to them.

Finance

Clinton L. Jackson

2nd Tue. 6:30 p.m.

Mr. Jackson said there was a monthly report shared, discussion on the budget update and discussion on property tax rebate.

Property

Clinton L. Jackson

2nd Tue. 7:30 p.m.

An update on the GESA program, scheduling for the duct work at limerick and Royersford and an update on the led water testing.

Asst. Superintendent's Report Dr. Kelly Murray/Dr. Tina Giambattista

(Attachment A1)

Dr. Murray shared that Brain Fuse was launched and students can access on demand tutoring. Spring-Ford Cyber Learning enrollment is open until May 4th and that there is a Curriculum preview night coming for parents.

Dr. Giambattista recognized Sr. Rep. Mangal, noted there was a spotlight on Rep. Kaul and all his community work, and noted the next SEPAC meeting will be recorded for anyone who can't attend.

Solicitor's Report **Mark Fitzgerald**

Mr. Fitzgerald wanted to note Personnel item K that there is a need from time to time for these matters. Also, Resolution item F is from 2018.

V. MINUTES

Minutes A-B, no questions or comments.

- A.** Administration recommends approval of the March 20, 2023 Work Session minutes. **(Attachment A1)**
- B.** Administration recommends approval of the March 27, 2023 Board Meeting minutes. **(Attachment A2)**

VI. PERSONNEL

Personnel A-L, no questions or comments.

A. Resignations

1. **Carol L. Baldassare**; Instructional Assistant, Senior High School, for the purpose of retirement. Effective: June 9, 2023. *Correction from the March Board Agenda.*
2. **Ashley E. Baisch**; Music Teacher (Strings), 7th and 8th Grade Centers. Effective: June 10, 2023.
3. **Ashley L. Brod**; Special Education Teacher, Extended School Year. Effective: March 22, 2023.
4. **Katherine M. Cieszkowski**; Co-Ed Fitness Intramural #4 - Upper Providence Elementary School. Effective: March 24, 2023.
5. **Jessica A. Hauseman**; Co-Ed Fitness Intramural #2 - Upper Providence Elementary School. Effective: March 24, 2023.
6. **Seth Jones**; HS Instrumental Director (Marching & Concert Bands) and HS Jazz Ensemble Director. Effective: April 10, 2023.
7. **Joseph B. Mayo**; Information Systems Analyst, 9th Grade Center, for the purpose of retirement. Effective: July 7, 2023.
8. **Alexa M. Rawa**; Special Education Teacher, Extended School Year. Effective: April 4, 2023.
9. **Johanna M. Timbario**; Speech Therapist, Extended School Year. Effective: April 4, 2023.

B. Leave of Absence

1. **Margaret C. Finnegan**; Secretary, 5 / 6 Grade Center, for an extension of a leave of absence per Board Policy. Effective: April 13, 2023 through June 10, 2023.
2. **Crystal E. Migliaccio**; Learning Support Teacher, 7th Grade Center for a leave of absence per the Professional Agreement. Effective: May 23, 2023 through April 18, 2025.

C. Professional Employee

1. **Megan M. Kraft**; Instructional Support Teacher, Spring City Elementary School, replacing Corinna M. Vieira, who resigned. Compensation has been set at M+30, Step 7, \$72,783.00, with benefits per the Professional Agreement. Effective: August 22, 2023.

D. Support Staff

(Attachment A1)

1. **Michelle J. Burke**; Registered Nurse, Senior High School, replacing Rachelle A. Klapper, who resigned. Compensation has been set at \$30.25/hour plus benefits per the Registered Nurse Benefit Summary. Effective: May 1, 2023.
 2. **Emily M. Moore**; Instructional Assistant, Spring-Ford Cyber Learning, Senior High School, replacing Catarina L. Folkes, who resigned. Compensation has been set at \$17.36/hour plus benefits per the Instructional Assistants' Benefit Summary. Effective: April 24, 2023.
- E.** Administration recommends approval of the following professional staff member(s) for before and after school tutoring for the 2022-2023 school year to be paid from ARP ESSER/7% Set Aside:
1. **Briana L. Hayes**
- F.** Administration recommends approval of the following Professional Staff as Special Education Teachers for the 2023 Extended School Year Program (ESY). The program will be held at the Evans Elementary School, Monday through Thursday, 8:30 AM to 1:30 PM; July 5, 2023 through August 3, 2023, with a set up day from 12:30 PM - 4:00 PM on June 29, 2023. Compensation has been set at \$40.00/ hour plus benefits (FICA & Retirement). Funding will be from the Special Education funds.
1. **Ashley A. Galluppi**
- G.** Administration recommends approval of the following Professional Staff as Special Education Teacher Substitutes for the 2023 Extended School Year Program (ESY). The program will be held at Evans Elementary, Monday through Thursday, 8:30 AM to 1:30 PM; July 5, 2023 through August 3, 2023, with a set up day from 12:30 PM - 4:00 PM on June 29, 2023. Compensation has been set at \$40.00/ hour plus benefits (FICA & Retirement). Funding will be from the Special Education funds.
1. **Jennifer A. Bowyer**
 2. **Amanda L. Burr**
 3. **Maria Carroll**
 4. **Jeanette T. Hellauer**
 5. **Kyla Kaczerski**
 6. **MaryKay O'Callaghan**
 7. **Melissa A. Shimukonas**
- H.** Administration recommends approval of the following Support Staff as Instructional Assistants for the 2023 Extended School Year Program (ESY). The program will be held at Evans Elementary, Monday through Thursday, 8:45 AM to 1:15 PM; July 5, 2023 through August 3, 2023, with a set up day from 12:30 PM - 4:00 PM on June 29, 2023. Compensation for new employees will be set at \$16.36/hour non-degree rate or \$17.36/hour degree rate. Current hourly employees will be paid at their current Instructional Assistant hourly rate plus benefits (FICA & Retirement). Funding will be from the Special Education funds.
1. **Melissa E. Cherkasky**
 2. **Amanda C. Hegedus**
 3. **Madison A. Johnson**
 4. **Aiden J. Kollar**
 5. **Jayne W. Oyler**
 6. **Lisa Wait**
- I.** Administration recommends approval of the following Support Staff as Instructional Assistant Substitutes for the 2023 Extended School Year Program (ESY). The program will be held at Evans Elementary, Monday through Thursday, 8:45 AM to 1:15 PM; July 5, 2023 through August 3, 2023, with a set up day from 12:30 PM - 4:00 PM on June 29, 2023. Compensation will be set at the employees' current Instructional Assistant hourly rate plus benefits (FICA & Retirement). Funding will be from the Special Education funds.
1. **Deirdre L. Davidson**
 2. **David G. Kinch**

3. Jennifer L. Seraphin

- J. Administration recommends approval of the attached extra-curricular contracts for the 2022-2023 school year. **(Attachment A3)**
- K. Administration recommends approval of an independent engagement agreement with Mark Klein, Esq. to provide independent investigatory and litigation support, including the preparation of a determination for the district in a Title IX matter at an hourly rate of \$200/hour. The hourly rate for travel to and from the District will be \$75/hour. The funding will be paid from the Business Office Budget.
- L. Administration recommends approval of the Memo of Understanding between the Spring-Ford Area School District and the Spring-Ford Education Association for the purpose of adding a Unified Track Head Coach position.

VII. FINANCE

Finance A-H, there was discussion on Mrs. Hermans abstained from voting on item H. Mr. Fitzgerald stated that she doesn't need to for the Ethics Act.

- A. Administration recommends approval for next month's payroll, taxes, all benefits, transportation contracts, IU contracts, Vo-Tech payments, debt service payments, utility bills, maintenance agreements, copier leases, equipment maintenance, Federal grants, insurance, and discounted invoices.

B. Payments:

1. <u>General Fund Checks</u>		
Check No. 216339 - 216452	\$	491,569.13
2. <u>Food Service Check</u>		
Check No. 2526-2529	\$	949.60
3. <u>General Fund, Food Service, Capital Reserve & Projects ACHs</u>		
ACH No. 222301919 - 222302163	\$	4,944,725.63
4. <u>Wires</u>		
Wire No. 202200188 - 202200202	\$	8,949,701.82
5. <u>Procurement Payments</u>		
Transaction No. 220000180 - 220000257	\$	19,303.97

C. The following monthly Board reports are submitted for your approval:

- 1. Skyward Reports
 - Check Report (All funds)
 - ACH Report (All funds)
 - Wires Report (All funds)
 - Procurement Report (All funds)

D. Administration recommends approval of the following independent contracts.

- 1. **Lifeworks School** to provide school year services for 1 student as per the IEP. The total cost for all services is not to exceed \$17,325.00. The funding will be paid from the Special Education Budget.

2. **The Pathway School** to provide school year services for 1 student as per the IEP. The total cost for all services is not to exceed \$36,800.00. The funding will be paid from the Special Education Budget.
 3. **Michael McLeod (GrowNow Therapy Services Inc.)** to provide Executive Function Training to all district instructional assistance with a cost not to exceed \$3,000.00. Funding will be paid from the ARP ESSER 7% Set Aside.
 4. **Body Metrics**, for professional development for all district nurses with a cost not to exceed \$300.00. Funding will be paid from the Assistant Superintendent Budget.
- E.** Administration recommends approval of **Resolution 2023-01** for the provision of property tax and rent rebates to certain senior citizens, widows, widowers, and disabled persons with fixed and limited incomes; establishing uniform standards and qualifications for eligibility to receive a rebate; and providing penalties for fraudulent claims. **(Attachment A4)**
- F.** Administration recommends approval of **Resolution 2023-02** authorizing the issuance of General Obligation Bonds, Series of 2023 (the “Bonds”), for the purposes of financing the current refunding of all the remaining outstanding General Obligation Bonds, Series of 2018 and the costs of issuance of the Bonds (collectively, the “Project”). **(Attachment A5)**
- G.** Administration recommends approval to renew the district’s agreement with **Aramark** to manage the District Food Service Program for the 2023-2024 fiscal year. This renewal is the fourth of four one-year renewals to the Food Service Management Agreement of 2019-2020. The renewal is consistent with the terms of the district’s original RFP as approved by the Pennsylvania Department of Education. Aramark will continue to provide management services and will fill positions upon attrition of Spring-Ford Food Service Employees.
- H.** Administration recommends approval of a **Confidential Settlement Agreement 2023-04** with the parents of a student in special education and the authorization of an educational fund in the amount of \$34,000.00. Funding will be paid from the Special Education Budget.

VIII. PROPERTY

Property A-B, no questions or comments.

- A.** Administration recommends approval of renewing a 3-year contract with two 1-year renewal options for district wide cleaning services and custodial staffing with Interstate Maintenance Corporation. Year 1, starting July 1st 2023 will have a flat rate of \$25.00 per hour for all cleaning and staffing services. There will be a 1% increase for each year thereafter. Funding will come from the 2023-2024 General Maintenance Budget.
- B.** Administration recommends acceptance of the 5/6 grade Home and School purchase of library furniture in the amount of \$7,000.00.

IX. PROGRAMMING AND CURRICULUM

Programming and Curriculum A-U, no questions or comments.

- A.** Administration recommends the approval of Spring-Ford Learning year three course build plan in Canvas. The total cost shall not exceed \$160,000.00 and will be funded from ESSER Grant Funds as previously allocated.
- B.** Administration recommends approval of the Memorandum of Agreement between the Spring-Ford Area School District and the Spring-Ford Education Association for the purpose of establishing the compensation plan and expectations for Spring-Ford Cyber Learning staff during the 2023-2024 school year.

- C. Administration recommends the approval of Thom Stecher and Associates for Professional Development for school counselors. The cost will not exceed \$500.00 and will be paid for by ESSER 7% Set Aside.
- D. The Administration recommends approval of the application and participation in the Spring-Ford Area School District's Flexible Instruction Day Program for the 2023-2024 school year, with the option for Administration to extend for an additional two years, consistent with Section 15-1506 of the Public School Code of 1949. In approving this program the Administration is so authorized to take any and all necessary steps to effectuate implementation of the program. **(Attachment A6)**
- E. Administration recommends the renewal of aimswebPlus. This is a reading and math assessment system that is used for screening purposes and for progress monitoring. The cost is not to exceed \$23,500.00 and is a budgeted item that will be paid from the 2023-2024 Curriculum Budget.
- F. Administration recommends the renewal of Discovery Education Streaming Plus Package. This resource is purchased through the Montgomery County Intermediate Unit at a discounted consortium price. Discovery Education provides access to K-12 digital content for multiple content areas. The cost is not to exceed \$16,500.00 and is a budgeted item that will be paid from the 2023-2024 Curriculum Budget.
- G. Administration recommends the renewal of EdPuzzle Pro. This is a digital resource that will be used to support instruction in grades 5-12 and cyber course building. The cost is not to exceed \$9,500.00 and will be paid from the 2023-2024 Curriculum Budget.
- H. Administration recommends the renewal of Learning A-Z. This is a digital reading resource for grades K-4. The cost is not to exceed \$65,000.00 and is a budgeted item that will be paid from the 2023-2024 Curriculum Budget.
- I. Administration recommends the renewal of Nearpod. This is a one year district digital license which includes access to standards aligned resources and English Learner resources. The cost is not to exceed \$37,500.00 and will be paid from the 2023-2024 Curriculum Budget.
- J. Administration recommends the renewal of Pebble Go & Pebble Go Next. This is a one year district digital license for online book access for each elementary school. The cost is not to exceed \$12,000.00 and is a budgeted amount that will be paid from the 2023-2024 Curriculum Budget.
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- M. Administration recommends the renewal of Seesaw. This is a digital resource that will be used to support instruction in grades K-2. The cost is not to exceed \$9,700.00 and is a budgeted item that will be paid from the 2023-2024 Curriculum Budget.
- N. Administration recommends the renewal of the Smart Futures On-line Program to manage Act 339 evidence for all students K-12. The cost is not to exceed \$11,500.00 and is a budgeted item that will be paid from the 2023-2024 Curriculum Budget.
- O. Administration recommends the renewal of ST Math by Mind Research. This is a digital resource that will be used to support math instruction in grades K-4. The cost is not to exceed \$23,000.00 and is a budgeted item that will be paid from the 2023-2024 Curriculum Budget.

- P. Administration recommends the renewal of Virtual High School (VHS) through the Montgomery County Intermediate Unit. This includes 40 student seats (20 in the fall semester and 20 in the spring semester). The contract is not to exceed \$6,500.00 and is a budgeted item that will be paid from the 2023-2024 Curriculum Budget.
- Q. Administration recommends the purchase of technology equipment as part of the Summer Refresh 2023-2024 and 12-year plan. Total cost will not exceed \$600,000.00 and will be paid out of Technology Reserve and repaid out of the Technology Operating Budget over the life of the devices.
- R. Administration recommends the renewal of RWAN services from the MCIU. Total cost will not exceed \$40,000.00 and will be paid out of the Technology Operating Budget.
- S. Administration recommends the renewal of E-Rate consulting services from the MCIU. Total cost will not exceed \$7,000.00 and will be paid out of the Technology Operating Budget.
- T. Administration recommends the purchase of the following ELA resources from the Attainment Company for use at the secondary level: Access ELA, Read & Tell, Teaching to Standards ELA, Adapted Classics, Access English 1, Pre-Employment Transition Solution. The total cost is not to exceed \$6,000.00 and is a budgeted item that will be paid from the 2023-2024 Special Education Budget.
- U. Administration recommends the purchase of the following Math resources from the Attainment Company for use at the secondary level: Hands on Math, Hands on Math 2, Explore Math, Explore Math 2, Look at Everyday Math, Explore Budgeting. The total cost is not to exceed \$3,000.00 and is a budgeted item that will be paid from the 2023-2024 Special Education Budget.

X. CONFERENCES AND WORKSHOPS

Conferences and Workshops A-B, no questions or comments.

- A. **Courtney L. Mullen**, Junior Accountant to attend “*Frontline Education Time & Attendance Certification Course*” June 20-29, 2023 virtually. The total cost of the conference is \$765.00 (registration). Substitute coverage is not needed.
- B. **Shawn Ryan**, Supervisor of Operations/Facilities to attend “*MCIU 2nd Annual Facilities Directors Conference*” in Lehigh Valley, PA May 17-18, 2023. The total cost of the conference is \$360.00 (registration, transportation). Substitute coverage is not needed.

XI. OTHER BUSINESS

Other Business A-C, no questions or comments.

- A. Administration recommends approval of a Memorandum of Understanding between the Spring-Ford Area School District and East Vincent Police Department, Limerick Police Department, Royersford Police Department, Spring City Police Department, and Upper Providence Police Department. This two-year agreement is required pursuant to the Safe School Act and all parties acknowledge their respective duties and hereby agree to the support and cooperate with one another in carrying out their joint and several responsibilities there-under.
- B. The following policies are submitted for **Approval**:
 1. **Policy #004** - Membership (**Attachment A7**)
 2. **Policy #005** - Organization (**Attachment A8**)
 3. **Policy #005.1** - Board Committee Agenda and Minutes (**Attachment A9**)
 4. **Policy #209.1** - Food Allergy Management (**Attachment A10**)

5. **Policy #222** - Tobacco and Vaping Products (**Attachment A11**)
6. **Policy #227** - Controlled Substances/Paraphernalia (**Attachment A12**)
7. **Policy #803** - School Calendar (**Attachment A13**)
8. **Policy #904** - Public Attendance at School Events (**Attachment A14**)

C. The following policies are submitted for **First Read**:

1. **Policy #111** - Lesson Plans (**Attachment A15**)
2. **Policy #113.1** - Discipline of Students with Disabilities (**Attachment A16**)
3. **Policy #113.2** - Behavior Support (**Attachment A17**)
4. **Policy #113.4** - Confidentiality of Special Education Student Information (**Attachment A18**)
5. **Policy #137** - Home Education Programs (**Attachment A19**)
6. **Policy #137.1** - Extracurricular Participation by Home Education Students (**Attachment A20**)
7. **Policy #137.2** - Participation in Cocurricular Activities and Academic Courses by Home Education Students (**Attachment A21**)
8. **Policy #137.3** - Participation in Career and Technical Education Programs by Home Education Students (**Attachment A22**)
9. **Policy #201** - Admission of Students (**Attachment A23**)
10. **Policy #815.2** - District Social Media (**Attachment A24**)

XII. BOARD COMMENT

Mrs. Hermans spoke about the former 7/11 located near the high school and the signage.

Mr. Jackson wanted to note that that the vote tonight is just part of the process and we are far from where we want to be.

XIII. PUBLIC TO BE HEARD

Theresa Westwood, Royersford - Deca and Budget
Kathy Morris, Royersford - Budget

XIV. ADJOURNMENT

The Board unanimously adjourned the meeting at 9:18 p.m. with a motion from Mr. Jackson, seconded by Mrs. Deardorff.

Respectfully submitted,

Laurie J. Bickert
Board Secretary

On April 24, 2023, The Spring-Ford Area School District Board Meeting was called to order at 7:36 p.m. in the cafeteria of the Spring-Ford High School with the following in attendance:

Region I: Wendy Earle, Karen Weingarten and Dr. Margaret D. Wright
Region II: Clinton L. Jackson and David R. Shafer
Region III: Abby Deardorff, Erica Herman, and Dr. Jennifer Motzer
Presiding Officer: Erica Hermans
Superintendent: Robert W. Rizzo
Assistant Superintendents: Dr. Kelly M. Murray and Dr. Tina L. Giambattista
Chief Financial Officer: Jim Fink
Solicitor: Mark Fitzgerald, Esq.
Student Reps.: Aditi Mangal and Arhan Kaul-Absent
Absent: Colleen Zasowski

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

Mrs. Bickert tool Roll: In person was Mrs. Deardorff, Mrs. Earle, Mrs. Hermans, Mr. Jackson, Dr. Motzer, Mr. Shafer, Mrs. Weingarten, and Dr. Wright. Mrs. Zasowski is absent.

There was an Executive Session held prior to the meeting to discuss personnel items.

I. PUBLIC TO BE HEARD ON AGENDA ITEMS ONLY

None

II. BOARD AND COMMITTEE REPORTS

Personnel Committee

Colleen Zasowski

Mrs. Hermans, Mr. Jackson and Mrs. Zasowski continued with the meet and greets.

WMCTC

No report

Earle/Weingarten/Zasowski 1st Mon. 7:00 p.m.

Legislative Committee

No report

Abby Deardorff

3rd Wed. 7:30 p.m.

MCIU

Dr. Margaret Wright

4th Wed. 7:00 p.m.

Dr. Wright reported from the last meeting. Reminder teacher appreciation week is coming up and the MCIU Education Foundation Golf Outing will be held in Pottstown.

PSBA Liaison

Abby Deardorff

PSBA Advocacy day was this week. Mrs. Deardorff met with several legislators.

American Legion
No report

David Shafer

Superintendent's Report

Robert Rizzo

Mr. Rizzo did a plug for SNAP and they are looking for volunteers for post prom. He congratulated 10th grader Daniel Chu on his accomplishments at PMEA. Mr. Rizzo also recognized retirees and wished them all a Happy Retirement.

Solicitor's Report

Mark Fitzgerald

No report

III. MINUTES

Motion to approve Minutes A-B by Mrs. Weingarten, seconded by Mrs. Deardorff.
Motion carries 8-0.

A. The Board approved the March 20, 2023 Work Session minutes.
(Attachment A1)

B. The Board approved the March 27, 2023 Board Meeting minutes. **(Attachment A2)**

IV. PERSONNEL

Motion to approve Personnel A-L by Mrs. Earle, seconded by Mrs. Weingarten.
Motion carries 8-0.

A. Resignations

1. **Carol L. Baldassare**; Instructional Assistant, Senior High School, for the purpose of retirement. Effective: June 9, 2023. *Correction from the March Board Agenda.*
2. **Ashley E. Baisch**; Music Teacher (Strings), 7th and 8th Grade Centers. Effective: June 10, 2023.
3. **Ashley L. Brod**; Special Education Teacher, Extended School Year. Effective: March 22, 2023.
4. **Katherine M. Cieszkowski**; Co-Ed Fitness Intramural #4 - Upper Providence Elementary School. Effective: March 24, 2023.
5. **Jessica A. Hauseman**; Co-Ed Fitness Intramural #2 - Upper Providence Elementary School. Effective: March 24, 2023.
6. **Seth Jones**; HS Instrumental Director (Marching & Concert Bands) and HS Jazz Ensemble Director. Effective: April 10, 2023.
7. **Joseph B. Mayo**; Information Systems Analyst, 9th Grade Center, for the purpose of retirement. Effective: July 7, 2023.
8. **Alexa M. Rawa**; Special Education Teacher, Extended School Year. Effective: April 4, 2023.
9. **Johanna M. Timbario**; Speech Therapist, Extended School Year. Effective: April 4, 2023.

B. Leave of Absence

1. **Margaret C. Finnegan**; Secretary, 5 / 6 Grade Center, for an extension of a leave of absence per Board Policy. Effective: April 13, 2023 through June 10, 2023.
2. **Crystal E. Migliaccio**; Learning Support Teacher, 7th Grade Center for a leave of absence per the Professional Agreement. Effective: May 23, 2023 through April 18, 2025.

C. Professional Employee

1. **Megan M. Kraft**; Instructional Support Teacher, Spring City Elementary School, replacing Corinna M. Vieira, who resigned. Compensation has been set at M+30, Step 7, \$72,783.00, with benefits per the Professional Agreement. Effective: August 22, 2023.

(Attachment A2)

D. Support Staff

1. **Michelle J. Burke**; Registered Nurse, Senior High School, replacing Rachelle A. Klapper, who resigned. Compensation has been set at \$30.25/hour plus benefits per the Registered Nurse Benefit Summary. Effective: May 1, 2023.
2. **Emily M. Moore**; Instructional Assistant, Spring-Ford Cyber Learning, Senior High School, replacing Catarina L. Folkes, who resigned. Compensation has been set at \$17.36/hour plus benefits per the Instructional Assistants' Benefit Summary. Effective: April 24, 2023.

E. The Board approved the following professional staff member(s) for before and after school tutoring for the 2022-2023 school year to be paid from ARP ESSER/7% Set Aside:

1. **Briana L. Hayes**

F. The Board approved the following Professional Staff as Special Education Teachers for the 2023 Extended School Year Program (ESY). The program will be held at the Evans Elementary School, Monday through Thursday, 8:30 AM to 1:30 PM; July 5, 2023 through August 3, 2023, with a set up day from 12:30 PM - 4:00 PM on June 29, 2023. Compensation has been set at \$40.00/ hour plus benefits (FICA & Retirement). Funding will be from the Special Education funds.

1. **Ashley A. Galluppi**

G. The Board approved the following Professional Staff as Special Education Teacher Substitutes for the 2023 Extended School Year Program (ESY). The program will be held at Evans Elementary, Monday through Thursday, 8:30 AM to 1:30 PM; July 5, 2023 through August 3, 2023, with a set up day from 12:30 PM - 4:00 PM on June 29, 2023. Compensation has been set at \$40.00/ hour plus benefits (FICA & Retirement). Funding will be from the Special Education funds.

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H. The Board approved the following Support Staff as Instructional Assistants for the 2023 Extended School Year Program (ESY). The program will be held at Evans Elementary, Monday through Thursday, 8:45 AM to 1:15 PM; July 5, 2023 through August 3, 2023, with a set up day from 12:30 PM - 4:00 PM on June 29, 2023. Compensation for new employees will be set at \$16.36/hour non-degree rate or \$17.36/hour degree rate. Current hourly employees will be paid at their current Instructional Assistant hourly rate plus benefits (FICA & Retirement). Funding will be from the Special Education funds.

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- H. The Board approved a **Confidential Settlement Agreement 2023-04** with the parents of a student in special education and the authorization of an educational fund in the amount of \$34,000.00. Funding will be paid from the Special Education Budget.

VI. PROPERTY

Motion to approve Property A-B by Mrs. Weingarten, seconded by Mrs. Earle.
Motion carries 8-0.

- A. The Board approved renewing a 3-year contract with two 1-year renewal options for district wide cleaning services and custodial staffing with Interstate Maintenance Corporation. Year 1, starting July 1st 2023 will have a flat rate of \$25.00 per hour for all cleaning and staffing services. There will be a 1% increase for each year thereafter. Funding will come from the 2023-2024 General Maintenance Budget.
- B. The Board accepted the 5/6 grade Home and School purchase of library furniture in the amount of \$7,000.00.

VII. PROGRAMMING AND CURRICULUM

Motion to approve Programming and Curriculum A-K and M-U by Mr. Jackson, seconded by Mrs. Earle.
Motion carries 8-0.

Motion to approve Programming and Curriculum L by Mrs. Deardorff, seconded by Mrs. Weingarten. Mr. Shafer asked if this was a 1-year contract and if there was a plan since there is low enrollment. Dr. Murray confirmed there is a plan and it's been discussed in the Curriculum Committee meeting and will continue to be monitored.

Motion carries 8-0.

- A. The Board approved the Spring-Ford Learning year three course build plan in Canvas. The total cost shall not exceed \$160,000.00 and will be funded from ESSER Grant Funds as previously allocated.

- B. The Board approved the Memorandum of Agreement between the Spring-Ford Area School District and the Spring-Ford Education Association for the purpose of establishing the compensation plan and expectations for Spring-Ford Cyber Learning staff during the 2023-2024 school year.
- C. The Board approved the Thom Stecher and Associates for Professional Development for school counselors. The cost will not exceed \$500.00 and will be paid for by ESSER 7% Set Aside.
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- O. The Board approved the renewal of ST Math by Mind Research. This is a digital resource that will be used to support math instruction in grades K-4. The cost is not to exceed \$23,000.00 and is a budgeted item that will be paid from the 2023-2024 Curriculum Budget.
- P. The Board approved the renewal of Virtual High School (VHS) through the Montgomery County Intermediate Unit. This includes 40 student seats (20 in the fall semester and 20 in the spring semester). The contract is not to exceed \$6,500.00 and is a budgeted item that will be paid from the 2023-2024 Curriculum Budget.
- Q. The Board approved the purchase of technology equipment as part of the Summer Refresh 2023-2024 and 12-year plan. Total cost will not exceed \$600,000.00 and will be paid out of Technology Reserve and repaid out of the Technology Operating Budget over the life of the devices.
- R. The Board approved the renewal of RWAN services from the MCIU. Total cost will not exceed \$40,000.00 and will be paid out of the Technology Operating Budget.
- S. The Board approved the renewal of E-Rate consulting services from the MCIU. Total cost will not exceed \$7,000.00 and will be paid out of the Technology Operating Budget.
- T. The Board approved the purchase of the following ELA resources from the Attainment Company for use at the secondary level: Access ELA, Read & Tell, Teaching to Standards ELA, Adapted Classics, Access English 1, Pre-Employment Transition Solution. The total cost is not to exceed \$6,000.00 and is a budgeted item that will be paid from the 2023-2024 Special Education Budget.
- U. The Board approved the purchase of the following Math resources from the Attainment Company for use at the secondary level: Hands on Math, Hands on Math 2, Explore Math, Explore Math 2, Look at Everyday Math, Explore Budgeting. The total cost is not to exceed \$3,000.00 and is a budgeted item that will be paid from the 2023-2024 Special Education Budget.

VIII. CONFERENCES AND WORKSHOPS

Motion to approve Conferences and Workshops A-C by Mrs. Deardorff, seconded by Mrs. Earle.
Motion carries 8-0.

- A. **Courtney L. Mullen**, Junior Accountant to attend "*Frontline Education Time & Attendance Certification Course*" June 20-29, 2023 virtually. The total cost of the conference is \$765.00 (registration). Substitute coverage is not needed.
- B. **Shawn Ryan**, Supervisor of Operations/Facilities to attend "*MCIU 2nd Annual Facilities Directors Conference*" in Lehigh Valley, PA May 17-18, 2023. The total cost of the conference is \$360.00 (registration, transportation). Substitute coverage is not needed.

New Conferences and Workshops

- C. **Timothy Poth**, PIMS and Data Coordinator, to attend "*Keystone State Skyward Users group*" in Harrisburg, PA in place of Joseph Mayo. The total cost will not exceed the previously approved amount which was approved on March 27, 2023.

IX. OTHER BUSINESS

Motion to approve Other Business A-B by Mrs. Deardorff, seconded by Mrs. Weingarten.
Motion carries 8-0.

- A. The Board approved a Memorandum of Understanding between the Spring-Ford Area School District and East Vincent Police Department, Limerick Police Department, Royersford Police Department, Spring City Police Department, and Upper Providence Police Department. This two-year agreement is required pursuant to the Safe School Act and all parties acknowledge

their respective duties and hereby agree to the support and cooperate with one another in carrying out their joint and several responsibilities there-under.

B. The following policies were approved by the Board:

1. **Policy #004** - Membership (**Attachment A7**)
2. **Policy #005** - Organization (**Attachment A8**)
3. **Policy #005.1** - Board Committee Agenda and Minutes (**Attachment A9**)
4. **Policy #209.1** - Food Allergy Management (**Attachment A10**)
5. **Policy #222** - Tobacco and Vaping Products (**Attachment A11**)
6. **Policy #227** - Controlled Substances/Paraphernalia (**Attachment A12**)
7. **Policy #803** - School Calendar (**Attachment A13**)
8. **Policy #904** - Public Attendance at School Events (**Attachment A14**)

C. The following policies are submitted for **First Read**:

1. **Policy #111** - Lesson Plans (**Attachment A15**)
2. **Policy #113.1** - Discipline of Students with Disabilities (**Attachment A16**)
3. **Policy #113.2** - Behavior Support (**Attachment A17**)
4. **Policy #113.4** - Confidentiality of Special Education Student Information (**Attachment A18**)
5. **Policy #137** - Home Education Programs (**Attachment A19**)
6. **Policy #137.1** - Extracurricular Participation by Home Education Students (**Attachment A20**)
7. **Policy #137.2** - Participation in Cocurricular Activities and Academic Courses by Home Education Students (**Attachment A21**)
8. **Policy #137.3** - Participation in Career and Technical Education Programs by Home Education Students (**Attachment A22**)
9. **Policy #201** - Admission of Students (**Attachment A23**)
10. **Policy #815.2** - District Social Media (**Attachment A24**)

X. BOARD COMMENT

Mr. Shafer noted the Education Foundation 5K walk is this Friday and the Board and the community are welcome to join and register that night. The Ed Foundation Golf outing is August 5th.

Dr. Motzer wishes all those taking the PSSA good luck this week and she also thanks the staff for all the organizing that went into this.

Dr. Wright wished those with AP testing the first 2 weeks in May good luck.

XI. PUBLIC TO BE HEARD

None

XII. ADJOURNMENT

The Board unanimously adjourned the meeting at 7:56 p.m. with a motion from Mrs. Deardorff, seconded by Mrs. Weingarten.

Respectfully submitted,

Laurie J. Bickert
Board Secretary

(Attachment A2)

	Contract Title	Season	Last	First	Stipend
1	8th Gr. Club #12	Spring	Bowers	Todd G.	\$402.00
2	Yearbook- Grade 7 (1/2 contract)	Year	Kenney	Joan E.	\$735.50

(Attachement A3)



SPRING-FORD AREA SCHOOL DISTRICT

OFFICE OF THE SUPERINTENDENT

857 SOUTH LEWIS ROAD, ROYERSFORD, PA 19468

ADMINISTRATION

Robert W. Rizzo
Superintendent

Dr. Kelly Murray
Dr. Tina Giambattista
Assistant Superintendents

BOARD OF DIRECTORS

Erica Hermans
Board President

Dr. Margaret D. Wright
Board Vice President

Wendy Earle
Region I

Karen Weingarten
Region I

Clinton L. Jackson
Region II

Gabrielle Deardorff
Region III

David R. Shafer
Region II

Dr. Jennifer Motzer
Region III

Colleen Zasowski
Region I

RESOLUTION 2023-04 2023-2024 BUDGET ADOPTION SPRING-FORD AREA SCHOOL DISTRICT

WHEREAS, under the terms of 24 P.S. §6-687 and 53 P.S. §6926.312 the Spring-Ford Area School District (the "District") is required to adopt an annual budget for the 2023-2024 school year ("2023-2024 budget") no later than June 30, 2023; and

WHEREAS, the District previously adopted a preliminary budget for the 2023-2024 school year on January 23, 2023 as required by 53 P.S. §6925.311 and a proposed final 2023-2024 budget on April 17, 2023 (no less than 30 days prior to adopting final budget) as required by 24 P.S. §6-687; and

WHEREAS, the District has made the proposed 2023-2024 budget available for inspection at the District's business office and on the District's web site since at least May 2, 2023 for at least twenty days; and

WHEREAS, the District advertised its intent to adopt the 2023-2024 budget on or before May 12, 2023, which is at least ten days prior to the date of adoption; and

WHEREAS, said 2023-2024 budget is attached hereto and made a part hereof; and

WHEREAS, pursuant to 24 P.S. §6-672.1, as the District lies in more than one county, the 2023-2024 budget reflects a tax rate that is equalized between the District's two counties through a means adopted by the District in May 1999 to permit a uniform millage rate for the entire district; and

WHEREAS, the District has set the millage rate necessary to fund this budget at an equalized 30.8568 mills (a copy of the calculations to reach this millage rate appears in the RETR section of the 2023-2024 budget); and

WHEREAS, the above millage increase does not exceed the District's index (with allowable exceptions) as certified by the Secretary of the Department of Education (the "Secretary") pursuant to 24 P.S. §6926.302 as increased by the District requested exceptions approved by the Secretary; and

WHEREAS, the District also wishes to reenact and reaffirm those other taxes previously levied pursuant to the Local Tax Enabling Act, 53 P.S. §6901, et. seq. ("LTEA") at the same rate as levied in the prior school year. Such taxes include, but are not limited to, earned income tax and real estate transfer tax; and

WHEREAS, the District approved Resolution 2012-30 in June 2012, allowing the ability to pay Real Estate Taxes in 3 equal installments by established dates to particular qualified taxpayers (excluding any interims or delinquent school property taxes), and

NOW THEREFORE, intending to be legally bound, the Board of School Directors of the Spring-Ford Area School District (the "Board") hereby resolved this 22nd Day of May 2023 as follows:

1. The above referenced recitals are herein incorporated by reference and made a part hereof as if fully set forth, herein.
2. The 2023-2024 Budget, as attached, is hereby adopted by the Board along with the millage as set forth, therein.
3. The Board's action of May 1999 in determining a means to equalize property tax rates for properties in Chester County and Montgomery County is reaffirmed.
4. The Board's action of June 2012 allowing school Real Estate Taxes to be paid in installments to particular qualified taxpayers is reaffirmed.
5. The Board also re-affirms for the 2023-2024 school year the prior levy of taxes imposed pursuant to the LTEA, as well as any other prior lawfully imposed taxes, without limitation, at the same rate as previously levied.

BY: _____
Erica Hermans
Board President
May 22, 2023

BY: _____
Laurie Bickert
Board Secretary
May 22, 2023



SPRING-FORD AREA SCHOOL DISTRICT

OFFICE OF THE SUPERINTENDENT

857 SOUTH LEWIS ROAD, ROYERSFORD, PA 19468

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Region III

David R. Shafer
Region II

Dr. Jennifer Motzer
Region III

Colleen Zasowski
Region II

RESOLUTION 2023-03 SPRING-FORD AREA SCHOOL DISTRICT

2023-2024 Homestead and Farmstead Exclusion Resolution

WHEREAS, the Pennsylvania Department of Education (the "Department") has certified that, pursuant to Special Session Act 1 of 2006 (the "Taxpayer Relief Act" or Act 1), section 505(a) (4), that it will distribute funds during the 2023-2024 school year to the Spring-Ford Area School District (the "District") for property tax relief; and

WHEREAS, the Department's certification indicates it will give the District \$3,032,881.39 comprised of \$2,522,012.15 from the property tax relief formula and \$510,869.24 in Sterling Act reimbursements, which have both been prorated based on the total funds available for tax relief; and

WHEREAS, funds will be available during the 2023-2024 school year for real estate reduction as a result of undistributed funds from the property tax reduction funds received in 2022-2023 in the amount of \$9,501.00.

WHEREAS, total funds to be distributed during the 2023-2024 school year for real estate reduction will be \$3,042,382.00.

WHEREAS, the Montgomery County and Chester County assessor's office has certified, as required by Act 1 § 341(g)(3), the specific properties within the District that have been approved as Homesteads and Farmsteads within the District. Within that certification there are 12,234 approved Homesteads and 12 approved Farmsteads; and

WHEREAS, pursuant to Act 1 § 341, the District is required to designate the Homestead exclusion and to designate the Farmstead exclusion no later than the last day prior to the beginning of the year for which the exclusions will apply, and for budget year 2023-2024 that date will be June 30, 2023; and

WHEREAS, the Homestead exclusion and the Farmstead exclusion set by the District are each fixed dollar amounts that may not exceed one-half the median assessment on approved Homestead properties within the District as of the date of the county's certification and shall only apply to calculation of District property taxes; and

WHEREAS, pursuant to 53 Pa.C.S.A. § 8585, the Farmstead exclusion may be equal to or less than the Homestead exclusion, but may not be greater than the Homestead exclusion; and

WHEREAS, a mechanism exists in Act 1, Chapter 9 for the District to reject property tax reduction allocations subject only to voter approval through a referendum; and

NOW, THEREFORE, the Board of School Directors of the Spring-Ford Area School District (the "Board") hereby **RESOLVES** as follows:

1. On its own behalf and on behalf of the District's approved homestead and farmstead owners, the Board accepts all property tax allocations and earned income tax reimbursements offered to the District pursuant to Act 1 and declares it will not seek to reject any such funds as permitted under Act 1, Chapter 9.
2. In order to utilize, as directed in Act 1, the Certified Funds for property tax relief, the District resolves to set the maximum property tax reductions for its approved Homestead properties at \$248.00 and the maximum property tax reductions for its approved Farmstead properties shall be the same amount as the Homestead properties.
3. In the 2023-2024 school year, the real estate tax rate for the District is 30.8568 mills.
4. Using the District's millage rate, converting the maximum tax reduction for Homesteads and Farmsteads yields a \$8,037.00 calculated Homestead exclusion and Farmstead exclusion.
5. Therefore, the Board hereby sets the exclusion from assessed value for school property tax purposes of each approved Homestead and Farmstead at \$8,037.00 which is less than half the median assessed value of approved Homestead properties within the District.
6. Where the assessor has approved a property as both a Homestead and Farmstead, the property will receive multiple exclusions, however, whether eligible for multiple exclusions or not, no property may exclude an amount from its assessment greater than the assessed value of the property.
7. The exclusions will apply to tax notices issued based on the initial tax duplicate used in issuing initial real estate tax notices for the school year, which will be issued on or promptly after July 1, and will not apply to interim real estate tax bills.
8. Pursuant to 53 Pa.C.S.A. § 8584, any property, which loses its approval as a Homestead or Farmstead after the beginning of the District's budget year, shall be taxed from that point at the full assessed value without exclusion, and shall receive an interim tax bill reflecting the balance due.
9. Any funds received from the Department by the District to fund exclusions where the funds are unused due to exclusions lost on or after July 1, 2023 shall be held by the District and added to the funds used for exclusions in the following budget year.

**Resolution approved by the Board of School
Directors of the Spring-Ford Area School
District on May 22, 2023**

**Erica Hermans
President**

_____ Yes / _____ No

(Attachment A5)

2023-2024 SCHOOL HANDBOOKS/CODE OF CONDUCT

- [2023-2024 Elementary Handbook/Code of Conduct](#)
- [2023-2024 Intermediate Handbook/Code of Conduct](#)
- [2023-2024 Middle School Handbook/Code of Conduct](#)
- [2023-2024 High School Handbook/Code of Conduct](#)

(Attachment A6)

SPRING-FORD AREA SCHOOL DISTRICT

2023-2024 SCHOOL CALENDAR

JULY 2023							AUGUST 2023							SEPTEMBER 2023							OCTOBER 2023							
S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	
						1			1	2	3	4	5						1	2	1	2	3	4	5	6	7	
2	3	4	5	6	7	8	6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14	
9	10	11	12	13	14	15	13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21	
16	17	18	19	20	21	22	20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28	
23	24	25	26	27	28	29	27	28	29	30	31	24	25	26	27	28	29	30	29	30	31							
30	31																											

NOVEMBER 2023							DECEMBER 2023							JANUARY 2024							FEBRUARY 2024						
S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S
			1	2	3	4						1	2		1	2	3	4	5	6					1	2	3
5	6	7	8	9	10	11	3	4	5	6	7	8	9	7	8	9	10	11	12	13	4	5	6	7	8	9	10
12	13	14	15	16	17	18	10	11	12	13	14	15	16	14	15	16	17	18	19	20	11	12	13	14	15	16	17
19	20	21	22	23	24	25	17	18	19	20	21	22	23	21	22	23	24	25	26	27	18	19	20	21	22	23	24
26	27	28	29	30	24	25	26	27	28	29	30	28	29	30	31	25	26	27	28	29							
							31																				

MARCH 2024							APRIL 2024							MAY 2024							JUNE 2024								
S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S	S	M	T	W	TH	F	S		
					1	2		1	2	3	4	5	6				1	2	3	4							1		
3	4	5	6	7	8	9	7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8		
10	11	12	13	14	15	16	14	15	16	17	18	19	20	12	13	14	15	16	17	18	9	10	11	12	13	14	15		
17	18	19	20	21	22	23	21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22		
24	25	26	27	28	29	30	28	29	30	26	27	28	29	30	31	23	24	25	26	27	28	29							
31																					30								

LEGEND

- Schools and Offices Closed
- No School for Students or 10-Month Employees
- In-Service Day, No School for Student
- Act 80 Day, No School for Students
- End of the Quarter
- First/Last Day of School

DAYS OF INSTRUCTION
 Student Days: 180
 Teacher Days: 190
 12-Month Emp.: 260

- August 22-24: Staff In-Service Days
- August 28: First Day of School!
- September 4: Labor Day, Schools/Offices Closed
- September 25: Yom Kippur, No School for Students or 10-Month Employees
- October 16: In-Service Day
- November 1: End of Quarter One
- November 7: Election Day, In-Service Day
- November 20-21: Parent/Teacher Conferences, No School for Students
- November 22-24: Fall Break, Schools/Offices Closed
- December 25-January 2: Winter Break, Schools/Offices Closed
- January 15: Martin Luther King Jr. Day, Schools/Offices Closed
- January 23: End of Quarter Two
- January 31: Act 80 Day, No School for Students
- February 19: Parent/Teacher Conferences, No School for Students

- March 6: Act 80 Day, No School for Students
- March 27-29: Spring Break, Schools/Offices Closed
- April 1: End of Quarter Three
- April 10: Eid al Fitr, No School for Students or 10-Month Employees
- April 23: Election Day, In-Service Day
- May 27: Memorial Day, Schools/Offices Closed
- June 5: Class of 2024 Commencement Ceremony
- June 6: Last Day of School
- June 7: Last Day for Teachers

A Virtual Day or FID will be used in place of a snow day or other unplanned school closure and eliminates the need for a make-up day. On a weather related Virtual Day, students will follow a modified schedule with virtual lessons synchronously for a portion of each period.

Book	Policy Manual
Section	100 Programs
Title	Lesson Plans
Code	111
Status	Draft (PSBA 8/20)
Adopted	March 25, 1991
Last Revised	August 22, 2011

Authority

To ensure consistency and continuity of instruction, the Board requires professional staff members to develop and maintain daily lesson plans.[\[1\]](#)

Delegation of Responsibility

Teachers shall make thorough preparation for all daily lessons and shall prepare **plans** reflecting such preparation.

To facilitate more effective instruction, lesson plans must be prepared at least one day in advance. **Lesson plans are subject to inspection** by administrative personnel.

Teachers are to provide adequate directions for substitutes, the purpose of which shall be to continue the instructional program or provide a meaningful educational alternative that relates to the subject area.

Lesson plans must be available **for access by assigned** substitute teachers the morning they arrive.

Guidelines

Guidelines for implementation of this policy shall include:

1. The format(s) for lesson plans shall be decided at the building level, i.e. school-wide formats, departmental formats, or individual formats or any combination thereof are acceptable.
2. While teachers are required to be thoroughly prepared for each daily lesson, plans may be prepared for each lesson or on a long-term basis, i.e. unit of work, whichever is most appropriate.
3. Material to be used in a lesson may serve as an integral part of the plan.
4. Lesson plans for individualized programs should reflect a general overview and purpose of the instructional program; individual student **plans or** records may serve as an integral part of the lesson plan.
5. Lesson plans shall include information pertinent to the effective implementation of a lesson. Lesson plans include whatever information is pertinent to implementing the lesson, and shall include at the least the following:

- a. Subject/Topic.
 - b. Academic Standards.
 - c. Learning Goals (understandings, knowledge and skills).
 - d. Procedures and methods.
 - e. Assessment (formative and summative).
 - f. Specific resources (e.g., textbook pages, duplicated materials, media).
6. Emergency lesson plans must be available to substitute teachers at all times.

Legal

1. 24 P.S. 510

Pol. 113

Pol. 814

Pol. 815

Book	Policy Manual
Section	100 Programs
Title	Discipline of Students With Disabilities
Code	113.1
Status	Draft (PSBA 9/20)
Adopted	March 26, 2012
Last Revised	

Purpose

The district shall develop and implement Positive Behavior Support Plans and programs for students with disabilities who require specific interventions to address behaviors that interfere with learning.[\[1\]](#)[\[2\]](#)[\[3\]](#)

Students with disabilities who violate the Code of Student Conduct, or engage in inappropriate behavior, disruptive or prohibited activities and/or actions injurious to themselves or others, which would typically result in corrective action or discipline of students without disabilities, shall be disciplined in accordance with state and federal laws and regulations and Board policy and, if applicable, their Individualized Education Program (IEP) and **Positive** Behavior Support Plan.[\[1\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)

Definitions

Students with disabilities - school-aged children within the jurisdiction of the district who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services.[\[2\]](#)

Suspensions from school - disciplinary exclusions from school for a period of one (1) to ten (10) consecutive school days.[\[7\]](#)[\[9\]](#)

Expulsions from school - disciplinary exclusions from school by the Board for a period exceeding ten (10) consecutive school days and may include permanent exclusion from school.[\[7\]](#)[\[9\]](#)

Interim alternative educational settings - removal of a student with a disability from **the student's** current placement. Interim alternative educational settings may be used by school personnel for up to forty-five (45) school days for certain infractions committed by students with disabilities. The IEP team shall determine the interim alternative educational setting; however, this does not constitute a change in placement for a student with a disability.[\[5\]](#)[\[10\]](#)

Authority

The Board directs that the district shall comply with provisions and procedural safeguards of the Individuals With Disabilities Education Act (IDEA) and federal and state regulations when disciplining students with disabilities for violations of Board policy or district rules or regulations. No student with a disability shall be subjected to a disciplinary change in placement if the student's particular misconduct is a manifestation of **the student's** disability. However, under certain circumstances a

student with a disability may be placed in an interim alternative educational setting by school personnel or the IEP team could, if appropriate, change the student's educational placement to one which is more restrictive than the placement where the misconduct occurred.[\[4\]](#)[\[5\]](#)[\[10\]](#)

Provision of Education During Disciplinary Exclusions

During any period of expulsion, or suspension from school for more than ten (10) cumulative days in a year, or placement in an interim alternative educational setting for disciplinary reasons, a student with a disability shall continue to receive a free and appropriate **public** education (**FAPE**), in accordance with law.[\[5\]](#)[\[9\]](#)[\[11\]](#)

Suspension From School

A student with a disability may be suspended for ten (10) consecutive and fifteen (15) cumulative days of school per school year, for the same reasons and duration as a student without a disability. Such suspension shall not constitute a change in the student's educational placement.[\[4\]](#)[\[5\]](#)[\[9\]](#)[\[10\]](#)[\[12\]](#)

Changes in Educational Placement/Manifestation Determinations

For disciplinary exclusions which constitute a change in educational placement, the district shall first determine whether the student's behavior is a manifestation of **the student's** disability. Expulsion, or exclusion from school for more than fifteen (15) cumulative days in a year, or patterns of suspensions for substantially identical behaviors, constitute changes in educational placements requiring a manifestation determination. For students with intellectual disability, any disciplinary suspension or expulsion is a change in educational placement.[\[4\]](#)[\[5\]](#)

A student with a disability whose behavior is not a manifestation of **the student's** disability may be disciplined in accordance with Board policy, district rules and regulations in the same manner and to the same extent as students without disabilities.[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

Person in Parental Relation Appeals From Disciplinary Actions/Request for Hearing by District for Students Who Are a Danger to Themselves or Others

A due process hearing may be requested by a person in parental relation of a student with a disability who disagrees with a disciplinary placement or manifestation determination, or by the district if the district believes that the current placement is substantially likely to result in injury to the student or others. On person in parental relation appeal, or when the district requests a due process hearing, the hearing officer may return the student to the placement from which **the student** was removed or order **the student's** removal to an appropriate interim alternative educational setting for up to forty-five (45) school days if the hearing officer determines that maintaining **the student's** current placement is substantially likely to result in an injury to the student or others.[\[10\]](#)[\[13\]](#)

Placement during appeals of disciplinary actions shall be in the interim alternative educational setting pending the decision of the hearing officer or expiration of the time

period set for the disciplinary exclusion from the student's regular placement unless the district and the parent/guardian agree otherwise.[\[10\]\[14\]](#)

Students Not Identified as Disabled/Pending Evaluation

Students who have not been identified as disabled may be subject to the same disciplinary measures applied to students without disabilities if the district did not have knowledge of the disability. If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation shall be expedited.[\[10\]\[15\]](#)

Administrative Removal to Interim Alternative Educational Setting for Certain Infractions

School personnel may remove a student with a disability, including intellectual disability, to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability if the student:[\[5\]\[10\]](#)

1. Carries a weapon to or possesses a weapon at school, on school property, or at school functions under the jurisdiction of the district. For purposes of this provision, **weapon** is defined as a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than two and one-half (2 ½) inches in length.[\[5\]\[10\]\[16\]](#)[\[17\]](#)
2. Knowingly possesses or uses illegal drugs, as defined by law, or sells or solicits the sale of a controlled substance, as defined by law, while at school, on school property, or at school functions under the jurisdiction of the district.[\[5\]\[10\]\[18\]](#)[\[19\]](#)
3. Has inflicted serious bodily injury upon another person while at school, on school property, or at school functions under the jurisdiction of the district. For purposes of this provision, **serious bodily injury** means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty.[\[5\]\[10\]\[20\]](#)

Referral to Law Enforcement and Reporting Requirements

For reporting purposes, the term **incident** shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.[\[21\]\[22\]\[23\]](#)

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the

procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The Superintendent or designee shall respond to such incidents in accordance with the district's Special Education Plan and, if applicable, the procedures, methods and techniques defined in the student's **Positive** Behavior Support Plan.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[6\]](#)[\[10\]](#)[\[17\]](#)[\[19\]](#)[\[22\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)[\[27\]](#)[\[28\]](#)[\[29\]](#)[\[30\]](#)[\[31\]](#)[\[32\]](#)[\[33\]](#)[\[34\]](#)[\[35\]](#)

For a student with a disability who does not have a **Positive** Behavior Support Plan, subsequent to notification to law enforcement, the district shall convene the student's IEP team to consider whether a **Positive** Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations and Board policies.[\[1\]](#)[\[3\]](#)[\[27\]](#)[\[32\]](#)

When reporting an incident committed by a student with a disability to the appropriate authorities, the district shall provide the information required by state and federal laws and regulations and shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. The district shall **ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records.**[\[10\]](#)[\[22\]](#)[\[25\]](#)[\[26\]](#)[\[27\]](#)[\[30\]](#)[\[35\]](#)[\[36\]](#)[\[37\]](#)[\[38\]](#)[\[39\]](#)

In accordance with state law, the Superintendent shall annually, by July 31, report to the Office for Safe Schools on the required form all new incidents committed by students with disabilities, including students for whom an evaluation is pending, which occurred on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity.[\[21\]](#)[\[35\]](#)

Legal

1. 22 PA Code 14.133
2. Pol. 113
3. Pol. 113.2
4. 22 PA Code 14.143
5. 34 CFR 300.530
6. Pol. 218
7. Pol. 233
8. Pol. 832
9. 22 PA Code 12.6
10. 20 U.S.C. 1415
11. 20 U.S.C. 1412
12. 34 CFR 300.536
13. 34 CFR 300.532
14. 34 CFR 300.533
15. 34 CFR 300.534
16. 18 U.S.C. 930
17. Pol. 218.1
18. 21 U.S.C. 812
19. Pol. 227
20. 18 U.S.C. 1365
21. 24 P.S. 1303-A
22. 22 PA Code 10.2
23. 35 P.S. 780-102

24. 24 P.S. 1302.1-A
25. 22 PA Code 10.21
26. 22 PA Code 10.22
27. 22 PA Code 10.23
28. 22 PA Code 10.25
29. 22 PA Code 14.104
30. 34 CFR 300.535
31. Pol. 103.1
32. Pol. 113.3
33. Pol. 218.2
34. Pol. 222
35. Pol. 805.1
36. 20 U.S.C. 1232g
37. 34 CFR Part 99
38. Pol. 113.4
39. Pol. 216
24 P.S. 510
20 U.S.C. 1400 et seq
34 CFR Part 300

Book	Policy Manual
Section	100 Programs
Title	Behavior Support
Code	113.2
Status	Draft (PSBA 9/20)
Adopted	October 26, 1998
Last Revised	March 26, 2012

Purpose

Students with disabilities shall be educated in the least restrictive environment (**LRE**) **in accordance with their Individualized Education Program (IEP)**, and shall only be placed in settings other than the regular education class when the nature or severity of the student’s disability is such that education in the regular education class with the use of appropriate supplementary aids and services cannot be achieved satisfactorily **and cannot meet the needs of the student**. The IEP team for a student with a disability shall develop a Positive Behavior Support Plan if the student requires specific intervention to address behavior that interferes with learning. The identification, evaluation, and plan or program shall be conducted and implemented in accordance with state and federal laws and regulations.[\[1\]\[2\]\[3\]\[4\]\[5\]](#)

Authority

The Board directs that the district’s behavior support programs shall be based on positive rather than negative behavior techniques to ensure that students shall be free from demeaning treatment and unreasonable use of restraints or other aversive techniques. The use of restraints shall be considered a measure of last resort and shall only be used after other less restrictive measures, including de-escalation techniques. Behavior support programs and plans shall be based on a functional **behavioral assessment** and shall include a variety of research-based techniques to develop and maintain skills that will enhance students’ opportunity for learning and self-fulfillment.[\[1\]\[3\]\[5\]\[6\]\[7\]\[8\]\[9\]\[10\]\[11\]](#)

Definitions

The following terms shall have these meanings, unless the context clearly indicates otherwise.[\[1\]](#)

Aversive techniques - deliberate activities designed to establish a negative association with a specific behavior.

Behavior support - development, change and maintenance of selected behaviors through the systematic application of behavior change techniques.

Positive Behavior Support Plan or Behavior Intervention Plan - plan for students with disabilities who require specific intervention to address behavior that interferes with learning. A Positive Behavior Support Plan shall be developed by the IEP team, be based on a functional behavioral assessment, and become part of the individual student’s IEP. These plans must include methods that use positive reinforcements,

other positive techniques and related services required to assist a student with a disability to benefit from special education.

Positive techniques - methods that utilize positive reinforcement to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behaviors to specific tangible rewards.

Restraints - application of physical force, with or without the use of any device, designed to restrain free movement of a student's body, excluding the following:

1. Briefly holding a student, without force, to calm or comfort **the student**.
2. Guiding a student to an appropriate activity.
3. Holding a student's hand to escort **the student** safely from one area to another.
4. Hand-over-hand assistance with feeding or task completion.
5. Techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's persons in parental relations and specified in the IEP.
6. Mechanical restraints governed by this policy, such as devices used for physical or occupational therapy, seat belts in wheelchairs or on toilets used for balance and safety, safety harnesses in buses, and functional positioning devices.

Seclusion - confinement of a student in a room in order to provide a safe environment to allow the student to regain self-control.

Students with disabilities - school-aged children within the jurisdiction of the district who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services.[9]

Delegation of Responsibility

The Superintendent or designee shall ensure that this Board policy is implemented in accordance with federal and state laws and regulations.

The Superintendent or designee shall develop administrative regulations to implement this policy.

The Superintendent or designee shall provide regular training and retraining of staff in the use of specific procedures, methods and techniques, including **de-escalation techniques, emergency responses**, restraints and seclusions, that will be used to implement positive behavior supports or interventions in accordance with students' IEPs, **Positive Behavior Support Plans** and Board policy.[1]

The Superintendent or designee shall maintain and report data on the use of restraints, as required. Such report shall be readily available for review during the state's cyclical compliance monitoring. Procedures shall be established requiring reports **to** be made to the district by entities educating students with disabilities who attend programs or classes outside the district, including private schools, agencies, intermediate units and **career and technical** schools.[1]

Guidelines

Development of a separate **Positive** Behavior Support Plan is not required when appropriate positive behavioral interventions, strategies and supports can be incorporated into a student's IEP.[\[1\]](#)[\[5\]](#)

When an intervention is necessary to address problem behavior, the **positive techniques and** types of intervention chosen for a student shall be the least intrusive necessary.

Physical Restraints

Restraints to control acute or episodic aggressive behavior may be used only when the student is acting in a manner that presents a clear and present danger to the student, other students or employees, and only when less restrictive measures and techniques have proven to be or are less effective.[\[1\]](#)

The Special Education Supervisor or designee shall notify the person in parental relation as soon as practicable of the use of restraints to control the aggressive behavior of the student and shall convene a meeting of the IEP team within ten (10) school days of the use of restraints, unless the person in parental relation, after written notice, agrees in writing to waive the meeting. At this meeting, the IEP team shall consider whether the student needs a functional behavioral assessment, re-evaluation, a new or revised Positive Behavior Support Plan, or a change of placement to address the inappropriate behavior.[\[1\]](#)

The use of restraints shall not be included in the IEP for the convenience of staff, as a substitute for an educational program, or employed as punishment. Restraints may be included in an IEP **with parental consent** only if:[\[1\]](#)

1. The restraint is used with specific component elements of a Positive Behavior Support Plan.
2. The restraint is used in conjunction with teaching socially appropriate alternative skills or behaviors.
3. Staff are authorized to use the restraint and have received appropriate training.
4. **Positive** Behavior Support Plan includes efforts to eliminate the use of restraints.

Mechanical Restraints

Mechanical restraints, which are used to control involuntary movement or lack of muscular control of **a student** when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's persons in parental relations.[\[1\]](#)

Mechanical restraints shall prevent a student from injuring **the student** or others, or promote normative body positioning and physical functioning.

Seclusion

The district permits involuntary seclusion of a student **for a limited period of time** in accordance with the student's IEP or in an emergency to prevent immediate or imminent injury to the student or others, but the seclusion must be the least restrictive alternative. **District staff shall provide continuous supervision of students in seclusion, which need not always involve presence of staff within the same room.**

The district prohibits the seclusion of students in locked rooms, locked boxes and other structures or spaces from which the student cannot readily exit.[\[1\]](#)

Aversive Techniques

The following aversive techniques of handling behavior are considered inappropriate and shall not be used in educational programs:[\[1\]](#)

1. Corporal punishment.
2. Punishment for a manifestation of a student's disability.
3. Locked rooms, locked boxes, other locked structures or spaces from which the student cannot readily exit.
4. Noxious substances.
5. Deprivation of basic human rights, such as withholding meals, water or fresh air.
6. Suspensions constituting a pattern as defined in state regulations.[\[12\]](#)
7. Treatment of a demeaning nature.
8. Electric shock.
9. Methods implemented by untrained personnel.
10. Prone restraints, which are restraints by which a student is held face down on the floor.

Referral to Law Enforcement

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The Superintendent or designee shall respond to such incidents in accordance with the district's Special Education Plan and, if applicable, the procedures, methods and techniques defined in the student's **Positive Behavior Support Plan**.[\[1\]](#)[\[6\]](#)[\[9\]](#)[\[10\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)[\[21\]](#)[\[22\]](#)[\[23\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)[\[27\]](#)

For a student with a disability who has a Positive Behavior Support Plan at the time of referral, subsequent to notification to law enforcement, **the district shall convene the student's IEP team and** an updated functional behavioral assessment and **Positive Behavior Support Plan** shall be required.[\[1\]](#)[\[11\]](#)[\[17\]](#)

If, as a result of such referral, the student is detained or otherwise placed in a residential setting located outside the district, the Special Education Supervisor or designee shall ensure that the responsible school district or intermediate unit is

informed of the need to update the student's functional behavioral assessment and **Positive** Behavior Support Plan.[\[1\]](#)

For a student with a disability who does not have a **Positive** Behavior Support Plan, subsequent to notification to law enforcement, the district shall convene the student's IEP team to consider whether a **Positive** Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations and Board policy.[\[1\]](#)[\[17\]](#)

Relations With Law Enforcement

The district shall provide a copy of its administrative regulations and procedures for behavior support, developed in accordance with the Special Education Plan, to each local police department that has jurisdiction over school property. Updated copies shall be provided each time the administrative regulations and procedures for behavior support are revised by the district.[\[9\]](#)[\[17\]](#)[\[19\]](#)[\[27\]](#)

The district shall invite representatives of each local police department that has jurisdiction over school property to participate in district training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention, as included in the district's Special Education Plan and positive behavior support program.[\[1\]](#)[\[9\]](#)[\[17\]](#)[\[19\]](#)[\[27\]](#)

Legal

1. 22 PA Code 14.133
2. 22 PA Code 14.145
3. 20 U.S.C. 1414
4. 34 CFR 300.114
5. 34 CFR 300.324
6. 20 U.S.C. 1415
7. 34 CFR 300.34
8. 34 CFR 300.530
9. Pol. 113
10. Pol. 113.1
11. Pol. 113.3
12. 22 PA Code 14.143
13. 24 P.S. 1302.1-A
14. 22 PA Code 10.2
15. 22 PA Code 10.21
16. 22 PA Code 10.22
17. 22 PA Code 10.23
18. 22 PA Code 10.25
19. 22 PA Code 14.104
20. 34 CFR 300.535
21. Pol. 103.1
22. Pol. 218
23. Pol. 218.1
24. Pol. 218.2
25. Pol. 222
26. Pol. 227

27. Pol. 805.1

24 P.S. 1303-A

20 U.S.C. 1400 et seq

34 CFR Part 300

Pennsylvania Training and Technical Assistance Network, Question and Answer
Compendium, January 2020

Book	Policy Manual
Section	100 Programs
Title	Confidentiality of Special Education Student Information
Code	113.4
Status	Draft (PSBA 9/20)
Adopted	March 26, 2012
Last Revised	

Authority

The Board recognizes the need to protect the confidentiality of personally identifiable information in the education records of students with disabilities.[1][2]

The district shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, retaining, disclosing and destroying student special education records, in accordance with Board policy, state requirements, and federal and state law and regulations.[2][3]

The rights provided by this policy apply to parents/guardians of students who receive special education programming and services from the district or an outside program provided through the district.[4][5]

Definitions

Destruction shall mean the physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.[6]

Disclosure shall mean to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.[7]

Education records, for purposes of this policy, shall include the records and information covered under the definition of education records in the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations.[2][7][8]

Personally identifiable information includes, but is not limited to:[7][9]

1. The student's name;
2. The name of the student's parent or other family members;
3. The address of the student or student's family;
4. A personal identifier, such as the student's social security number, student number, or biometric record;
5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or

7. Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates. [\[30\]](#)

Guidelines

Parental Access Rights

The district shall permit persons in parental relations to inspect and review any education records relating to their child(ren) that are collected, retained, or used by the district in connection with providing special education services to the student.[\[10\]\[11\]](#)

The district shall comply with a parental request to inspect and review education records without unnecessary delay and before any meeting regarding an Individualized Education Program (IEP); any impartial due process hearing relating to the identification, evaluation, educational placement, or the provision of a free and appropriate public education (FAPE) to a student; a hearing related to the discipline of the student; and a resolution meeting.

The district shall presume a person in parental relation has authority to inspect and review records relating to **their** child unless it has been provided documentation that the requesting parent/guardian does not have this authority under applicable state law.[\[10\]\[12\]](#)

The district shall comply with a parental request for review within forty-five (45) days following receipt of the request.[\[10\]\[11\]](#)

A person's in parental relations right to inspect and review education records includes the right to:

1. A response from the district to reasonable requests for explanations and interpretations of the records;
2. Request that the district provide copies of the records if failure to provide copies would effectively prevent the parent/guardian from exercising the right to inspect and review the records; and
3. Have a representative inspect and review the records.

If an education record includes information on more than one (1) student, the persons in parental relations shall have access only to the information relating to their child or shall be informed of the information in the record.[\[13\]\[14\]](#)

The district shall provide parents/guardians, upon request, a list of the types and locations of education records collected, maintained, or used by the district.[\[15\]](#)

Fees

The district may charge a fee for copies of records that are requested by persons in parental relations so long as the fee does not effectively prevent them from exercising their right to inspect and review those records.[\[16\]\[17\]](#)

The district shall not charge a fee to search for or to retrieve information in response to a request from a person in parental relation.

Record of Access

The district shall keep a record of parties obtaining access to education records collected, maintained, or used in providing special education **and related services** to students with disabilities, except access by parents/guardians and authorized district employees.[\[18\]](#)

The district's record of access shall include the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

Amendment of Records Upon Parental Request

If a person in parental relation believes that information in the student's education records is inaccurate, misleading or violates the privacy or other rights of the student, the person in parental relation may request that the district amend the information.[\[19\]](#)[\[20\]](#)

The district shall decide whether to amend the information within a reasonable period of time from receipt of the request.

If the district declines to amend the information as requested by a person in parental relation, the district shall inform them of the refusal and advise of their right to a hearing.

Records Hearing

The district shall, on request, provide persons in parental relations with an opportunity for a hearing to challenge information in the student's education records to ensure that the information is not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. The district recognizes that parents/guardians who believe that there is a due process violation relating to an alleged violation of confidentiality may also request a special education due process hearing.[\[21\]](#)[\[22\]](#)[\[23\]](#)

Hearing Procedures

A hearing to challenge information in education records must meet the following requirements:[\[24\]](#)[\[25\]](#)

1. The district shall hold the hearing within a reasonable time after receiving the request for a hearing.
2. The district shall give the parent/guardian reasonable advanced written notice of the date, time, and place of the hearing.
3. The hearing may be conducted by any individual, including a district official, who does not have a direct interest in the outcome of the hearing.
4. The district shall give the parent/guardian a full and fair opportunity to present relevant evidence. The parent/guardian may, at **their** own expense, be assisted

or represented by one (1) or more individuals of **their** choice, including an attorney.

5. The district shall inform parents/guardians of its decision in writing within a reasonable period of time after the hearing.
6. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

Result of Hearing

If, as a result of the hearing, the district decides that the information is inaccurate, misleading, or otherwise in violation of the student's privacy or other rights, the district shall amend the information accordingly and inform the parent/guardian in writing.[\[23\]](#)[\[26\]](#)

If, as a result of the hearing, the district decides that the information is not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights, the district shall inform the person in parental relation of their right to place in the student's records a statement commenting on the information and/or providing any reasons for disagreeing with the district's decision.

Any explanation placed in the student's records shall be:

1. Maintained by the district as part of the student's records as long as the record or contested portion is maintained by the district; and
2. Included with the record or contested portion if the record or contested portion are disclosed to any party.

Storage, Retention and Destruction of Information

The district shall store all education records and personally identifiable information of students receiving special education services in such a way as to protect the confidentiality and integrity of the records and information, prevent unauthorized access to and disclosure of records and information, and ensure compliance with other legal and regulatory requirements regarding records retention.[\[27\]](#)

The district shall maintain, for public inspection, a current listing of the names and positions of those district employees who have access to personally identifiable information.[\[27\]](#)

In order to comply with state compliance monitoring requirements, the district shall maintain education records for students receiving special education services for at least six (6) years.[\[2\]](#)

The district shall inform persons in parental relations when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the student. After notice, such information shall be destroyed upon parental request.[\[28\]](#)

No education record shall be destroyed if there is an outstanding request to inspect or review the record or if a litigation hold exists.[\[11\]](#)

The district shall maintain a permanent record of the student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed.[\[28\]](#)

The district shall ensure the destruction of education records in a manner that protects the confidentiality and privacy rights of the student and **the student's** family.[\[27\]](#)

Disclosure to Third Parties

The district shall obtain parental consent before disclosing personally identifiable information to parties other than school district officials with a legitimate educational interest or other educational institutions that provide special education services to the student for the purposes of meeting a requirement of law or regulation unless the information is contained in education records and the disclosure is permitted without parental consent under law and regulations.[\[2\]](#)[\[29\]](#)[\[30\]](#)[\[31\]](#)[\[32\]](#)[\[33\]](#)[\[34\]](#)

Parental consent must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.[\[32\]](#)

If a student is enrolled, or is going to enroll in a private school that is not located in the district of the person's in parental relations residence, parental consent must be obtained before any personally identifiable information about the student is released between officials in the district where the private school is located and officials in the district of the parent's/guardian's residence.[\[32\]](#)

Disclosure to Law Enforcement

When reporting an incident committed by a student with a disability to the appropriate authorities, in accordance with applicable law, regulations and Board policy, the district shall provide the information required by state and federal laws and regulations and shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. The district shall ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records.[\[2\]](#)[\[8\]](#)[\[33\]](#)[\[35\]](#)[\[36\]](#)[\[37\]](#)[\[38\]](#)[\[39\]](#)[\[40\]](#)[\[41\]](#)[\[42\]](#)

Delegation of Responsibility

In order to maintain the confidentiality of the educational records and personally identifiable information of students with disabilities, the Board designates the Superintendent or designee to coordinate the district's efforts to comply with this policy and applicable laws and regulations.[\[27\]](#)

All district employees collecting or using personally identifiable information shall receive training or instruction regarding Board policy, administrative regulations, and state and federal law and regulations regarding confidentiality of education records and personally identifiable information.[\[27\]](#)

PSBA Revised 9/20 © 2020 PSBA

Legal

1. Pol. 113
 2. Pol. 216
 3. 34 CFR 300.611-300.627
 4. 34 CFR 300.520
 5. 34 CFR 300.625
 6. 34 CFR 300.611
 7. 34 CFR 99.3
 8. 20 U.S.C. 1232g
 9. 34 CFR 300.32
 10. 34 CFR 300.613
 11. 34 CFR 99.10
 12. 34 CFR 99.4
 13. 34 CFR 300.615
 14. 34 CFR 99.12
 15. 34 CFR 300.616
 16. 34 CFR 300.617
 17. 34 CFR 99.11
 18. 34 CFR 300.614
 19. 34 CFR 300.618
 20. 34 CFR 99.20
 21. 34 CFR 300.510-300.516
 22. 34 CFR 300.619
 23. 34 CFR 99.21
 24. 34 CFR 300.621
 25. 34 CFR 99.22
 26. 34 CFR 300.620
 27. 34 CFR 300.623
 28. 34 CFR 300.624
 29. 34 CFR 99.30
 30. 34 CFR 99.31
 31. 34 CFR 300.154
 32. 34 CFR 300.622
 33. Pol. 113.1
 34. Pol. 113.2
 35. 22 PA Code 10.2
 36. 22 PA Code 10.21
 37. 22 PA Code 10.22
 38. 22 PA Code 10.23
 39. 20 U.S.C. 1415
 40. 34 CFR 300.535
 41. 34 CFR Part 99
 42. Pol. 805.1
- 20 U.S.C. 1400 et seq
34 CFR Part 300
Bureau of Special Education Letter to School Entities on Retention of Records, Dated
November 9, 2009

(Attachment A11)

Pennsylvania Department of Education Individuals With Disabilities Education Act Part B
LEA Policies and Procedures under 34 CFR §§300.101 - 300.176 (2018)
Pol. 113.3

(Attachment A11)

Book	Policy Manual
Section	100 Programs
Title	Home Education Programs
Code	137
Status	Draft (PSBA Vol 1, 2023)
Adopted	
Last Revised	January 27, 2016

Authority

Home education programs for students of compulsory school age residing in the school district shall be conducted in accordance with state law and regulations.[1][2][3]

Definitions

Appropriate education - a program consisting of instruction in the required subjects for the time required by law and in which the student demonstrates sustained progress in the overall program.[2]

Hearing examiner - shall not be an officer, employee or agent of the Department of Education or of the school district or intermediate unit of residence of the child in the home education program.

Home education program - a program conducted in compliance with law by the person in parental relation or person having legal custody of a child. A home education program shall not be considered a nonpublic school under the provisions of law.

Supervisor - the person in parental relation who is responsible for providing instruction, provided that such person has a high school diploma or its equivalent.

Delegation of Responsibility

The Superintendent or designee shall develop and distribute administrative regulations for registering home education programs **and maintaining appropriate records in accordance with law.**[2]

Guidelines

Notarized Affidavit

Prior to the commencement of the home education program, and annually thereafter on **or before** August 1, the parent/guardian or other person having legal custody of the child or children shall file a notarized affidavit with the Superintendent, **which contains certification that the supervisor of the home education program and all adults living in the home and persons having legal custody of a child or children in the home education program have not been convicted of criminal offenses enumerated in School Code, in accordance with law. The affidavit shall include** all information required by law.[2]

Instructional Program

The instructional program for home education students shall include such courses as required by law.[2][4][5]

Loan of Instructional Materials

At the request of the supervisor, the district shall lend to the home education program copies of the school's planned courses, textbooks and curriculum materials appropriate to the student's age and grade level.[2]

Student Portfolio and Evaluations

For each student participating in a home education program, the supervisor shall:[2]

1. Maintain a portfolio of records and materials, **in accordance with applicable law.**
2. Provide an annual written evaluation of the student's educational progress, **in accordance with the provisions of applicable law.**

Graduation Requirements

The following minimum courses in grades 9 through 12 are established as a requirement for graduation in a home education program: four (4) years of English; three (3) years of mathematics; three (3) years of science; three (3) years of social studies; and two (2) years of arts and humanities.[2]

Diplomas

Students who complete all of the graduation requirements of the home education program shall receive a high school diploma issued by the supervisor or an approved diploma-granting organization.[2]

Students With Disabilities

A home education program meets compulsory attendance requirements for a student with a disability only when the program addresses the specific needs of the student and is approved by a teacher with a valid Pennsylvania certificate to teach special education, a licensed clinical psychologist or a certified school psychologist. Written notice of such approval must be submitted with the required affidavit.[1]

The supervisor may request that the school district or intermediate unit of residence provide services that address the specific needs of a student with a disability.[1]

When the provision of services is agreed to by both the supervisor and the school district or intermediate unit, all services shall be provided in **public** schools or in a private school licensed to provide such programs and services.[1]

Appropriate Education/Compliance

A home education evaluator shall certify that an appropriate education is occurring in the home education program. The supervisor shall submit the certification to the Superintendent by June 30 of each year. If the supervisor fails to submit the certification, the Superintendent shall send a letter to the supervisor notifying the supervisor that **they have** ten (10) days to submit the certification.[2]

If the Superintendent has a reasonable belief at any time during the school year that appropriate education may not be occurring in the home education program, **the Superintendent** may submit a letter to the supervisor requiring an evaluation **to** be conducted and that an evaluator's certification stating that an appropriate education is occurring **shall** be submitted to the district by the supervisor within thirty (30) days. The letter shall include the basis for the Superintendent's reasonable belief.[2]

If the Superintendent has a reasonable belief that the home education program is out of compliance, the Superintendent shall submit a letter to the supervisor requiring a certification to be submitted within thirty (30) days indicating the program is in compliance. The letter shall include the basis for the Superintendent's reasonable belief.[2]

As required by law, all letters shall be sent by certified mail, return receipt requested, and the time for submission of the requested documentation begins upon receipt of the letter.[2]

Hearings

If the supervisor fails to submit a certification as required, the Board shall provide a hearing by a qualified and impartial hearing examiner within thirty (30) days.[2]

If the hearing examiner finds that an appropriate education is not taking place in the home education program, the home education program will be determined out of compliance; and the student will be enrolled promptly in a public school, a nonpublic school or a licensed private academic school.[2]

If a home education program has been determined to be out of compliance, the supervisor or spouse of the supervisor of the home education program is prohibited by law from supervising a home education program for that child or children for a period of twelve (12) months from the date of such determination.[2]

Appeal

The supervisor or Superintendent may appeal the decision of the hearing examiner to the Secretary of Education, Commonwealth Court or Court of Common Pleas. The home education program may continue during the appeals process.[2]

Transfers

If a home education program is relocating to another Pennsylvania school district, the supervisor must request from the Superintendent a letter of transfer for the home

education program. The request must be made by registered mail thirty (30) days prior to relocation.[2]

The Superintendent shall issue the letter of transfer within thirty (30) days after receipt of the supervisor's registered mail request.[2]

The supervisor shall file the letter of transfer with the Superintendent of the new district of residence.[2]

If a home education program is out of compliance, the Superintendent shall inform the home education supervisor and Superintendent of the new district of residence of this status and the reason for denial of the transfer letter.[2]

If a home education program is in hearing procedures, the Superintendent shall inform the home education supervisor, hearing examiner and Superintendent of the new district of residence of this status and the reason for denial of the transfer letter.[2]

If the Superintendent is informed of pending proceedings related to a home education program relocating **from a previous district** to **this** district, **the Superintendent** shall continue the home education program until the appeal process **in the previous district** is finalized.[2]

Legal

1. 24 P.S. 1327

2. 24 P.S. 1327.1

3. 22 PA Code 11.31a

4. Pol. 137.2

5. Pol. 137.3

24 P.S. 111

22 PA Code 11.33

Pol. 137.1

Pol. 203

Pol. 209

Book	Policy Manual
Section	100 Programs
Title	Extracurricular Participation By Home Education Students
Code	137.1
Status	Draft (PSBA Vol 1, 2023)
Adopted	
Last Revised	February 27, 2006

Authority

The Board **approves** participation in the district’s extracurricular activities and interscholastic athletic programs by a student enrolled in a home education program who meets all the **requirements** stated in **law and** Board policy.[\[1\]\[2\]\[3\]\[4\]\[5\]](#)

The Board shall not provide individual transportation for students enrolled in home education programs who participate in the district’s extracurricular activities or interscholastic athletic programs. When the district provides transportation to and from an away competition, game, event or exhibition and requires district students to use district transportation, home education students shall be required to use the transportation provided by the district.

Guidelines

Students attending home education programs shall be given an equal opportunity to compete for positions and participate in district extracurricular activities and interscholastic athletic programs.[\[6\]\[7\]\[8\]](#)

A home education student may participate in extracurricular activities and interscholastic athletic programs only at the school building the student would be assigned to if the student was enrolled in the district.

Prior to trying-out or joining an activity, a home education student shall submit required documents and written verification of eligibility to the building principal or designee. **Verification may include, but not be limited to, attendance records, weekly grades or academic achievement or other documents demonstrating completion of eligibility criteria.**[\[1\]](#)

To be considered in attendance in accordance with Board policy, the home education student must participate in a full, normally scheduled academic program, in accordance with the planned home education program and submitted documentation.[\[5\]\[9\]](#)

The following conditions shall govern participation in the district’s extracurricular activities and interscholastic athletic programs by home education students, who shall:

1. Be a resident of the district.
2. Meet the required eligibility criteria.[\[3\]\[4\]](#)

3. Maintain appropriate insurance coverage, consistent with the coverage requirements for district students.[4]
4. Comply with Board policies and school rules and **administrative** regulations regarding extracurricular activities, interscholastic athletics, and student **conduct**. [3][4][10][11][12][13]
5. Comply with policies, rules and regulations, or their equivalent, of the activity's governing organization. [1][2]
6. Meet attendance and reporting requirements established for all participants of the activity or program.[9]
7. Meet the requirements for physical examinations and physical fitness and any height and/or weight restrictions. [1][4]
8. Comply with all requirements and directives of the district staff, coaches, **activity advisors** and administrators involved with the extracurricular activity or interscholastic athletic program.

Delegation of Responsibility

The **Superintendent** or designee shall **post information regarding the availability of the district's extracurricular activities and interscholastic athletics programs, as well as a copy of this Board policy, on the district's publicly available website and provide participation information upon request by students enrolled in home education programs or their parents/guardians.** [1]

The building principal or designee shall distribute **eligibility criteria** regarding student participation in extracurricular activities and interscholastic athletics, and information **on the dates and times of physical examinations or medical tests provided to students by the district. Such information shall be distributed through student handbooks, other publications and on the district's publicly available website.** [1]

The building principal or designee shall receive and review verification from the parent/guardian **or home education program supervisor** that a student has met and continues to meet the established eligibility criteria for an extracurricular activity or interscholastic athletic program.

Legal

1. 24 P.S. 1327.1
2. 24 P.S. 511
3. Pol. 122
4. Pol. 123
5. Pol. 137
6. 10 U.S.C. 2031
7. Pol. 103
8. Pol. 103.1
9. Pol. 204

10. Pol. 218
11. Pol. 222
12. Pol. 227
13. Pol. 235
Pol. 137.2

Book	Policy Manual
Section	100 Programs
Title	Participation in Cocurricular Activities and Academic Courses by Home Education Students
Code	137.2
Status	Draft (PSBA Vol 1, 2023)
Adopted	
Last Revised	

Authority

The Board approves participation in the district’s cocurricular activities and academic courses by a student enrolled in a home education program who meets all the requirements stated in law and Board policy.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

Definition

Cocurricular activities - district activities that merge extracurricular activities with a required academic course including, but not limited to, band, orchestra and other activities that include a for-credit component that takes place during the school day.[\[1\]](#)[\[2\]](#)[\[4\]](#)

Guidelines

Students attending home education programs shall be given an equal opportunity to compete for positions and participate in district cocurricular activities and academic courses in accordance with Board policy on the same basis as other students enrolled full-time in the district.[\[1\]](#)[\[6\]](#)[\[7\]](#)

[\[8\]](#)

A home education student may participate in cocurricular activities and academic courses only at the school building the student would be assigned to if the student was enrolled in the district.

Prior to trying-out or auditioning for a cocurricular activity or enrolling in an academic course, a home education student shall submit required documents and written verification of eligibility or completion of prerequisites to the building principal or designee. Verification may include, but not be limited to, attendance records, portfolio records documenting completion of curriculum or other documents demonstrating completion of eligibility criteria.[\[1\]](#)

The following conditions shall govern participation in the district’s cocurricular activities and academic courses by home education students, who shall:

1. Be a resident of the district.

2. Meet the required eligibility criteria or their equivalent for the cocurricular activity or the prerequisites for the academic course.[\[1\]](#)[\[2\]](#)[\[9\]](#)
3. Comply with Board policies and school rules and administrative regulations regarding student conduct in school and at school-sponsored activities.[\[1\]](#)[\[2\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)
4. Comply with policies, rules and regulations, or their equivalent, of the cocurricular activity's governing organization, where applicable.
5. Meet attendance and reporting requirements established for all participants of the cocurricular activity or academic course, including any sign-in and sign-out procedures for school building attendance purposes. Home education students must participate in the full class period for an academic course, unless an exception has been granted in accordance with Board policy and school rules.[\[14\]](#)
6. Comply with all Board policies, school rules and requirements and directives of the district staff, activity advisors and administrators involved with the cocurricular activity or academic course.[\[1\]](#)

Academic Courses

Students attending home education programs are eligible to enroll in district academic courses in accordance with law and Board policy, and may participate in academic courses equaling up to one-quarter ($\frac{1}{4}$) of the school day for full-time district students.[\[1\]](#)

{x} Students enrolled in home education programs shall only be eligible to participate in cocurricular activities and/or academic courses that are scheduled in consecutive time periods during the school day if the student's person in parental relation is not able to provide supervision for the student between the scheduled cocurricular activities and/or academic courses.[\[1\]](#)

The district shall provide the student's home education program supervisor with a grade for each cocurricular activity and academic course completed by a student enrolled in a home education program, in accordance with Board policy and/or administrative regulations. The home education program supervisor shall be responsible for maintaining the material in the student's portfolio of records.[\[1\]](#)[\[3\]](#)[\[15\]](#)

Transportation

Persons in Parental relations of home education students shall be responsible for transportation of students participating in district cocurricular activities and academic courses, except that a home education student may utilize district transportation to or from school during the times a bus is otherwise already operating, and space is available.[\[1\]](#)

Delegation of Responsibility

The Superintendent or designee shall post information regarding the district's cocurricular activities and academic courses, as well as a copy of this Board policy, on the district's publicly available website and provide participation information upon request by students enrolled in home education programs or their Persons in Parental relations.

The building principal or designee shall request and review verification from the Person in Parental relation or home education program supervisor that a student has met and continues to meet the established eligibility criteria for a cocurricular activity or academic course.

{x} The Superintendent or designee shall establish administrative regulations for prioritization of enrollment in district cocurricular activities and academic courses based on the established number of allowable participants in designated activities and courses.[\[1\]](#)

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Legal

1. 24 P.S. 1327.1
2. Pol. 122
3. Pol. 137
4. Pol. 137.1
5. Pol. 137.3
6. Pol. 103
7. Pol. 103.1
8. 10 U.S.C. 2031
9. Pol. 105
10. Pol. 218
11. Pol. 222
12. Pol. 227
13. Pol. 235
14. Pol. 204
15. Pol. 212

Book	Policy Manual
Section	100 Programs
Title	Participation in Career and Technical Education Programs by Home Education Students
Code	137.3
Status	Draft (PSBA Vol 1, 2023)
Adopted	
Last Revised	

Authority

The Board approves participation in a career and technical education program by a student enrolled in a home education program who meets all the requirements stated in law and Board policy.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)

Students attending home education programs shall be eligible to participate in the career and technical education program at the Western Montgomery Career and Technology Center in accordance with the Articles of Agreement and center admission policy and procedures, on the same basis as other district students.

Guidelines

Students attending home education programs shall be given an equal opportunity to apply for placement in available programs at the Western Montgomery Career and Technology Center [\[1\]](#)[\[3\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)

Prior to enrolling in a career and technical education program, a home education student shall submit required documents and written verification of eligibility or completion of prerequisites to the building principal or designee. Verification may include, but not be limited to, attendance records, portfolio records documenting completion of curriculum or other documents demonstrating completion of eligibility criteria.[\[1\]](#)

The following conditions shall govern participation in career and technical education programs by home education students, who shall:

1. Be a resident of the district.
2. Meet the required eligibility criteria or their equivalent or the prerequisites for the career and technical education program.[\[1\]](#)[\[4\]](#)[\[6\]](#)[\[9\]](#)
3. Comply with applicable policies and school rules and administrative regulations of the Western Montgomery Career and Technology Center regarding student conduct in school and at school-sponsored activities.[\[1\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)
4. Meet attendance and reporting requirements established for all participants of the career and technical education program, including any sign-in and sign-out procedures for building attendance purposes. Home education students must participate in the required courses for the program on the same basis as

students enrolled in the district, unless an exception has been granted in accordance with applicable Board policy and school or program rules.[14]

The Western Montgomery Career and Technology Center shall provide the student's home education program supervisor with a grade for each career and technical education program course completed by a student enrolled in a home education program, in accordance with Board policy and administrative regulations. The home education program supervisor shall be responsible for maintaining the material in the student's portfolio of records.[1][5][15]

Transportation

Students attending home education programs who participate in career and technical education programs may use district transportation to or from the career and technical education program and the senior high school during the times when district transportation is already operating, and space is available in addition to full-time district students.[1]

Delegation of Responsibility

The Superintendent or designee shall post information regarding the district's options for career and technical education programs, as well as a copy of this Board policy, on the district's publicly available website and provide information upon request by students enrolled in home education programs or their persons in parental relations.

The building principal or designee shall request and review verification from the person in parental relation or home education program supervisor that a student has met and continues to meet the established eligibility criteria for participation in career and technical education programs.

The Superintendent or designee shall establish administrative regulations for prioritization of enrollment in career and technical education programs, in accordance with the Articles of Agreement and the established number of allowable participants for designated programs at Western Montgomery Career and Technology Center.[1]

Legal

1. 24 P.S. 1327.1
2. 24 P.S. 1801
3. 22 PA Code 4.31
4. Pol. 115
5. Pol. 137
6. Pol. 137.2
7. Pol. 103
8. Pol. 103.1
9. Pol. 105
10. Pol. 218
11. Pol. 222
12. Pol. 227
13. Pol. 235
14. Pol. 204

15. Pol. 212

Book	Policy Manual
Section	200 Pupils
Title	Admission of Students
Code	201
Status	Draft (PSBA 8/19)
Adopted	March 25, 1991
Last Revised	January 23, 2012

Authority

The Board shall establish age requirements for the admission of students to first grade and to kindergarten that are consistent with state law and regulations.[\[1\]](#)[\[2\]](#)[\[3\]](#)

Guidelines

Kindergarten

The Board establishes the district's entry age for kindergarten as **5 years by August 31, in accordance with state law and regulations.** (See Policy No. 201.1 for exception.)[\[8\]](#)

First Grade

Beginners are students entering the lowest grade of the primary school above the kindergarten level. The Board establishes the district's entry age for beginners as **6 years by August 31, in accordance with state law and regulations.** (See Policy No. 201.1 for exception.)[\[4\]](#)[\[5\]](#)[\[6\]](#)

The Board is not required to admit as a beginner any child whose age is less than the district's established admission age for beginners.[\[7\]](#)

Placement of Transfer Students

Children who apply for initial entrance to the district's schools by transfer from nonpublic schools or from schools outside the district will be placed initially in the grade level they would have reached elsewhere pending their observation and evaluation by classroom teachers, guidance personnel, and the school principal. After such observations and evaluations have been completed, the principal will determine the final grade placement of each individual child in relation to his/her past achievement, needs and abilities.

Delegation of Responsibility

The Superintendent or designee shall require that the parent/guardian of each student who registers for entrance to school shall submit proof of age, residency, and required immunizations.[\[9\]](#)[\[10\]](#)

Legal

1. 22 PA Code 11.12
2. 22 PA Code 11.41
3. 24 P.S. 1301

4. 22 PA Code 11.15
5. 24 P.S. 1304
6. 24 P.S. 1326
7. 22 PA Code 11.16
8. 22 PA Code 11.14
9. Pol. 200
10. Pol. 203
24 P.S. 503
22 PA Code 4.41

Book	Policy Manual
Section	800 Operations
Title	District Social Media
Code	815.2
Status	Draft (PNN Vol II 2021)
Adopted	
Last Revised	

Purpose

The purpose of this policy is to establish the process and standards for approval and operation of district-supported social media accounts, and to identify the differences between personally owned social media accounts and those maintained by the district.

Definitions

Social media - a category of Internet-based resources that integrate user-generated content and user participation to share information, ideas, personal messages and other content, including photos and videos. Social media includes **social networks**, which are online platforms where users can create profiles, share information and personal messages, and connect with others.

District-supported social media account - a social media account, regardless of platform, that is managed by a designated district employee(s), and is designed to further the educational mission of the district by providing information to the school community and general public.

Personal social media account - a social media account, regardless of platform, that is attributed to and operated by an employee, individual school director or student for personal use and is not approved by the Superintendent or designee as an official communications channel of the district.

Personally Identifiable Information - As defined in Policy 216 (Student Records)

Limited public forum - created when a district-supported social media account is intentionally opened for use by the public as a place for expressive activity related to district business and the district's educational program and extracurricular activities where members of the public may communicate, post or comment on information, subject to viewpoint neutral rules designated by the Board. In terms of social media, this would include the ability of public users to comment on or reply to social media posts, pictures, or videos.

Authority

The Board, at the discretion of the Superintendent or designee, shall approve all official social media accounts created and/or maintained as district-supported accounts, including social media accounts for individual schools within the district [\[1\]](#).

All district-supported social media accounts shall display the official name and logo and/or seal of the district and/or the individual district school.

The Board, at the discretion of the Superintendent or designee, establishes that district-supported social media accounts may operate as a **limited public forum**, where the public may comment and interact with information posted by the district, subject to the Board's established rules.

The Board approves the following rules for public interaction with district-supported social media accounts and directs staff to post this information on the district website and all social media accounts:

The district encourages community members to respond to posts and share comments that are constructive and courteous toward the school community. Statements and opinions expressed by visitors to the account do not reflect the opinions of the district. Questions regarding information should be directed to the building principal or to the Superintendent's office for district-wide information. The district shall review comments and may remove comments which:

1. Are profane, vulgar, harmful to minors or obscene, in accordance with Board policy.[2]
2. Contain threats.
3. Promote, suggest or encourage illegal activity or incite violence.
4. Promote or endorse commercial products, services or businesses.[3]
5. Contain confidential information.
6. Contain false or libelous statements.
7. Contain hate speech directed at a protected class of individuals, in accordance with Board policy on discrimination and harassment.[4][5]
8. Are spamming in nature (Links that redirect users to external pages that may try to collect personal information).

Delegation of Responsibility

The Board designates the Superintendent or designee, the Director of Communications, Marketing, and Media, and/or Manager of Communications Media to oversee all district-supported social media accounts and serve as the primary contact person for district-supported social media accounts.

The Superintendent or designee shall notify students and staff about this policy through employee and student handbooks, posting on the district website and by other appropriate methods.

All district staff assigned to monitor and maintain district-supported social media accounts shall receive training on:

1. Regularly reviewing district-supported social media accounts, in coordination with the district's chief communications representative, to update, remove and/or correct information.[6]

2. Complying with confidentiality provisions of student and staff information, in accordance with applicable law, regulations and Board policy and administrative regulations.[7][8]
3. Monitoring content for confidentiality and intellectual property violations, documenting potential violations, and notifying appropriate district staff to consider further action.[7][8][9]
4. Monitoring content for web accessibility standards and responding to public requests for accommodations.[2][4][5]
5. Monitoring public comments and responding, where appropriate, with clarification or redirection to additional information.
6. Monitoring public comments according to the Board's established rules, documenting potential violations, and notifying appropriate district staff to consider further action. Staff shall be provided training to assess comments in a viewpoint neutral manner, based on the Board's approved rules, regardless of the specific subject matter of comments.

The Board authorizes designated district staff maintaining district-supported social media accounts to remove individual posts or comments by public users that violate the established social media rules of this policy. The Board directs that review and consideration of posts or comments shall not discriminate on the basis of content or viewpoint, and staff must always be able to articulate the reason for removing a specific post, in accordance with Board policy. Staff may consult with the Superintendent or designee and the school solicitor in determining appropriate actions. Posts and comments may not be removed solely because they are critical of the district or district leadership, because they promote an unpopular opinion, or because of their viewpoint if the post or comment otherwise complies with the established social media rules. Designated district staff may turn off the comment function when initially making a post on district-supported social media accounts so that no person is able to comment on the post.

Designated district staff may not block users from accessing or commenting on district-supported social media accounts unless the outside account is identified as a security or system threat or spam account. Staff may consult with the Superintendent or designee and the school solicitor in determining appropriate actions.

Guidelines

Posting of Personally Identifiable Information

The Board authorizes posting of student images in photos or videos depicting the educational process or school-related events on district-supported social media accounts, unless the students' persons in parental relations have opted out via the First Day Verification process under the Family Educational Rights and Privacy Act and Board policy.[7][8][10][11]

The Board prohibits posting of staff images in photos or videos when a staff member has submitted a request to the Superintendent or designee that their image not be posted publicly online.

The Board directs district staff to post images and information to social media accounts in a manner that protects the safety and security of students and staff, such as posting images without extensive identification when possible.

Accessibility

The Board directs district staff who maintain district-supported social media accounts to post content that is accessible to individuals with disabilities, to the greatest extent possible based on the limitations of the platform. This shall include, but is not limited to:[4][5][12][13][14][15]

1. Including alternate text descriptions or captions for images.
2. Including captions for video content.
3. Avoiding text that is posted as an image.
4. Creating links and attachments in formats that are accessible to screen readers and other assistive technology.
5. Formatting text so that it is accessible to screen readers and other assistive technology.

All district-supported social media accounts shall contain clear contact information that may be used by members of the public to request accommodations or assistance.

Intellectual Property Rights

The illegal use of copyrighted, branded or trademarked materials or trade secrets is prohibited on district-supported social media accounts. All district-generated content shall be subject to copyright fair use guidelines and applicable laws, regulations and Board policy and administrative regulations.[9]

Connecting with Other Social Media Accounts

District-supported social media accounts shall not be connected to social media accounts of individual students through linking or tagging.

District-supported social media accounts may be connected through linking or tagging to social media accounts of parent-teacher organizations, district-related booster organizations or similar school-related groups when the content or information has been reviewed and approved by the district's chief communications representative.

Personal Social Media Accounts

The district shall not authorize, endorse or participate in posting on private social media accounts of individual school directors or school employees.

School directors and employees are strongly encouraged to use privacy settings on social media accounts and to clearly identify that it is their personal social media account and that it does not officially represent the Board or district.

In accordance with Board policy establishing professional boundaries, school employees should only communicate with students through district-provided communication devices or platforms.

The district respects employees' freedom of expression. If employee speech or expression would violate law or Board policy in a traditional forum, it is also prohibited in an online forum..[\[17\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)[\[22\]](#)

Student use of personal social media accounts shall be addressed in accordance with applicable Board policies and administrative regulations related to student conduct, expression and students' individual rights and responsibilities. In accordance with Board policy, the district shall provide education on network etiquette and appropriate online behavior for students, including interaction with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response.[\[2\]](#)[\[4\]](#)[\[23\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)[\[27\]](#)[\[28\]](#)

Consequences

A district employee who violates this policy may be subject to disciplinary action, up to and including termination, in accordance with applicable law, regulations and Board policy and administrative regulations.[\[16\]](#)[\[21\]](#)[\[29\]](#)

Legal

1. 24 P.S. 510
2. Pol. 815
3. Pol. 913
4. Pol. 103
5. Pol. 104
6. Pol. 911
7. Pol. 113.4
8. Pol. 216
9. Pol. 814
10. 20 U.S.C. 1232g
11. 34 CFR Part 99
12. 42 U.S.C. 12101 et seq
13. 29 U.S.C. 794
14. 28 CFR 35.160
15. Pol. 103.1
16. Pol. 824
17. 24 P.S. 1122
18. 24 P.S. 2070.1a et seq
19. 22 PA Code 235.1 et seq
20. U.S. Const. Amend. I
22. Pol. 320
23. 24 P.S. 1303.1-A
24. 47 U.S.C. 254
25. Pol. 218
26. Pol. 220
27. Pol. 235
28. Pol. 249

29. Pol. 317.1

30. 20 U.S.C. 1232g

31. 34 CFR 99.3

Knight First Amendment Inst. at Columbia Univ. v. Trump, 928 F.3d 226 (2d Cir. 2019)

Davison v. Randall, 912 F.3d 666 (4th Cir. 2019)

Garcetti v. Ceballos, 547 U.S. 410 (2006)

Mike Campbell v. Cheri Toalson Reish, 986 F.3d 822 (8th Cir. 2021)

Pickering v. Board of Education, 391 U.S. 563 (1968)

Connick v. Myers, 461 U.S. 138 (1983)

Rankin v. McPherson, 483 U.S. 378 (1988)

Pol. 801

Book	Policy Manual
Section	000 Local Board Procedures
Title	Authority and Powers
Code	002
Status	Active
Adopted	March 25, 1991
Last Revised	August 27, 2001
Last Reviewed	April 12, 2010

Authority

The authority to establish, equip, furnish, operate and maintain the public schools of Spring-Ford Area School District is vested in the Board of School Directors, which is a body corporate and is constituted and governed by Title 24 of the Pennsylvania Statutes, the Public School Code of 1949 as amended, Article III of the Pennsylvania Constitution and applicable federal and state laws and regulations.

[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)

Powers

The Board shall establish such schools as are required for the education of every student residing in Spring-Ford Area School District between the ages of six (6) and twenty-one (21) years who may attend school; shall equip, furnish, operate, and maintain the schools; shall adopt and enforce rules and regulations for the management of school affairs and the conduct and department of employees and students; and shall levy and collect taxes as may be necessary, in addition to the annual state appropriation, for the exercise of aforesaid powers.

[\[2\]](#)[\[9\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[18\]](#)

The Board shall act as the general agent of the residents of the school district in matters of public education. It shall establish educational goals and academic criteria for district schools and govern an educational program designed to meet those goals and criteria and to support student achievement. The Administration, with Board oversight, shall be responsible for establishing, maintaining and evaluating the educational programs in district schools, and for enforcing mandatory laws and regulations.

[\[3\]](#)[\[15\]](#)[\[16\]](#)

The Board, in accordance with its statutory mandate, shall adopt Board procedures for its own operation, and policies for the guidance of the Superintendent in the operation of the school district. Board procedures and policies shall be consistent with law, have a rational and substantial relationship to a legitimate purpose of the Board, and be directed towards the maintenance and support of a thorough and efficient system of public education in this district.[\[9\]](#)[\[17\]](#)

The powers of the Board of School Directors are not vested in the individual Board member. No such individual is authorized to act on behalf of the Board to carry out any of the Board's statutorily authorized powers, except for those acts stated in law.[\[3\]](#)

Legal

2. 24 P.S. 211
3. 24 P.S. 301
4. 24 P.S. 501
5. 24 P.S. 502
6. 24 P.S. 503
7. 24 P.S. 507
8. 24 P.S. 510
9. 24 P.S. 407
10. 24 P.S. 511
11. 24 P.S. 801
12. 24 P.S. 803
13. 24 P.S. 1301
15. Pol. 100
16. Pol. 102
17. Pol. 000
18. 24 P.S. 1411
24 P.S. 1302

Book	Policy Manual
Section	000 Local Board Procedures
Title	Functions
Code	003
Status	Active
Adopted	March 25, 1991
Last Revised	August 27, 2001
Last Reviewed	April 12, 2010

Legislative

The Board shall exercise leadership through its rule-making power by adopting Board procedures and policies for the organization and operation of the school district. Those procedures and policies which are not dictated by the statutes, or regulations of the State Board, or ordered by a court of competent authority may be adopted, amended or repealed at any meeting of the Board, provided the proposed adoption, amendment or repeal has been proposed at a previous Board meeting and has remained on the agenda of each succeeding Board meeting until approved or rejected.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

Changes in a proposed Board procedure or policy, except for minor editorial revisions, at the second reading shall cause that reading to constitute a first reading.[\[2\]](#)

The Board may, upon a majority vote, cause to suspend at any time the operation of a Board procedure or policy, provided the suspension does not conflict with legal requirements. Such suspension shall be effective until the next meeting of the Board, unless an earlier time is specified in the motion to suspend.[\[2\]](#)

Board policies and procedures shall be adopted, amended or repealed by a majority vote of the Board.[\[6\]](#)

The adoption, modification, repeal or suspension of a Board procedure or policy shall be recorded in the minutes of the Board meeting. All current procedures and policies shall be maintained in the Board Policy Manual and disseminated appropriately.[\[7\]](#)

Executive

The Board shall exercise its executive power by the appointment of a district Superintendent, who shall enforce the statutes of the Commonwealth, the regulations of the State Board of Education, the policies of the Board, and all other applicable laws and regulations.[\[8\]](#)[\[9\]](#)[\[10\]](#)

The Superintendent shall be responsible for implementing Board policies and establishment of administrative regulations for the operation of the school district that are not inconsistent with state and federal statutes or regulations; are dictated by the policies of this Board; are binding on district employees and students when issued; and shall be submitted to the Board for review. The Board reserves the right to alter or rescind any such administrative regulation.[\[3\]](#)[\[5\]](#)

The Board reserves the right to review and to direct revisions of administrative regulations when it considers the regulations to be inconsistent with Board policy or district practices. However, the Board shall not adopt administrative regulations unless required by law or requested by the Superintendent. Such adoption and/or amendment of administrative regulations shall adhere to the policy for adoption and amendment of Board procedures and policies.

The Board delegates authority to the Superintendent to take necessary action in circumstances not provided for in Board policy. The Superintendent shall promptly inform the Board of such action. The Superintendent's decision may be subject to review by the Board.

The Superintendent shall implement a procedure to inform Board members and designated employees of their responsibility under the Ethics Law.[\[12\]](#)

Whenever responsibility is delegated to the Superintendent or other administrator, it is understood that such individual may designate a representative to act on their behalf.

Review

The Board may assume jurisdiction over controversies or disputes arising within this school district concerning any matter over which the Board has authority granted by statute or where the Board has retained jurisdiction in contract or policies.[\[3\]](#)

In furtherance of its adjudicatory function, the Board may hold hearings in accordance with law which shall offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter.[\[11\]](#)

Beyond the basic requirements of due process, a hearing may vary in form and content in line with the severity of the consequences that may flow from it, the difficulty of establishing findings of fact from conflicting evidence, and the impact of the Board's decision on the school district.[\[11\]](#)

Evaluation of Board Procedures

The Board may plan an annual evaluation of its functions as a Board. The Board may evaluate Board procedures, relationships, or activities, or focus on a particular area or issue.

Legal

1. 24 P.S. 301
2. 24 P.S. 407
3. 24 P.S. 510
4. 24 P.S. 511
5. Pol. 000
6. Pol. 006
7. Pol. 007
8. 24 P.S. 508
9. 24 P.S. 1001
10. 24 P.S. 1081

11. 2 Pa. C.S.A. 551 et seq
12. 65 Pa. C.S.A. 1101 et seq

Book	Policy Manual
Section	000 Local Board Procedures
Title	Distribution
Code	007
Status	Active
Adopted	January 25, 1993
Last Revised	June 25, 2012

Purpose

The Board desires to make the list of all School Board Policies available as a useful guide for all Board members, district administrators, personnel employed by the Board, district students, persons in parental relations and members of the community. The Policy Manual will be available electronically on the school district website (www.springford.net) and all updates to policies will be reflected as soon as possible on the Policy Manual webpage. A single hard copy binder of all School Board Policies needs to be maintained in the Office of the Superintendent.

The Superintendent or designee will be responsible for sending electronically all School Board Policy changes and updates to the following stakeholders:

1. All Board Members.
2. Superintendent.
3. Assistant Superintendent(s).
4. Board Secretary.
5. Business Manager.
6. All Building Principals.
7. Appropriate administrators.
8. Board Solicitor.
9. Each recognized bargaining agent of a certified bargaining unit.
10. Each School Library.
- 11.

The Board Policy Manual shall be considered a public record and shall be available on the district website. Community members can visit the District Office to utilize a computer to access the school district website for the purpose of reviewing the School Board Policies. Community members requesting the use of a computer at the District Office are asked to provide 24-hour notice to prearrange with the Technology Department. [\[1\]](#)[2]

The Superintendent or designee shall maintain an orderly plan for the promulgation of policies to students, persons in parental relations and staff members who are affected by them and shall provide easy accessibility on the district website.

The Superintendent shall be responsible to review existing policy in light of Board actions and revisions to state and federal statutes and regulations, and to recommend to the Board the changes necessary to maintain the Board Policy Manual in a current status. Since the Superintendent office is responsible for revisions to the Board Policy Manual, their office will maintain an official hard copy to mirror the electronic copy on the district website.[3]

Legal

1. 65 P.S. 67.701
 2. Pol. 801
 3. Pol. 003
- 24 P.S. 407
24 P.S. 510

Book	Policy Manual
Section	000 Local Board Procedures
Title	Organizational Chart
Code	008
Status	Draft
Adopted	
Last Revised	

[ATTACHMENT](#)

Authority

The legal authority of the Board shall be transmitted through the Superintendent along specific paths from person to person as shown by the organizational chart for the district. The lines of authority in the chart represent the direction of authority and responsibility. Updates are in accordance with Board authorized personnel changes.

The Board directs the Superintendent to establish a clear understanding on the part of all district employees of the working relationships in the school district. Lines of direct authority shall be shown on the district organization chart. Employees (staff) shall be expected to refer matters requiring administrative action to the administrator to whom they are responsible. That administrator shall refer such matters to the next higher administrative authority when necessary.

Book	Policy Manual
Section	100 Programs
Title	Overnight/Foreign Travel
Code	121.1
Status	Draft (PSBA)
Adopted	February 25, 2008
Last Revised	October 26, 2015

Purpose

The Board of School Directors recognizes valuable educational experiences may be gained by students in a setting other than the classroom. It is, therefore, the policy of the Board to permit student educational travel pursuant to guidelines and conditions herein set forth. Two (2) categories of student educational travel are delineated for grades K-12:

1. Overnight trips.
2. Foreign travel.

Guidelines

The following conditions shall apply to all overnight and foreign trips:

Superintendent/Board Approval

Any overnight trip shall require the written recommendation of the Superintendent or their designee and the principal and approval by the Board at an open meeting. The request must be submitted no less than six (6) months prior to the planned trip. The Superintendent may waive the six (6) month requirement in special circumstances. Fundraising campaigns may not be initiated for the specific event before approval is granted by the Superintendent and School Board.

In the event that an open Board meeting is not scheduled prior to a postseason athletic event, extra-curricular activity and/or club competition advancement of similar situation, the Superintendent or their designee has the authority to approve the specific overnight travel and will notify the Board members of the decision. At the next regularly scheduled Board meeting, the specific overnight travel will be on the agenda for ratification.

Dissemination Of Information

An information flyer for either school sponsored overnight travel and/or school sponsored foreign travel approved by the Superintendent and School Board may be distributed to interested students during the appropriate class or extra-curricular activity.

Permission from Person in Parental Relation

The staff sponsor of the school sponsored approved trips shall acquire written permission from the persons in parental relations for each participant for each trip. Copies of the written permission slips shall be kept on file by the appropriate principal.

Administration of Medication

If a student with a specified medical requirement is participating in an overnight field trip or foreign travel, arrangements shall be made in advance to transport, dispense and/or administer approved medication. Medication shall be administered in accordance with applicable laws, regulations, Board policies and district procedures.

School Facilities And Transportation

The staff sponsor of the approved trips may use school facilities to meet with students and persons in parental relations involved in the trip. The purpose of the meeting is to disseminate information related to the trip.

The use of vans or private automobiles for trips planned to include late night or overnight student travel should generally be avoided. Such trips should generally use commercial motor coaches paid for by the participants of the trip.

Cost

Students may be charged for the cost of overnight and activities trips; however, provisions may be made by the staff sponsor to provide financial assistance so that students of all economic backgrounds are able to participate. Students will be refunded the cost of the trip minus any applicable administrative fees should the trip be canceled.

Chaperones

An overnight extracurricular trip for high school students shall be attended by a minimum of one (1) chaperone per twelve (12) students; the preference is to include at least one (1) male and one (1) female chaperone when students of different sexes are participating. A request for an exemption to this requirement must be submitted with the Trip Approval Request form. If the trip is approved by the School Board and Superintendent, substitute coverage will be provided, at district expense, for the staff sponsor and chaperones.

A chaperone, who is not an employee of the school district, must be in full compliance with Policy 916 – Community Volunteers including all necessary paperwork and clearances, prior to attending the trip.[1]

Conduct

Students, faculty and chaperone volunteers participating in an approved school sponsored overnight/foreign travel field trip are bound by personal conduct standards as stated in the Spring-Ford Area School District Policy Manual.[2][3]

Tentative Itinerary

The application for an overnight trip shall be accompanied by a tentative itinerary to include purpose/educational value of the trip, anticipated departure and arrival times, housing arrangements, and activities in which the students are expected to participate. Cost estimates and plans for paying for the trip are to be provided at the time of the request. A detailed itinerary must be provided to the Superintendent and the building principal prior to departure.

When in the judgment of the Superintendent, the safety and security of the students and faculty involved in a field trip are endangered; the Superintendent or their designee shall have the authority to cancel an approved field trip.

Examination Week

Overnight trips are not to be scheduled during exam weeks or during the testing window of State Assessments.

Excess Accident Medical Insurance

The school district does not carry Excess Accident Medical Insurance for students and chaperones. Staff sponsors shall require proof of personal medical insurance coverage for all students and chaperones. Students can purchase 24-hour optional volunteer medical insurance coverage with the district. Voluntary Student Accident Coverage Accident Insurance Emergency forms shall be completed to list emergency contact information and give authorization of medical treatment if necessary. The district does not cover out of pocket medical expenses.

Liability Insurance

Liability insurance in an amount not less than \$50,000 shall be provided by the district for all designated employee and nonemployee chaperones while involved in school-sanctioned activities.

Trip Reimbursement Insurance

The sponsoring organization must make trip reimbursement/return transportation insurance must available for purchase individually by all students and volunteer chaperones of a school-sponsored foreign travel event.

District Funds

No district budget funds may be used to finance such trips without prior approval of the School Board.

Fundraising

The cost to students to participate shall be minimized. Through optional fundraising activities, attempts will be made to provide financial assistance so that students of all economic backgrounds are able to participate.

Accounting Substantiation

Spring-Ford Area School District requires a separate account for each foreign trip. A cash receipt journal should be maintained detailing each participant's name, date, payments, and the amount deposited in the bank, or an official financial account statement shall be submitted from the travel agency. The district is to receive the final revenue/expenditure statement upon the completion of the activity.

Overnight Trips Not Endorsed by the Superintendent or School Board

The Board does not endorse, support, nor assume responsibility in any way for any district staff member who takes students on trips not approved by the Board or Superintendent. Any staff members who are organizing a non-endorsed trip with District students must still place the Superintendent or designee on notice of such pending trips. No staff member may solicit district students for such trips in class, on school grounds, using school email, through school provided technology or within district facilities. Employees who violate this direction may be subject to discipline, up to and including termination.

Legal

1. Pol. 916
 2. Pol. 218
 3. Pol. 317
- 24 P.S. 1361
24 P.S. 517
23 Pa. C.S.A. 6301 et seq

Book	Policy Manual
Section	200 Pupils
Title	Health Examinations/Screenings
Code	209
Status	Draft (PSBA 8/20)
Adopted	March 25, 1991
Last Revised	March 26, 2012

Authority

In compliance with applicable law and regulations, and Board-approved health and safety plans, the Board shall require that district students submit to health and dental examinations, screenings and health monitoring in order to protect the school community from the spread of communicable disease and to ensure that the student's participation in health, safety and physical education courses meets the student's individual needs and that the learning potential of each student is not lessened by a remediable physical disability.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

Guidelines

Report of a comprehensive health examination is required for each student upon original entry, in sixth grade, and in eleventh grade.[\[2\]](#)[\[4\]](#)[\[5\]](#)

Report of a comprehensive dental examination is required for each student upon original entry, in third grade, and in seventh grade.[\[3\]](#)[\[4\]](#)[\[5\]](#)

A private health and/or dental examination conducted at the expense of a student's person in parental relations shall be encouraged to promote continuity of care. The district shall accept reports of privately conducted physical and dental examinations completed within one (1) year prior to a student's entry into the grade where an exam is required.[\[5\]](#)

Students who have no record of private physical and/or dental examinations shall be scheduled for school examinations. Persons in parental relations will receive notification of school physical and dental examinations including the date and location of said examinations and invitation for the persons in parental relations to attend. Such statements may also include notification that the student may be exempted from such examination or screening if it is contrary to the religious beliefs of the student's person in parental relations.[\[7\]](#)[\[8\]](#)[\[9\]](#)

The school nurse or medical technician shall administer to each student vision tests, hearing tests, tuberculosis tests, other tests deemed advisable, and height and weight measurements, at intervals established by the district. Height and weight measurements shall be used to calculate the student's weight-for-height ratio.[\[2\]](#)[\[4\]](#)[\[6\]](#)

Where it appears to school health officials or teachers that a student deviates from normal growth and development, or where school examinations reveal conditions requiring health or dental care, the student's person in parental relation shall be notified of the apparent need for a special examination by the student's private

physician or dentist. The person in parental relation shall report to the school whether a special examination occurred. If the person in parental relation fails to report whether the examination occurred within a reasonable time after being notified of the apparent need and the abnormal condition persists, appropriate school health personnel shall arrange a special health examination for the student.[2][4][12]

In the event that the person in parental relation objects to or refuses to obtain a regular or special health or dental examination or refuses to permit the child to be examined as arranged by the school nurse or school physician, the school nurse, in consultation with the school physician, shall determine whether the student appears to have unaddressed health conditions such that under the circumstances, the refusal should be reported to the PA Department of Health or other appropriate authorities.

A student who presents a statement signed by a person in parental relation that a health examination is contrary to the religious beliefs of the student or the student's person in parental relations shall be examined only when the Secretary of Health determines that facts exist indicating that certain conditions would present a substantial menace to the health of others in contact with the student if the student is not examined for those conditions.[10][11]

Where school health officials or staff have reasonable cause to suspect that a student may be the victim of child abuse, the school employee shall make a report of suspected child abuse in accordance with law and Board policy.[13][14]

Health Monitoring

The Board directs district staff to monitor student health in accordance with applicable Board policy and the Board-approved health and safety plan.[15]

A student may request an alternative method of monitoring as a religious accommodation, and designated district staff shall assess and respond to such request in accordance with applicable law, regulations and Board policy. A request for an accommodation that would unreasonably impair safety or cause undue hardship will not be granted.[16]

A student with a health condition that may render a monitoring method ineffective should notify designated staff so that alternative or supplemental methods may be considered.[16][17]

Students who may be exhibiting symptoms that indicate health concerns shall be referred to the school nurse or designated staff for further assessment and response, in accordance with Board policy.[15]

Health Records

The district shall maintain for each student a comprehensive health record which includes a record of immunizations and the results of tests, measurements, regularly scheduled examinations and special examinations.[2]

All health records shall be confidential and shall be disclosed only when necessary for the health of the student or when requested by the person in parental relation, in accordance with law and Board policy.[\[18\]](#)[\[19\]](#)[\[20\]](#)

The district may disclose information from health records to appropriate parties in connection with an emergency when necessary to protect the health or safety of the student or other individuals, in accordance with applicable law and Board policy.[\[15\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)[\[21\]](#)[\[22\]](#)[\[23\]](#)

Designated district staff shall promptly request from the transferring school the health records of students transferring into district schools. Staff shall promptly respond to such requests for the health records of students transferring from district schools to other schools.[\[18\]](#)

The district shall destroy student health records only after the student has not been enrolled in district schools for at least two (2) years.[\[18\]](#)[\[24\]](#)

Delegation of Responsibility

The Superintendent or designee shall instruct all staff members to continually observe students for conditions that indicate health concerns or disability and to promptly report such conditions to the school nurse or designated staff.[\[2\]](#)

The Superintendent or designee shall ensure that notice is provided to all persons in parental relations regarding the existence of and eligibility for the Children's Health Insurance Program (CHIP).[\[12\]](#)

Legal

1. 24 P.S. 1401
2. 24 P.S. 1402
3. 24 P.S. 1403
4. 22 PA Code 12.41
5. 24 P.S. 1407
6. 28 PA Code 23.1 et seq
7. 24 P.S. 1405
8. 28 PA Code 23.2
9. 20 U.S.C. 1232h
10. 24 P.S. 1419
11. 28 PA Code 23.45
12. 24 P.S. 1406
13. 23 Pa. C.S.A. 6311
14. Pol. 806
15. Pol. 203
16. Pol. 103
17. Pol. 103.1
18. 24 P.S. 1409
19. Pol. 113.4
20. Pol. 216
21. 20 U.S.C. 1232g
22. 34 CFR Part 99

23. Pol. 805
24. Pol. 800
24 P.S. 1401-1419
23 Pa. C.S.A. 6301 et seq

Book	Policy Manual
Section	200 Pupils
Title	Possession/Administration of Asthma Inhalers/Epinephrine Auto-Injectors
Code	210.1
Status	Draft (PSBA 5/18)
Adopted	February 25, 2013
Last Revised	January 28, 2015

[ATTACHMENT – FORM](#)

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.[\[1\]](#)[\[2\]](#)

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, 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, persons in parental relations, 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.[\[1\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

The school nurse shall be responsible for building-level storage of and administration of stock epinephrine auto-injectors.[3]

The building principal shall annually notify persons in parental relations 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 person in parental relation 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 persons in parental relations 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 person in parental relation that the school complies with the order of the licensed physician, certified registered nurse practitioner or physician assistant.
2. A written statement from the person in parental relation 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 they are 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 they understand 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 person in parental relation 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.[\[1\]](#)

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 with the nurse coordinators, and copies of the standing order shall be kept in each health suite..

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.

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.

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 district administration office.

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.

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

Book	Policy Manual
Section	200 Pupils
Title	Student Expression/Dissemination of Materials
Code	220
Status	Draft (PSBA 3/22)
Adopted	March 25, 1991
Last Revised	April 27, 2020

ATTACHMENT

Purpose

The right of public school students to freedom of speech is guaranteed by the Constitution of the United States and the constitution of the Commonwealth. The Board respects the right of students to express themselves in word or symbol and to disseminate nonschool materials to others as a part of that expression. The Board also recognizes that the exercise of that right is not unlimited and must be balanced with the district's responsibility to maintain a safe and orderly school environment and to protect the rights of all members of the school community.[\[1\]](#)

This policy addresses student expression in general as well as dissemination of expressive materials that are not part of district-sponsored activities (nonschool materials).

This policy does not apply to materials sought to be disseminated as part of the curricular or extracurricular programs of the district, which shall be regulated separately as part of the school district's educational program.

Definitions

For the purposes of this policy, dissemination shall mean students distributing or publicly displaying nonschool materials to others:

1. On school property or during school-sponsored activities by placing such materials upon desks, tables, on or in lockers, walls, doors, bulletin boards, or easels; by handing out such materials to other persons; or by any other manner of delivery to others; or
2. At any time or location when creating or sending information using email, websites, online platforms, social media channels or other technological means that are owned, provided or sponsored by the school district.

Expression means verbal, written, technological or symbolic representation or communication.

Nonschool materials means any printed, technological or written materials, regardless of form, source or authorship, that are not prepared as part of the curricular or approved extracurricular programs of the district. This includes, but is not limited to, fliers, invitations, announcements, pamphlets, posters, online discussion areas and digital bulletin boards, personal websites and the like [8].

Authority

Limitations on Student Expression

Students have the right to express themselves unless such expression is likely to or does materially and substantially disrupt or interfere with the educational process, including school activities, school work, discipline, safety and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights. Student expression is prohibited to the extent that it: [\[1\]](#)

1. Violates federal, state or local laws, Board policy or district rules or procedures;
2. Is defamatory, obscene, lewd, vulgar or profane; [\[2\]](#)
3. Advocates the use or advertises the availability of any substance or material that may reasonably be believed to constitute a direct and serious danger to the health or welfare of students, such as tobacco/vaping products, alcohol or illegal drugs;
4. Incites violence, advocates use of force or threatens serious harm to the school or community;
5. Materially and substantially disrupts or interferes with the educational process, such as school activities, school work, discipline, safety and order on school property or at school functions;
6. Interferes with, or advocates interference with, the rights of any individual or the safe and orderly operation of the schools and their programs; or
7. Violates written district procedures on time, place and manner for dissemination of otherwise protected expression.

Student expression that occurs on school property or at school-sponsored events, or occurs at any time or place when created or communicated using district-provided equipment, email, websites or other technological resources, is subject to this policy. The limitations, prohibitions and requirements of this policy shall apply to expression that occurs outside the foregoing circumstances only when and to the extent that the out-of-school expression: [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

1. Incites violence, advocates use of force or otherwise threatens serious harm directed at students, staff or the school environment;
2. Materially and substantially disrupts or interferes with the educational process, such as school activities, school work, discipline, safety and order on school property or at school functions; or
3. Interferes with, or advocates interference with, the rights of any individual or the safe and orderly operation of the schools and their programs.

Dissemination of Nonschool Materials

The Board requires that dissemination of nonschool materials shall occur only at the places and during the times set forth in written procedures. Such procedures shall be written to permit the safe and orderly operation of schools, while recognizing the rights of students to engage in protected expression. [\[1\]](#)[\[3\]](#)[\[8\]](#)

The Board requires that students who wish to disseminate nonschool materials on school property shall obtain approval by submitting them at least one (1) school day in advance to the building principal or designee, who shall forward a copy to the Superintendent.[1]

If the nonschool materials include matters prohibited by this policy, the building principal or designee shall promptly notify the students of the nature of the violation and that they may not disseminate the materials until the violation is corrected and the materials are resubmitted for approval.

If notice of disapproval is not given during the period between submission and the time for the planned dissemination, students may consider the request approved and proceed with dissemination as requested, subject to all other established procedures and requirements relating to time, place and manner of dissemination. Students may nonetheless be directed to cease or suspend dissemination if it is later determined that the materials or the dissemination of them are in violation of this policy or implementing rules and procedures.

Students who disseminate printed nonschool materials shall be responsible for clearing any litter that results from their activity and shall schedule the event so that they do not miss instructional time themselves.

Review of Student Expression

Review of nonschool materials proposed for dissemination shall be conducted promptly so as to avoid unreasonable delay in dissemination.

School officials shall not censor or restrict nonschool materials or other student expression for the sole reason that it is critical of the school or its administration, or because the views espoused are unpopular or may make people uncomfortable.

Student-initiated religious expression is permissible, and apart from regarding time, place and manner, shall not be restricted unless the expression violates some other aspect of this policy, e.g., because it is independently determined to be in violation of this policy for reasons other than the religious nature of the content.

Appeal of the reviewer's decision may be made to the Superintendent and then to the Board, in accordance with Board policy and district procedures.[5]

Delegation of Responsibility

The Superintendent or designee shall assist with sharing to the Events & Flyers webpage.

When student dissemination of nonschool materials or other student expression violates this policy, the building principal may determine what, if any, disciplinary or other consequences should be imposed. Disciplinary actions shall be in accordance with applicable Board policy and the Code of Student Conduct.[6][7]

The Superintendent shall ensure that building principals and other staff involved in reviewing nonschool materials proposed for dissemination and evaluating whether violations of this policy have occurred receive training regarding applicable standards and procedures. Special emphasis shall be given to understanding the limitations on school officials' authority to regulate off-campus student expression, as well as the need to articulate in detail the nature and extent of disruption to or interference with the school environment thought to be caused by on or off-campus student expression and the specific manner by which the student expression involved is thought to have caused it.

This Board policy and any procedures written to implement this policy shall be referenced in student handbooks so that students can access them for further information.

Legal

1. 22 PA Code 12.9

2. 22 PA Code 12.2

3. 24 P.S. 510

4. 24 P.S. 511

5. Pol. 219

6. Pol. 113.1

7. Pol. 218

8. Pol 910

Pol. 816

Mahanoy Area School District v. B.L., 594 U.S. ____ (2021)

Book	Policy Manual
Section	200 Pupils
Title	Dress and Grooming
Code	221
Status	Draft (PSBA 11/22)
Adopted	
Last Revised	

Purpose

The Board recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference.

Authority

The Board has the authority to impose limitations on students' dress in school. The Board will not interfere with the right of students and their persons in parental relations to make decisions regarding their appearance, except when their choices disrupt the educational program of the schools or constitute a health or safety hazard.[\[1\]](#)[\[2\]](#)

The School Board authorizes administration to develop administrative regulations to implement this policy.

Students may be required to wear certain types of clothing while participating in physical education classes, technical education, extracurricular activities or other situations where special attire may be required to ensure the health or safety of the student.[\[2\]](#)

The Board directs district staff to support students experiencing educational instability by waiving penalties related to a delay in compliance with Board policy or school rules related to dress and grooming.[\[3\]](#)

Delegation of Responsibility

The building principal or designee shall be responsible to monitor student dress and grooming, and to enforce Board policy and school rules governing student dress and grooming.

The Superintendent or designee shall ensure that all school rules implementing this policy impose only the minimum necessary restrictions on the exercise of the student's taste and individuality.[\[2\]](#)

Staff members shall be instructed to demonstrate, by example, positive attitudes and compliance with Board policy and school rules related to dress and grooming.[\[4\]](#)

Legal

1. 24 P.S. 1317.3
2. 22 PA Code 12.11
3. Pol. 251

4. Pol. 325

Book	Policy Manual
Section	200 Pupils
Title	Electronic Devices
Code	237
Status	Draft (PSBA 3/22)
Adopted	January 28, 2008
Last Revised	October 24, 2011

Purpose

The Board adopts this policy in order to support an educational environment that is orderly, safe and secure for district students and employees.

Definition

Electronic devices shall include all devices that can take photographs; record, play or edit audio or video data; store, transmit or receive calls, messages, text, data or images; operate online applications; or provide a wireless, unfiltered connection to the Internet.

Authority

The Board authorizes building principals, in consultation with the Superintendent and in compliance with Board policy, administrative regulations and rules, are authorized to determine the extent of the use of electronic devices within their buildings and programs, on district property, and/or while students are attending school-sponsored activities. Use of electronic devices at the elementary level may be different than at the middle school and/or high school levels or may be different between programs. Building principals shall establish rules and notify students, staff and persons in parental relations of all applicable rules for use of electronic devices within their buildings and programs. [\[1\]](#)

The Board prohibits use of electronic devices in locker rooms, bathrooms, health suites and other changing areas at any time.

The district shall not be liable for the loss, damage or misuse of any electronic device.

Electronic Images and Photographs

The Board prohibits the taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to texting and emailing.

Because such violations may constitute a crime under state and/or federal law, the district shall report such conduct to state and/or federal law enforcement agencies.

Delegation of Responsibility

The Superintendent or designee shall annually notify students, persons in parental relations and employees about the Board's electronic device policy.

The Superintendent or designee shall develop administrative regulations to implement this policy.

Guidelines

Violations of this policy by a student shall result in disciplinary action and may result in confiscation of the electronic device.[4][7][8]

The confiscated item shall not be returned until a conference has been held with a person in parental relation.

Legal

1. 24 P.S. 510
2. Pol. 103.1
3. Pol. 113
4. Pol. 218
5. Pol. 815
6. Pol. 235
7. Pol. 226
8. Pol. 233

Book	Policy Manual
Section	200 Pupils
Title	Hazing
Code	247
Status	Draft (PSBA 7/20)
Adopted	November 27, 2000
Last Revised	January 23, 2017

[ATTACHMENT](#)

Purpose

The purpose of this policy is to maintain a safe, positive environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the district and are prohibited at all times.

Definitions

Hazing occurs when a person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a student with an organization, or for the purpose of continuing or enhancing membership or status in an organization, causes, coerces or forces a student to do any of the following:[\[1\]](#)

1. Violate federal or state criminal law.
2. Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm.
3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements.
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.
5. Endure brutality of a sexual nature.
6. Endure any other activity that creates a reasonable likelihood of bodily injury to the student.

Aggravated hazing occurs when a person commits an act of hazing that results in serious bodily injury or death to the student and:[\[2\]](#)

1. The person acts with reckless indifference to the health and safety of the student; or
2. The person causes, coerces or forces the consumption of an alcoholic liquid or drug by the student.

Organizational hazing occurs when an organization intentionally, knowingly or recklessly promotes or facilitates hazing.[\[3\]](#)[\[4\]](#)

Any activity, as described above, shall be deemed a violation of this policy regardless of whether:[\[5\]](#)

1. The consent of the student was sought or obtained, or

2. The conduct was sanctioned or approved by the school or organization.

Student activity or organization means any activity, society, corps, team, club or service, social or similar group, operating under the sanction of or recognized as an organization by the district, whose members are primarily students or alumni of the organization.[\[6\]](#)[\[7\]](#)

For purposes of this policy, bodily injury shall mean impairment of physical condition or substantial pain.[\[8\]](#)

For purposes of this policy, serious bodily injury shall mean bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.[\[8\]](#)

Authority

The Board prohibits hazing in connection with any student activity or organization regardless of whether the conduct occurs on or off school property or outside of school hours.[\[4\]](#)[\[5\]](#)[\[7\]](#)[\[9\]](#)[\[10\]](#)

No student, person in parental relation, coach, sponsor, volunteer or district employee shall engage in, condone or ignore any form of hazing.

The Board encourages students who believe they, or others, have been subjected to hazing to promptly report such incidents to the building principal or designee.

Title IX Sexual Harassment and Other Discrimination

Every report of alleged hazing that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of a hazing investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged hazing.[\[11\]](#)[\[12\]](#)

Delegation of Responsibility

Students, persons in parental relations, coaches, sponsors, volunteers, and district employees shall be alert to incidents of hazing and shall report such conduct to the building principal or designee.

Guidelines

In addition to posting this policy on the district's publicly accessible website, the district shall inform students, persons in parental relations, sponsors, volunteers and district employees of the district's policy prohibiting hazing, including district rules, penalties for violations of the policy, and the program established by the district for enforcement of the policy by means of publication in handbooks, verbal instructions by the coach or

sponsor at the start of the season or program, and publication in coach's manual and in school staff handbooks. [\[4\]](#)

This policy, along with other applicable district policies, procedures and Codes of Conduct, shall be provided to all school athletic coaches and all sponsors and volunteers affiliated with a student activity or organization, prior to coaching an athletic activity or serving as a responsible adult supervising, advising, assisting or otherwise participating in a student activity or organization together with a notice that they are expected to read and abide by the policies, procedures and Codes of Conduct. [\[7\]](#)

Complaint Procedure

A student who believes that they have been subject to hazing should promptly report the incident to the building or house principal.

Students should use the district's report form, available from the building principal, or to put the complaint in writing; however, oral complaints shall be accepted and documented. The person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the student filing the complaint or those accused of a violation of this policy.

The Board directs that verbal and written complaints of hazing shall be provided to the building principal or designee, who shall promptly notify the Superintendent or designee of the allegations and determine who shall conduct the investigation. Allegations of hazing shall be investigated promptly, and appropriate corrective or preventative action be taken when allegations are substantiated. The Board directs that any complaint of hazing brought pursuant to this policy shall also be reviewed for conduct which may not be proven to be hazing under this policy but merits review and possible action under other Board policies.

Interim Measures/Police

Upon receipt of a complaint of hazing, the building principal or designee, in consultation with the Superintendent or designee, shall determine what, if any interim measures should be put in place to protect students from further hazing, bullying, discrimination or retaliatory conduct related to the alleged incident and report. Such interim measures may include, but not be limited to, the suspension of an adult who is involved, the separation of alleged victims and perpetrators, and the determination of what the complaining student needs or wants through questioning.

Those receiving the initial report and conducting or overseeing the investigation will assess whether the complaint, if proven, would constitute hazing, aggravated hazing or organizational hazing and shall report it to the police consistent with district practice and, as appropriate, consult with legal counsel about whether to report the matter to the police at every stage of the proceeding. The decision to report a matter to the police should not involve an analysis by district personnel of whether safe harbor provisions might apply to the person being reported, but information on the facts can be shared with the police in this regard. [\[13\]](#)

Referral to Law Enforcement and Safe Schools Reporting Requirements –

For purposes of reporting hazing incidents to law enforcement in accordance with Safe Schools Act reporting, the term incident shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.[\[14\]](#)[\[15\]](#)[\[16\]](#)

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents, as defined in the Safe Schools Act, committed by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.[\[14\]](#)[\[15\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)

The Superintendent or designee shall notify the person in parental relation of any student directly involved in a defined incident as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the person in parental relation whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[\[15\]](#)[\[20\]](#)[\[21\]](#)

In accordance with state law, the Superintendent shall annually, by July 31, report all new incidents to the Office for Safe Schools on the required form.[\[14\]](#)[\[20\]](#)

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with applicable law, regulations, this policy and the district's legal and investigative obligations.

Retaliation

Reprisal or retaliation relating to reports of hazing or participation in an investigation of allegations of hazing is prohibited and shall be subject to disciplinary action.

Consequences for Violations

Safe Harbor –

An individual needing medical attention or seeking medical attention for another shall not be subject to criminal prosecution if the individual complies with the requirements under law, subject to the limitations set forth in law.[\[13\]](#)

Students –

If the investigation results in a substantiated finding of hazing, the investigator shall recommend appropriate disciplinary action up to and including expulsion, as circumstances warrant, in accordance with the Code of Student Conduct. The student

may also be subject to disciplinary action by the coach or sponsor, up to and including removal from the activity or organization. The fact of whether a student qualified for and received safe harbor under a criminal investigation shall be considered in assigning discipline.[\[4\]](#)[\[7\]](#)[\[13\]](#)[\[22\]](#)[\[23\]](#)

Nonstudent Violators/Organizational Hazing -

If the investigation results in a substantiated finding that a coach, sponsor, or volunteer affiliated with the student activity or organization engaged in, condoned or ignored any violation of this policy, the coach, sponsor, or volunteer shall be disciplined in accordance with Board policy and applicable laws and regulations. Discipline could include, but is not limited to, dismissal from the position as coach, sponsor, or volunteer, and/or dismissal from district employment.[\[24\]](#)

If an organization is found to have engaged in organizational hazing, it shall be subject to the imposition of fines and other appropriate penalties. Penalties may include rescission of permission for that organization to operate on school property or to otherwise operate under the sanction or recognition of the district.

Criminal Prosecution –

Any person or organization that causes or participates in hazing may also be subject to criminal prosecution.[\[4\]](#)

Legal

1. 18 Pa. C.S.A. 2802
 2. 18 Pa. C.S.A. 2803
 3. 18 Pa. C.S.A. 2804
 4. 18 Pa. C.S.A. 2808
 5. 18 Pa. C.S.A. 2806
 6. 18 Pa. C.S.A. 2801
 7. 24 P.S. 511
 8. 18 Pa. C.S.A. 2301
 9. Pol. 122
 10. Pol. 123
 11. Pol. 103
 12. Pol. 103.1
 13. 18 Pa. C.S.A. 2810
 14. 24 P.S. 1303-A
 15. 22 PA Code 10.2
 16. 35 P.S. 780-102
 17. 24 P.S. 1302.1-A
 18. 22 PA Code 10.21
 19. 22 PA Code 10.22
 20. Pol. 805.1
 21. 22 PA Code 10.25
 22. Pol. 218
 23. Pol. 233
 24. Pol. 317
- 18 Pa. C.S.A. 2801 et seq

22 PA Code 10.23
Pol. 113.1
Pol. 916