

BOARD OF SCHOOL DIRECTORS

WORK SESSION
Tuesday, September 10, 2019
7:00 PM

MINUTES

Call to Order

President Patricia Ann Shaw called the meeting to order at 7:03 p.m.

Pledge

The meeting opened with the pledge to the flag.

Attendance

Those present included: Mr. Brownlee, Mr. Cesario, Ms. Crowell, Mr. LaPorte, Ms. Lindsey, Mrs. Lydon, Ms. Pauchnik, Mr. Raso and Ms. Shaw. Also present were Dr. Shannon Varley, Director of Curriculum, Instruction, Assessment and Staff Development; Mr. Joseph Kubiak, Business Manager; Mr. Michael Brungo, Solicitor; and Mrs. Maureen S. Myers, Board Secretary/Recording Secretary.

Dr. William P. Stropkaj, Superintendent was absent

Public Comment

PUBLIC COMMENT – None

Human Resources Report

Mr. Kubiak, Business Manager, gave a Human Resources Report.

Board President's Report

BOARD PRESIDENT'S REPORT – Ms. Patricia Ann Shaw

The following action items will be considered at the September 17, 2019 Business/Legislative Meeting:

BOARD ACTION REQUESTED

Board Minutes

BOARD MINUTES

It is recommended that the Board approve the Work Session Minutes of August 13, 2019 and the Business/Legislative Minutes of August 20, 2019.

For Information Only

FOR INFORMATION ONLY

I. Parkway West Career and Technology Center Report *Ms. Annie Shaw*

II. SHASDA Report *Mr. Santo Raso*

III. PSBA/Legislative Report *Mrs. Theresa Lydon*

IV. News from the Boroughs

Executive Session

EXECUTIVE SESSION – There was no Executive Session prior to this evenings Work Session.

BOARD COMMITTEES 2019

Buildings, Grounds, & Transportation

*Mr. Cesario, Mr. Brownlee, Mr. Raso,
Ms. Shaw, Mr. LaPorte

Superintendent’s Report

SUPERINTENDENT’S REPORT – Dr. William P. Stropkaj

The following action items will be considered at the September 17, 2019 Business/Legislative Meeting:

BOARD ACTION REQUESTED

Project Succeed Contracts

PROJECT SUCCEED CONTRACTS

It is recommended that the Board approve the following school districts for participation in Project Succeed for the 2019/2020 school year:

- Bethel Park School District
- Brentwood School District
- Carlynton School District
- Chartiers Valley School District
- Moon Area School District
- Mt. Lebanon School District
- Quaker Valley School District
- South Fayette School District
- Upper St. Clair School District

Second Reading Policy 140

SECOND READING POLICY 140: LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM FOR ENGLISH LEARNERS

It is recommended that the Board approve the SECOND READING of Policy 140: *Language Instruction Educational Program for English Learners*.

First Reading Policy 810

FIRST READING POLICY 810: TRANSPORTATION

It is recommended that the Board approve the FIRST READING of Policy 810: *Transportation*.

First Reading Policy 810.1

FIRST READING POLICY 810.1: SCHOOL BUS DRIVERS

It is recommended that the Board approve the FIRST READING of Policy 810.1: *School Bus Drivers*.

First Reading Policy 810.2

FIRST READING POLICY 810.2: TRANSPORTATION – VIDEO/AUDIO RECORDING

It is recommended that the Board approve the FIRST READING of Policy 810.2: *Transportation – Video/Audio Recording*.

First Reading Policy 810.3

FIRST READING POLICY 810.3: SCHOOL VEHICLE DRIVERS

It is recommended that the Board approve the FIRST READING of Policy 810.3: *School Vehicle Drivers*.

First Reading Policy 818

FIRST READING POLICY 818: CONTRACTED SERVICE PERSONNEL

It is recommended that the Board approve the FIRST READING of Policy 818: *Contracted Service Personnel*.

Abolish Policies

ABOLISH POLICIES

It is recommended that the Board abolish the following policies:

- Policy 213: *Assessment of Student Progress*
- Policy 230: *Competitive Events, Public Performances & Related Trips*
- Policy 231: *Social Events & Non-Competitive, Non-Public Performance-Related Trips*
- Policy 438.1: *Compensated Professional Leave*

- A discussion was had regarding Abolishing Policies.

Professional Development

PROFESSIONAL DEVELOPMENT

It is recommended that the Board approve the following conference requests:

Dr. William P. Stropkaj	Allegheny Intermediate Unit Superintendents Professional Development Oakland, PA October 9 – 11, 2019	<i>No Cost to the District</i>
Mrs. Sarah Welch	PenSPRA Fall Executive Board Meeting Carlisle, PA November 15, 2019	\$500.00

Education Report

EDUCATION REPORT – Mrs. Theresa Lydon, Chairperson

The following action items will be considered at the September 17, 2019 Business/Legislative Meeting:

BOARD ACTION REQUESTED

**Agreement for Title I
Non-Public Services**

AGREEMENT FOR TITLE I NON-PUBLIC SERVICES

The Administration recommends that the Board approve the agreement with the Allegheny Intermediate Unit to provide non-public Title I Services (instructional and

parent involvement) for St. Bernard School in the amount of \$11,316.00 to be paid from non-public share of Title I allocation.

- A discussion was had regarding the Agreement for Title I Non-Public Services.

Personnel Report

PERSONNEL REPORT – Ms. Patricia A. Shaw & Mr. Matthew Cesario

The following items will be considered at the September 17, 2019 Business/Legislative Meeting.

BOARD ACTION REQUESTED

Resignation

RESIGNATION

The Administration recommends that the Board accept the following resignation:

<u>Name</u>	<u>Position</u>	<u>Effective Date</u>
Andrea Reynolds	Food Service Worker	September 3, 2019

Appointments

APPOINTMENTS

Paraprofessional

1. Paraprofessional

In compliance with the *Keystone Oaks Education Support Personnel Association Agreement 2018-2022*, the Administration recommends the employment of:

Summerlea McGuire

Paraprofessional – Personal Care Assistant – Myrtle Elementary

Salary - \$14.50/hour

Effective – September 3, 2019

Food Service Personnel

2. Food Service Personnel

It is recommended that the Board approve the following Food Service Personnel:

Roxanne Beebe

Middle School and High School

Salary - \$9.50/hour

Effective – August 20, 2019

Jodi Uhron

Middle School and High School

Salary - \$9.25/hour

Effective – September 6, 2019

Homebound Instructor

3. Homebound Instructor

In compliance with the *Keystone Oaks Education Association Collective Bargaining Agreement 2017-2020*, it is recommended that the Board approve the following Homebound Instructor for the 2019/2020 school year:

Kimberly Smykal

Approval of Clubs & Sponsors

4. Approval of Club Sponsors and Stipends

It is recommended that the Board approve the following Club Sponsors and Stipends for the 2019/2020 school year:

<u>Sponsor</u>	<u>Club</u>	<u>Stipend</u>
Kelly Connolly	Pep Club	\$600.00 (split)
Beth Smith	Pep Club	\$600.00 (split)

Change in Stipend Amount

5. Change in Stipend Amount

It is recommended that the Board approve the change in stipend amount for the following individual:

<u>Sport</u>	<u>Position</u>	<u>Coach</u>	<u>Stipend</u>
Girls Soccer (MS)	Coach	Matthew Paradise	\$3,045.00

Athletic Positions & Stipends

6. Approval of Athletic Positions and Stipends

In compliance with the *Keystone Oaks Education Association Collective Bargaining Agreement 2017-2020*, it is recommended that the Board approve the following individual retroactive to August 29, 2019:

<u>Sport</u>	<u>Position</u>	<u>Coach</u>	<u>Stipend</u>
Girls Basketball (MS)	Coach	Keith Buckley	\$3,070.00
	Assistant	Taylor Brownlee	\$3,070.00
Girls Soccer (MS)	Assistant	Edward Scott	\$2,815.00

For Information Only

The hiring of Taylor Brownlee requires the waiver of *Board Policy No. 803: Nepotism* by six (6) disinterested Board Members considering the staffing need of the position. The minutes of this meeting will reflect that this is a vote to over-ride the Nepotism Policy, and also that there were no other qualified/experienced candidates for the position in question.

Extra Duty Intramurals

EXTRA DUTY INTRAMURALS

In compliance with the *Keystone Oaks Education Association Collective Bargaining Agreement 2017-2020*, it is recommended that the Board approve the following individuals for the 2019/2020 school year:

<u>Building</u>	<u>Name</u>	<u>Stipend Amount</u>
Aiken Intramurals	Cailin Irvine	\$ 833.34
	Michael Shuck	\$1,666.66
Dormont Intramurals	Andrew Bell	\$2,500.00
	Edward Hanna	\$2,500.00
Myrtle Intramurals	Kelly Diven	\$2,500.00
	Kristie Rosgone	\$2,500.00

Leave of Absence

LEAVE OF ABSENCE

It is recommended that the Board approve the following individual for Family and Medical Leave:

E.B. – Effective August 22, 2019

Finance Report

FINANCE REPORT – Ms. Raeann Lindsey

The following items will be considered at the September 17, 2019 Business/Legislative Meeting.

BOARD ACTION REQUESTED

Accounts Payable

ACCOUNTS PAYABLE APPROVAL LISTS THROUGH AUGUST 31, 2019

The Administration recommends approval of the following Accounts Payable lists as presented in the *Finance Package*:

A. General Fund as of August 31, 2019 (Check No. 60175-60420)	\$2,065,731.21
B. Risk Management as of August 31, 2019 (None)	\$0.00
C. Food Service Fund as of August 31, 2019 (Check No. 9170-9172)	\$544.20
D. Athletics as of August 31, 2019 (Check No. 3126-3131)	\$2,800.40
E. Capital Reserve as of August 31, 2019 (Check No. 1633-1636)	\$91,029.92
F. Compensated Absences Fund as of August 31, 2019 (None)	\$0.00
G. OPEB Fund as of August 31, 2019 (None)	\$0.00

TOTAL \$2,160,105.73

Transfer of Funds

TRANSFER OF FUNDS

The Administration recommends that the Board approve the transfer of all funds from the Risk Management Fund to the General Fund to cover tax refunds for the 2017 tax year owed in the 2018/2019 school year, effective June 30, 2019.

- A discussion was had regarding the Transfer of Funds.

Close Risk Management Fund

CLOSE RISK MANAGEMENT FUND

The Administration recommends that the Board approve to close the Risk Management Account with First National Bank.

For Information Only

There are now no funds remaining in the account. Should the District become aware of any future appeals, the District can assign funds in the General Fund to cover those costs.

- A discussion was had regarding the close of the Risk Management Fund.

Transportation Report

TRANSPORTATION REPORT – Mr. Matthew Cesario

The following items will be considered at the September 17, 2019 Business/Legislative Meeting.

BOARD ACTION REQUESTED

Transportation Program

TRANSPORTATION PROGRAM

It is recommended that the Board approve the Transportation Program for the 2019/2020 school year as presented in the Transportation Booklet.

- A discussion was had regarding the Transportation Program

Public Comment

PUBLIC COMMENT – None

- There will be a Finance Committee Meeting on October 29, 2019 at 5:00 p.m.

Adjournment

ADJOURNMENT

On the motion of Mrs. Lydon, seconded by Ms. Lindsey, the meeting was adjourned at 7:20 p.m.

Motion passed 9-0

Respectfully submitted,

Joseph A. Kubiak
Board Secretary

Maureen S. Myers
Assistant Board Secretary
Board Recording Secretary

KEYSTONE OAKS SCHOOL DISTRICT

Policy Guide



Policy No. 140

Section PROGRAMS

Title ~~ENGLISH AS A SECOND~~
LANGUAGE INSTRUCTION
EDUCATIONAL PROGRAM
FOR ENGLISH LEARNERS

Adopted SEPTEMBER 16, 2003

Last Revised _____

	POLICY NO. 140 ENGLISH AS A SECOND LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM FOR ENGLISH LEARNERS	
Section 1	<p><u>Purpose</u></p> <p>In accordance with the Board’s philosophy to provide a quality educational programs tofor all district students and to increase the English language proficiency of students who are English Learners (EL), the Keystone Oaks School District shall provide an effectiveappropriate Language Instruction Educational Program (LIEP) that meets the needs of English Learners. planned instructional program for identified students whose dominant language is not English. The goalpurpose of the LIEPprogram is- shall be demonstrate success into increasinge the English language proficiency and student academic achievement-of eligible students so that ELthey students can attain the academic standards adopted by the Board and achieve academic success. EL students shall be identified, assessed and provided appropriate instruction in accordance with the LIEP, and shall be provided an equitable opportunity to achieve their maximum potential in educational programs and extracurricular activities, consistent with federal and state laws and regulations.</p>	<p>42 U.S.C. 2000d et seq Pol. 102, 103 20 U.S.C. 6801 et seq 22 PA Code 4.26</p>
Section 2	<p><u>Authority</u></p> <p>The Board shall approve a LIEP to provide English Language Development instruction (ELD) to EL students as part of the approved curriculum, in order to develop the English language proficiency of EL students. The District shall provide EL students with both planned ELD instruction and modifications in</p>	<p>42 U.S.C. 2000d et seq Pol. 102, 103 20 U.S.C. 6312, 6801 et seq</p>

	<p style="text-align: center;">POLICY NO. 140 ENGLISH AS A SECOND LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM FOR ENGLISH LEARNERS</p> <p>content instruction and assessments for all curricular areas, based on the provisions of the LIEP. The LIEP shall be thoughtfully and deliberately planned and evaluated in accordance with state and federal laws and regulations, and shall meet the needs of the district's EL students. The LIEP shall be based on effective research-based theory, implemented with sufficient resources and appropriately trained staff, and shall meet the following requirements:</p> <ol style="list-style-type: none"> 1. Aligned to state academic content standards for the appropriate grade levels of EL students. 2. Include ELD instruction delivered by properly certified English as a Second Language (ESL) teachers, and other certified content area teachers working in conjunction with ESL certified teachers. 3. Incorporate the use of state assessments and ELD criteria. 4. Provide equitable access to content for EL students at all proficiency levels. 5. Provide equitable access to enrollment in courses or academic programs for which EL students are otherwise eligible. <p>The Board directs the LIEP to be evaluated for effectiveness based on student outcomes at least annually, and the results documented in accordance with state and federal laws and regulations, and state guidelines.</p> <p>The district's LIEP and evaluation results of the LIEP shall be made available to district staff working with EL students and parents/guardians of EL students.</p> <p>The Board may address EL students and programs in the district's comprehensive planning process.</p> <p>The school district shall provide a program for each student whose dominant language is not English for the purpose of facilitating the student's achievement of English proficiency and</p>	<p>22 PA Code 4.26 Title 22 Sec. 4.26</p> <p>Castaneda v. Pickard, 1981</p> <p>20 U.S.C. 6312, 6812, 6826, 6841</p> <p>Pol. 100</p>
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<p>Section 3</p>	<p style="text-align: center;">POLICY NO. 140</p> <p style="text-align: center;">ENGLISH AS A SECOND LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM FOR ENGLISH LEARNERS</p> <p>the academic standards. The program shall include English As a Second Language instruction. The program shall Meet the three-pronged test of program compliance: (1) sound research-based education theory, (2) sufficient resources and staffed by appropriate prepared personnel, (3) periodic program evaluation.</p> <p><u>Delegation of Responsibility</u></p> <p>The Board shall include provisions for the LEP Responsibility programs in its Strategic Plan.</p> <p>The Board shall include provisions for the ESL teachers, classroom teachers of LEP students and new teachers in its professional development plan.</p> <p>The Board shall establish procedures for identification of students whose dominant language is not English. The Home Language Survey shall be completed for every student in the District and filed in the student's permanent record folder through graduation. For students whose dominant language is not English, assessment for the student's English proficiency level must be completed to determine the need for English as a Second Language instruction.</p> <p>The Superintendent or designee shall implement and supervise a LIEP ESL Program that ensures appropriate instruction in each school and complies with federal and state laws and regulations.meets the legal requirements for IESL program compliance.</p> <p>The Superintendent or designee shall ensure that the District complies with all federal and state laws and regulations, and program requirements, for ELD program funding, including required reports in the form prescribed by the state.</p> <p>The Superintendent or designee, in conjunction with appropriate stakeholders, shall develop administrative regulations regarding the LIEP and provision of services to EL students.</p> <p>The Superintendent or designee, in conjunction with appropriate stakeholders, shall develop and disseminate written procedures regarding the ESL program.</p>	<p>Title 22 Sec. 4.13 24 PS 12-1205.1 and 49.16-17</p> <p>Civil Rights Act of 1964 Title VI P.L. 103-382</p> <p>Basic Education Circular July 2, 2001; Educating Students with Limited English Proficiency (LEP) and English Language Learners (ELL)</p> <p>20 U.S.C. 6841</p>
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	<p style="text-align: center;">POLICY NO. 140 ENGLISH AS A SECOND LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM FOR ENGLISH LEARNERS</p> <ol style="list-style-type: none"> 1. Program goals 2. Student enrollment procedures (i.e., Home Language Survey) 3. Assessment procedures for program entrance, measuring progress in gaining English proficiency, and program exiting. 4. Accommodations for English Language Learners (ELL) in the Classroom 5. Grading policies 6. List of resources including support agencies and interpreters <p>Section 4 <u>Guidelines for the ESL/Bilingual Program</u></p> <p><u>Identification and Placement of EL Students</u></p> <p>The District shall establish procedures for identifying and assessing the needs of students whose dominant language is not English. In order to identify which students are potential English Learners, the Home Language Survey shall be completed for each student upon enrollment in the District, and shall be maintained as part of the student's education records.</p> <p>EL students shall be appropriately placed in accordance with the LIEP within the first thirty (30) days of the school year, or within fourteen (14) days of enrollment.</p> <p>LEP students shall be enrolled upon presentation of a local address and proof of immunization.</p> <p><u>Program Access</u></p> <p>EL sStudents shall have equitable access to and should be encouraged to participate in all academic and extracurricular activities available in the to district students.</p> <p><u>Assessment</u></p> <p>The District shall annually administer required assessments to EL students to measure students' English Language proficiency and progress in reading, writing, speaking and</p>	<p>20 U.S.C. 6801 et seq 22 PA Code 11.11 Pol. 200</p> <p>20 U.S.C. 6823</p> <p>Fourteenth Amendment Plyler v. Doe 1982</p> <p>20 U.S.C. 1703 Pol. 115, 122, 123 Lau v. Nichols 1974</p> <p>20 U.S.C. 6841 Castaneda v. Pikard</p>
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	<p style="text-align: center;">POLICY NO. 140</p> <p style="text-align: center;">ENGLISH AS A SECOND LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM FOR ENGLISH LEARNERS</p> <p>listening/understanding. Assessment results shall be maintained in the student's education records. Parents/Guardians may not opt students out of English language proficiency assessments.</p> <p>EL students shall participate in all annual state or locally required assessments, with accommodations where applicable, and The ELL shall be required to meet established academic standards and graduation requirements, in accordance with law, regulations and Board Policy with accommodations as adopted by the Board.</p> <p><u>Program Exit</u></p> <p>The District shall include uniform provisions in the LIEP, in accordance with state required criteria, for:</p> <ol style="list-style-type: none"> 1. Reclassifying EL students as former EL students when they attain English language proficiency. 2. Actively monitoring and reporting the progress of former EL students for a period of two (2) years following reclassification and program exit, and reporting students to the state in a monitor status for an additional two (2) years, to ensure students are meeting academic standards. 3. Redesignating former EL students as active EL students if they struggle academically based on persistent language barriers. <p>The ESL program shall be designed to provide instruction to meet each student's individual needs based on the assessment of English proficiency in reading, writing, listening and speaking. Adequate content area support shall be provided while the student is learning English to ensure achievement of academic standards.</p> <p><u>Staff Qualifications and Professional Development</u></p> <p>Certified employees and appropriate support staff, when necessary, shall provide the LIEP. The district shall ensure that all teachers providing ELD instruction hold the appropriate certification and can demonstrate academic language proficiency</p>	<p>1974</p> <p>Pol. 102, 127, 217 20 U.S.C. 6812, 6826, 6841 22 PA Code 4.51, 4.51a, 4.51b, 4.51c, 4.52</p> <p>20 U.S.C. 6826, 6841</p> <p>Equal Education Act of 1974</p> <p>20 U.S.C. 6826 Pol. 850</p>
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	<p style="text-align: center;">POLICY NO. 140</p> <p style="text-align: center;">ENGLISH AS A SECOND LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM FOR ENGLISH LEARNERS</p> <p>both in English and in the language used for instruction in their classroom.</p> <p>A Pennsylvania certified teacher hired as a teacher and, if necessary, appropriate support staff (e.g., teacher aides) shall provide the ESL program.</p> <p>Non-ESL staff shall incorporate ELD into all classes for EL students, as well as provide supports, modifications and accommodations for curricular content to enable EL students to achieve academic standards.</p> <p>The District shall provide appropriate training in ELD for all professional staff as part of the Professional Development Plan.</p> <p>Instructional resources shall be comparable to the resources provided other core academic subjects.</p> <p>The program shall be evaluated for effectiveness based on the attainment of English proficiency. If ELL are not learning English, the program shall be changed to ensure greater success.</p> <p><u>Special Education and Gifted Education Services</u></p> <p>EL students may be eligible for special education services when they have been identified as a student with a disability and it is determined that the disability is not solely due to lack of instruction or proficiency in the English language.</p> <p>EL students may be eligible for gifted education services, when identified in accordance with law, regulations and Board policy. The district shall ensure that assessment of a student for gifted education services screens for intervening factors, such as English language proficiency, that may be masking gifted abilities.</p> <p>Students participating in ELD instruction who are eligible for special education services shall continue receiving ELD instruction, in accordance with their Individualized Education Program (IEP) or Gifted Individualized Education Plan (GIEP), at the appropriate proficiency and developmental level.</p>	<p>20 U.S.C. 6812 Pol. 333</p> <p>Pol. 103.1, 113</p> <p>Pol. 114</p> <p>Pol. 103.1, 113, 114</p>
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	<p style="text-align: center;">POLICY NO. 140</p> <p style="text-align: center;">ENGLISH AS A SECOND LANGUAGE INSTRUCTION</p> <p style="text-align: center;">EDUCATIONAL PROGRAM FOR ENGLISH LEARNERS</p> <p><u>Parent/Family Engagement and Communication</u></p> <p>Communications with parents/guardians shall be in the mode and language of communication preferred by the parents/guardians. include information about assessment, academic achievement and other related education issues in the language understood by the parent whenever possible.</p> <p>Within thirty (30) days of the beginning of each school year, or within fourteen (14) days of enrollment during the school year, the district shall notify parents/guardians of students identified as EL about the process for identifying their children as EL, the results of that process, and the recommended program placement. The district shall also provide parents/guardians with detailed information regarding the LIEP, the benefits of ELD instruction for their children, and an explanation of the program's effectiveness.</p> <p>Parents/Guardians shall be regularly apprised of their child's progress, including achievement of academic standards and assessment results.</p> <p>The District shall maintain an effective means of outreach to encourage parental involvement in the education of their children.</p> <p><u>Parental Right to Opt Out of ELD Programs and Services</u></p> <p>Parents/Guardians of EL students have the right to refuse specialized programs and services that may be part of the LIEP for their child. A parent's/guardian's decision to refuse programs or services must be informed and voluntary; the District shall not influence a parent's/guardian's decision in any way, or make any program or placement determinations without parental notification and an opportunity to opt the student out of programs and services.</p> <p>The District shall make a parental waiver form available for parents/guardians to opt their EL child out of ELD programs and services.</p> <p>The District shall document all notifications made to</p>	<p>42 U.S.C. 2000d et seq 20 U.S.C. 6318 Pol. 919</p> <p>20 U.S.C. 6312</p> <p>Pol. 127, 212</p> <p>20 U.S.C. 6312, 6812, 6826, 6318 Pol. 919</p> <p>42 U.S.C. 2000d et seq 20 U.S.C. 6312</p>
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	<p style="text-align: center;">POLICY NO. 140 ENGLISH AS A SECOND LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM FOR ENGLISH LEARNERS</p> <p>parents/guardians regarding assessment and recommended placements and programs for EL students, and whether or not a parental waiver form is received. When a waiver form is not received from the parent/guardian, the District shall proceed with the recommended placement.</p> <p>EL students who have a parental waiver for ELD programs and services shall be assessed on English language proficiency annually, and shall be provided with supports and accommodations to participate in general curricular and extracurricular programs, in order to meet academic standards and graduation requirements.</p> <p>Parents/Guardians of EL students who have been opted out of ELD programs and services shall be notified of their child's progress, including achievement of academic standards and assessment results, and shall be provided with opportunity and a form to opt their child back into ELD programs and services.</p> <p>References:</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.26, 4.51, 4.51a, 4.51b, 4.51c, 4.52, 11.11</p> <p>Equal Opportunity Act, amending Education Amendments of 1974 – 20 U.S.C. Sec. 1703</p> <p>Language Instruction for English Learners and Immigrant Students – 20 U.S.C. Sec. 6801 et seq, 6812, 6823, 6826, 6841</p> <p>Every Student Succeeds Act – 20 U.S.C. Sec. 6312, 6318</p> <p>Title VI, Civil Rights Act of 1964 – 42 U.S.C. Sec. 2000d et seq</p> <p>Improving Academic Achievement, Title 34, Code of Federal Regulations – 34 CFR Part 200</p> <p>Board Policy – Pol. 100, 102, 103, 103.1, 113, 114, 115, 122, 123, 127, 200, 212, 217, 333, 850, 919</p>	<p>Pol. 102, 103, 127</p> <p>Pol. 217, 212</p>
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KEYSTONE OAKS SCHOOL DISTRICT

Policy Guide



Policy No. 810.1

Section OPERATIONS

Title SCHOOL BUS DRIVERS AND SCHOOL COMMERCIAL VEHICLE DRIVERS

Adopted _____

Revised _____

	<p style="text-align: center;">POLICY NO. 810.1 SCHOOL BUS DRIVERS AND SCHOOL COMMERCIAL VEHICLE DRIVERS</p> <p>Section 1 <u>Purpose</u></p> <p>The Board recognizes that an employee must be fit to operate a school bus and commercial motor vehicle to ensure the health and safety of students being transported. The Board also recognizes that an employee impaired by drugs or alcohol who operates district vehicles or transports students poses significant risks to the safety of students and others.</p> <p>Section 2 <u>Definitions</u></p> <p>The following words and phrases, when used in this policy, shall have the meaning given to them in this section:</p> <p>A covered driver shall include any district employee who drives, operates or is in the actual physical control or movement of a school bus or a commercial motor vehicle owned, leased or operated by the School District. The term includes drivers and mechanics who operate such vehicles, including full-time, regularly employed individuals; leased drivers; and independent owner-operator contractors who are directly employed by or under lease to the district or who operate a bus or commercial motor vehicle owned or leased by the District.</p>	<p style="text-align: center;">49 CFR 382.107</p>
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	<p style="text-align: center;">POLICY NO. 810.1 SCHOOL BUS DRIVERS AND SCHOOL COMMERCIAL VEHICLE DRIVERS</p> <p>Commercial motor vehicle - a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the vehicle:</p> <ol style="list-style-type: none"> 1. Has a gross combination weight rating or gross combination weight of 26,001 or more pounds, whichever is greater, inclusive of towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds, whichever is greater; 2. Has a gross vehicle weight rating or gross vehicle weight of 26,001 or more pounds, whichever is greater; 3. Is designed to transport sixteen (16) or more passengers, including the driver; or 4. Is transporting hazardous materials and is required to be placarded. <p>Driving – operating a commercial motor vehicle or motor carrier vehicle on a highway, with the motor running, including while the commercial motor vehicle or motor carrier vehicle is temporarily stationary because of traffic, a traffic control device or other momentary delay. The term does not include operating a commercial motor vehicle or motor carrier vehicle with or without the motor running if the driver moved the vehicle to the side of or off of a highway and halted in a location where the vehicle can safely remain stationary.</p> <p>Electronic device – an electronic device includes, but is not limited to, a cellular telephone, personal digital assistant, pager, computer or any other device used to input, write, send, receive or read text.</p> <p>Mobile telephone – a mobile communication device which uses a commercial mobile radio service.</p> <p>Safety-sensitive functions include all on-duty functions performed from the time a driver begins work or is required to be ready to work until s/he is relieved from work and all responsibility for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment;</p>	<p>49 CFR 382.107</p> <p>49 CFR 392.80 75 Pa. C.S.A. 1621, 1622</p> <p>75 Pa. C.S.A. 1621</p> <p>75 Pa. C.S.A. 1622</p> <p>49 CFR 382.107</p>
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	<p style="text-align: center;">POLICY NO. 810.1 SCHOOL BUS DRIVERS AND SCHOOL COMMERCIAL VEHICLE DRIVERS</p> <p>supervising, performing or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; and performing other requirements related to accidents.</p> <p>School bus means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.</p> <p>Texting - manually entering alphanumeric text into or reading text from an electronic device. The following shall apply:</p> <ol style="list-style-type: none"> 1. The term includes, but is not limited to, short message service, emailing, instant messaging, a command or request to access an Internet web page, pressing more than a single button to initiate or terminate a voice communication using a mobile telephone or engaging in any other form of electronic text retrieval or entry, for present or future communication. 2. The term does <u>not</u> include: <ol style="list-style-type: none"> a) Inputting, selecting or reading information on a global positioning system or navigation system. b) Pressing a single button to initiate or terminate a voice communication using a mobile telephone. c) Using a device capable of performing multiple functions, including, but not limited to, fleet management systems, dispatching devices, citizens band radios and music players, for a purpose that is not prohibited by law. 	<p>75 Pa. C.S.A. 102</p> <p>75 Pa. C.S.A. 1621</p>
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	<p>POLICY NO. 810.1 SCHOOL BUS DRIVERS AND SCHOOL COMMERCIAL VEHICLE DRIVERS</p> <p>Use a handheld mobile telephone or other electronic device –</p> <ol style="list-style-type: none"> 1. Using at least one (1) hand to hold a mobile telephone to conduct a voice communication. 2. Dialing or answering a mobile telephone by pressing more than a single button. 3. Reaching for a mobile telephone in a manner that requires a driver to maneuver so that the driver is no longer in a seated driving position, restrained by a seat belt. 	<p>75 Pa C.S.A. 1622</p>
<p>Section 3</p>	<p><u>Authority</u></p> <p>The Board shall implement a drug use and alcohol misuse prevention program for employees who are required to hold a commercial driver’s license and who perform safety-sensitive functions in accordance with federal and state laws and regulations.</p> <p>All contracted transportation providers shall implement a drug use and alcohol misuse prevention program in accordance with federal law and regulations.</p> <p>Covered drivers shall observe all state and federal laws and Pennsylvania Department of Transportation regulations governing traffic safety and school bus and commercial motor vehicle operation.</p> <p>The Board prohibits covered drivers from texting and from using a handheld mobile telephone or other electronic device while driving a school bus or commercial motor vehicle except when it is necessary to communicate with law enforcement officials or other emergency services.</p>	<p>49 CFR Part 40, 382 49 U.S.C. 31306 67 PA Code 229.14</p> <p>Pol. 818</p>
<p>Section 4</p>	<p><u>Delegation of Responsibility</u></p> <p>The Superintendent or designee shall develop administrative regulations to implement this policy and the requirements of law, which include the following components:</p>	<p>49 CFR 392.80 75 Pa. C.S.A. 1621, 3316 49 CFR 392.82</p>

POLICY NO. 810.1		
SCHOOL BUS DRIVERS AND SCHOOL COMMERCIAL VEHICLE DRIVERS		
1. Selecting and contracting with a qualified medical review officer, substance abuse professional, a certified laboratory and other service agents as necessary.	49 CFR 40.15	
2. Establishment of procedures for required testing of covered drivers.	49 CFR 382.105	
3. Maintenance of the confidentiality of all aspects of the testing process.	49 U.S.C. 31306	
4. Delegation of responsibility for monitoring employee compliance with the provisions of Board policy and administrative regulations.		
5. Designation of an employee responsible for receiving and handling results of drug and alcohol tests.	49 CFR 40.3	
6. Implementation of procedures for the preparation, maintenance, retention and disclosure of records, as required by law.	49 CFR 382.401	
7. Distribution to affected employees of information and materials relevant to Board policies and administrative regulations regarding drug and alcohol testing.	49 CFR 382.601	
8. Distribution to affected employees of information and materials relevant to individuals or organizations that can provide counseling and treatment for drug and/or alcohol problems.		
The Superintendent or designee shall provide each driver, upon hire or transfer, with:		
1. This policy and its accompanying administrative regulations; and	49 CFR 382.601	
2. Educational materials that explain the state and federal requirements related to misuse of alcohol and use of controlled substances.	49 CFR 382.601	

<p>Section 5</p>	<p>POLICY NO. 810.1 SCHOOL BUS DRIVERS AND SCHOOL COMMERCIAL VEHICLE DRIVERS</p>	
	<p>The Superintendent or designee shall also provide notice to representatives of employee organizations of the availability of this information.</p>	<p>49 CFR 382.601</p>
	<p>The Board designates the Superintendent or Business Manager to be the contact person for questions about the drug use and alcohol misuse program.</p>	<p>49 CFR 382.601</p>
	<p><u>Guidelines</u></p>	
	<p><u>Employment Requirements</u></p>	
<p>All covered drivers shall comply with the requirements for background checks/certifications and employment history reviews in accordance with applicable law, Board policy and administrative regulations. These requirements are addressed separately in Board policy 850 for drivers employed by the District and Board policy 818 for drivers employed by an independent contractor.</p>	<p>Pol. 818, 850 23 Pa. C.S.A. 6344, 6344.3 SC 111, 111.1</p>	
<p>Prior to employment by the District as a covered driver or transfer to a covered driver position, the District shall obtain the following information in accordance with federal and state laws and regulations:</p>		
<p>1. Alcohol and drug testing information from previous U.S. Department of Transportation-regulated employers during the past three (3) years with the covered driver’s written consent.</p>	<p>49 CFR 382.413, 40.25</p>	
<p>2. Commercial motor vehicle employment information for the past ten (10) years.</p>	<p>49 U.S.C. 31303 75 Pa. C.S.A. 1604</p>	
<p><i>Additional Documentation -</i></p>		
<p>Prior to employment by the District as a covered driver or transfer to a covered driver position, and at least once each school year, the Superintendent or designee shall:</p>		
<p>1. Obtain a copy of a valid commercial driver’s license indicating the appropriate endorsements from the covered driver;</p>	<p>75 Pa. C.S.A. 1606</p>	

POLICY NO. 810.1 SCHOOL BUS DRIVERS AND SCHOOL COMMERCIAL VEHICLE DRIVERS	
<p>2. Obtain a copy of a Commonwealth of Pennsylvania School Bus Driver’s Physical Examination Form from the covered school bus driver;</p>	67 PA Code 71.3
<p>3. Obtain a copy of a current Pennsylvania School Bus Endorsement card from the covered school bus driver;</p>	67 PA Code 71.3
<p>4. Review each covered driver’s driving record to determine whether the driver meets the minimum requirements for safe driving and is not disqualified to operate a commercial motor vehicle.</p>	49 CFR 391.25 49 U.S.C. 31304
<p>Prior to employment by the District as a covered driver or transfer to a covered driver position, and every two (2) years, the Superintendent or designee shall obtain a valid Medical Examiner’s Certificate, if applicable.</p>	49 CFR 391.41
<p><i>Reporting Requirements –</i></p> <p>Covered drivers shall report misconduct in accordance with Board policy 817 for drivers employed by the District and Board policy 818 for drivers employed by an independent contractor.</p>	Pol. 818, 817 23 Pa. C.S.A. 6344.3 SC 111
<p>Covered drivers using controlled substances prescribed for therapeutic purposes by a licensed medical practitioner shall submit the practitioner’s written statement that the prescribed substance will not adversely affect the employee’s ability to safely operate a school bus or commercial motor vehicle.</p>	49 CFR 382.213
<p>Covered drivers shall also inform their supervisors of any use of drug(s) or medication(s) for which the packaging includes warnings that, “marked drowsiness may occur and/or be careful when driving a motor vehicle or operating machinery.”</p>	49 CFR 382.213
<p>A covered driver charged with or issued a citation for violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the Superintendent or designee in writing before the end of the business day following the day the covered driver is charged or</p>	

	<p style="text-align: center;">POLICY NO. 810.1 SCHOOL BUS DRIVERS AND SCHOOL COMMERCIAL VEHICLE DRIVERS</p> <p>cited. Notice is required no matter what type of vehicle the driver was driving.</p> <p>A covered driver who is convicted of violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the Superintendent or designee in writing of the conviction within thirty (30) days of the date of conviction. Notice is required no matter what type of vehicle the driver was driving.</p> <p>Any covered driver whose operating privilege is suspended, revoked or canceled by any state, who loses the privilege to drive a school bus or commercial motor vehicle in any state for any period, or who is disqualified from driving a school bus or commercial motor vehicle for any period, shall notify the Superintendent or designee immediately upon reporting to work for the next scheduled shift following the notice of the suspension, revocation, cancellation, loss or disqualification.</p> <p>Failure to comply with the reporting requirements may result in disciplinary action, up to and including termination.</p> <p><u>Controlled Substances and Alcohol</u></p> <p><i>Drug and Alcohol Testing -</i></p> <p>The District shall require covered drivers to submit to the following drug and alcohol tests in accordance with state and federal laws and regulations: pre-employment, random, post-accident, reasonable suspicion, return-to-work and follow-up.</p> <p><i>Prohibited Conduct -</i></p> <p>Covered drivers shall not use medical marijuana products.</p> <p>Covered drivers shall not ingest hemp products or otherwise use hemp products in a way that may result in absorption of hemp or hemp residue into the body.</p>	<p>49 U.S.C. 31303 75 Pa. C.S.A. 1604</p> <p>49 U.S.C. 31303 75 Pa. C.S.A. 1604</p> <p>49 CFR Part 40, 382, 382.105 49 U.S.C. 31306 75 Pa. C.S.A. 1613, 3756</p>
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POLICY NO. 810.1	
SCHOOL BUS DRIVERS AND SCHOOL COMMERCIAL VEHICLE DRIVERS	
<p>A covered driver shall not report for duty, drive, operate or be in the actual physical control of the movement of a school bus or commercial motor vehicle under the following circumstances:</p> <ol style="list-style-type: none"> 1. While using or while having any amount of alcohol present in the body, including medications containing alcohol. 2. While under the influence of a controlled substance or combination of controlled substances, or the combined influence of alcohol and a controlled substance or substances. 3. After consuming alcohol or a controlled substance within the previous eight (8) hours for school bus drivers and within the previous four (4) hours for commercial motor vehicle drivers. <p>An exception shall be made for therapeutic use of prescribed controlled substances used by a covered driver when the driver has submitted in advance a licensed medical practitioner's written statement that the prescribed substance will not adversely affect the driver's ability to safely operate a school bus or commercial motor vehicle.</p> <p>A covered driver required to take a post-accident test shall not use alcohol for eight (8) hours following the accident, or until s/he undergoes a post-accident test, whichever occurs first.</p> <p>A covered driver shall not refuse to submit to a required test for drugs or alcohol.</p> <p><i>Consequences/Discipline -</i></p> <p>The District shall remove a covered driver from performing safety-sensitive functions under the following circumstances:</p> <ol style="list-style-type: none"> 1. A verified positive drug test result; 2. A verified adulterated or substituted drug test result; 	<p>67 PA Code 71.3 49 CFR 382.205 75 Pa. C.S.A. 1612</p> <p>49 CFR 382.213 74 Pa. C.S.A. 1603, 3802</p> <p>67 PA Code 71.3 49 CFR 382.207</p> <p>49 CFR 382.213</p> <p>49 CFR 382.209</p> <p>49 CFR 40.191, 382.107, 382.211 75 Pa. C.S.A. 1613</p> <p>49 CFR 40.23, 382.215</p> <p>49 CFR 40.23, 382.215</p>

POLICY NO. 810.1 SCHOOL BUS DRIVERS AND SCHOOL COMMERCIAL VEHICLE DRIVERS	
<p>3. An alcohol test result of 0.04 or higher; or</p>	<p>49 CFR 40.23. 382.201</p>
<p>4. A refusal to submit to a post-accident, random, reasonable suspicion, return-to-duty or follow-up test.</p>	<p>49 CFR 382.211</p>
<p>The District shall place a school bus driver who drives, operates or is in physical control of a school bus out of service for thirty (30) days if the school bus driver has any detectable amount of alcohol in his/her system.</p>	<p>75 Pa. C.S.A. 1612, 1613</p>
<p>The District shall remove a commercial motor vehicle driver who is tested and is found to have an alcohol concentration of 0.02 or greater but less than 0.04 until the start of the driver’s next regularly scheduled duty period that is at least twenty-four (24) hours following administration of the test.</p>	<p>49 CFR 382.505</p>
<p>A covered driver employed by the District who violates Board policy or administrative regulations and tests positive for drugs or alcohol shall be subject to disciplinary action, up to and including termination, and shall be provided with a list of qualified substance abuse professionals.</p>	
<p>Consistent with contractual and legal requirements, a determination shall be made as to the appropriate disciplinary action for a covered driver who violates Board policy or administrative regulations. Nothing in this policy shall limit the Board’s authority to impose discipline, including discharge.</p>	
<p>If the District permits a covered driver who has been removed from performing safety-sensitive functions to return to a safety-sensitive function, the District shall ensure that the covered driver has been evaluated by a qualified substance abuse professional and has successfully completed the return-to-duty process before returning to a safety-sensitive function.</p>	<p>49 CFR 40.23, 40.289</p>
<p><u>Maintenance of Records</u></p>	
<p>The District shall maintain records of its drug use and alcohol misuse prevention program in compliance with federal regulations, and in accordance with the district’s records retention schedule.</p>	<p>49 CFR 40.333, 382.401</p>

	<p style="text-align: center;">POLICY NO. 810.1 SCHOOL BUS DRIVERS AND SCHOOL COMMERCIAL VEHICLE DRIVERS</p> <p>Drug and alcohol records shall be confidential, and shall only be released in accordance with applicable law.</p> <p>Statistical records and reports shall be maintained and made available to the Federal Highway Administration for inspection or audit in accordance with federal regulations.</p> <p><u>Acknowledgment of Receipt</u></p> <p>Each covered driver shall sign a statement certifying that s/he has received a copy of this policy and its accompanying administrative regulations.</p> <p>The District shall keep the original signed statement in the personnel file of the covered driver employed by the district and provide a copy to the driver.</p> <p><u>Training</u></p> <p>Covered drivers shall attend orientation and training sessions, as appropriate to the nature of their service. When training is provided for other school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which covered drivers should also receive that training.</p> <p>The District shall ensure that employees who supervise covered drivers receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. Such training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and drug use.</p> <p>References:</p> <p>PA School Code – 24 P.S. Sec. 111, 111.1, 1517</p> <p>Child Protective Services Law – 23 Pa. C.S.A. Sec. 6344, 6344.3</p>	<p>49 CFR 40.321, 382.405</p> <p>49 CFR 382.403, 382.405</p> <p>49 CFR 382.601</p> <p>49 CFR 382.601</p> <p>SC 1517</p> <p>49 CFR 382.603</p>
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POLICY NO. 810.1
SCHOOL BUS DRIVERS AND SCHOOL COMMERCIAL
VEHICLE DRIVERS

State Department of Transportation Regulations – 67 PA Code
Sec. 71.3, 229.14

Pennsylvania Vehicle Code – 75 Pa. C.S.A. Sec. 102, 1603,
1604, 1606, 1612, 1613, 1621, 1622, 3316, 3756, 3802

Notification Requirements – 49 U.S.C. Sec. 31303

Employer Responsibilities – 49 U.S.C. Sec. 31304

Alcohol and Controlled Substances Testing – 49 U.S.C. Sec.
31306

Procedures for Transportation Workplace Drug and Alcohol
Testing Programs – 49 CFR Part 40, 40.3, 40.15, 40.23, 40.25,
40.191, 40.289, 40.321, 40.333

Controlled Substance and Alcohol Testing – 49 CFR Part 382,
382.105, 382.107, 382.201, 382.205, 382.207, 382.209, 382.211,
382.215, 382.213, 382.401, 382.403, 382.405, 382.413, 382.505,
382.601, 382.603

Limiting the Use of Electronic Devices – 49 CFR 392.80,
392.82

Qualifications of Drivers – 49 CFR 391.25, 391.41

Board Policy – 817, 818, 850

Policy Guide



Policy No. 810.2

Section OPERATIONS

Title TRANSPORTATION-VIDEO/AUDIO RECORDING

Adopted _____

Revised _____

POLICY NO. 810.2		
TRANSPORTATION-VIDEO/AUDIO RECORDING		
Section 1	<p><u>Purpose</u></p> <p>The use of video and audio recording equipment supports efforts to maintain discipline and to ensure the safety and security of all students, staff, contractors and others being transported on district-owned, operated, or contracted school buses or school vehicles.</p>	
Section 2	<p><u>Definitions</u></p> <p>School bus means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.</p> <p>School-related vehicle means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district or any other vehicle owned/leased by the District. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.</p>	<p>75 Pa. C.S.A. 102</p> <p>75 Pa. C.S.A. 102</p>

POLICY NO. 810.2 TRANSPORTATION-VIDEO/AUDIO RECORDING		
Section 3	<p><u>Authority</u></p> <p>The Board authorizes the use of video and audio recording on school buses and school-related vehicles for disciplinary and security purposes.</p> <p>The Board prohibits the use of audio recording on any school bus or school-related vehicle that is not being used for a school-related purpose.</p>	<p>18 Pa. C.S.A. 5704</p> <p>18 Pa. C.S.A. 5704</p>
Section 4	<p><u>Delegation of Responsibility</u></p> <p>The Board directs the Superintendent or designee to ensure that:</p> <ol style="list-style-type: none"> 1. Each school bus and school-related vehicle that is equipped with video and audio recording equipment contains a clearly posted notice informing drivers and passengers of the potential for video and audio recording. 2. This policy is posted on the District's publicly accessible website. 3. Each school year, this policy is included in the student handbook and in any other district publication that sets forth the comprehensive rules, procedures and standards of conduct. 	<p>18 Pa. C.S.A. 5704</p> <p>18 Pa. C.S.A. 5704 SC 510.2</p> <p>18 Pa. C.S.A. 5704</p>
Section 5	<p><u>Guidelines</u></p> <p>The District shall comply with the provisions of federal and state laws and regulations regarding student record requirements as applicable to the District's use and disclosure of recordings. Recordings considered part of a student's educational record shall be maintained in accordance with established student record procedures governing access, review and disclosure of student records.</p>	<p>Pol. 113.4, 216</p>

POLICY NO. 810.2
TRANSPORTATION-VIDEO/AUDIO RECORDING

References:

PA School Code – 24 P.S. Sec. 510.2

Pennsylvania Vehicle Code – 75 Pa. C.S.A. Sec. 102

Pennsylvania Crimes Code – 18 Pa. C.S.A. Sec. 5704

Board Policy – 113.4, 216

Policy Guide



Policy No. 810.3

Section OPERATIONS

Title SCHOOL VEHICLE DRIVERS

Adopted _____

Revised _____

POLICY NO. 810.3 SCHOOL VEHICLE DRIVERS	
Section 1	<p><u>Purpose</u></p> <p>The Board recognizes that an employee must be fit to operate a school related vehicle to ensure the health and safety of students being transported. The Board also recognizes that an employee impaired by drugs or alcohol who operates district vehicles or transports students poses significant risks to the safety of students and others.</p>
Section 2	<p><u>Definition</u></p> <p>School-related vehicle means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district or any other vehicle owned/leased by the District. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children. The term does not include a “school bus” or “commercial motor vehicle.”</p>
Section 3	<p><u>Authority</u></p> <p>The Board shall implement a drug use and alcohol misuse prevention program for non-CDL drivers who operate school-related vehicles.</p> <p>All contracted transportation providers shall implement a drug use and alcohol misuse prevention program for non-CDL drivers</p>

75 Pa. C.S.A. 102

Pol. 818

<p>Section 4</p>	<p style="text-align: center;">POLICY NO. 810.3 SCHOOL VEHICLE DRIVERS</p> <p>who operate school related vehicles.</p> <p>School-related vehicle drivers shall observe all state and federal laws and Pennsylvania Department of Transportation regulations governing traffic safety and school vehicle operation.</p> <p>The Board prohibits school-related vehicle drivers from texting and from using a handheld mobile telephone or other electronic device while driving a school related vehicle except when it is necessary to communicate with law enforcement officials or other emergency services.</p> <p><u>Delegation of Responsibility</u></p> <p>The Superintendent or designee shall develop administrative regulations to implement this policy and the requirements of law, which may include the following components:</p> <ol style="list-style-type: none"> 1. Establishment of procedures for drug and alcohol testing of school-related vehicle drivers. 2. Establishment of procedures for obtaining and reviewing each school-related vehicle driver’s driving record to determine whether the driver meets the minimum requirements for safe driving and is not disqualified to operate a vehicle. <p>The Superintendent or designee shall provide each driver, upon hire or transfer, with:</p> <ol style="list-style-type: none"> 1. This policy and any accompanying administrative regulations; and 2. Educational materials related to misuse of alcohol and use of controlled substances. <p>The Superintendent or designee shall also provide notice to representatives of employee organizations of the availability of this information.</p>	<p>75 Pa. C.S.A. 3316</p> <p>75 Pa. C.S.A. 1606</p>
<p>Section 5</p>	<p><u>Guidelines</u></p>	

**POLICY NO. 810.3
SCHOOL VEHICLE DRIVERS**

School-related vehicle drivers shall comply with the requirements for background checks/certifications and employment history reviews in accordance with applicable law, Board policy and administrative regulations. These requirements are addressed separately in Board policy 850 for drivers employed by the District and Board policy 818 for drivers employed by an independent contractor.

Pol. 818, 850
23 Pa. C.S.A. 6344,
6344.3
SC 111, 111.1

Prior to employment and at least once each school year, school-related vehicle drivers shall submit a copy of a valid driver's license to the Superintendent or designee.

75 Pa. C.S.A. 1606

School-related vehicle drivers shall report misconduct in accordance with Board policy 817 for drivers employed by the District and Board policy 818 for drivers employed by an independent contractor.

Pol. 818, 817

Reporting Requirements

School-related vehicle drivers using controlled substances prescribed for therapeutic purposes by a licensed medical practitioner shall submit the practitioner's written statement that the prescribed substance will not adversely affect the employee's ability to safely operate a school-related vehicle.

School-related vehicle drivers shall also inform their supervisors of any use of drug(s) or medication(s) for which the packaging includes warnings that, "marked drowsiness may occur and/or be careful when driving a motor vehicle or operating machinery."

A school-related vehicle driver charged with or issued a citation for violating a federal or state law or local ordinance relating to motor vehicle traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the Superintendent or designee in writing before the end of the business day following the day the school related vehicle driver is charged or cited. Notice is required no matter what type of vehicle the driver was driving.

A school-related vehicle driver who is convicted of violating a federal or state law or local ordinance relating to motor vehicle

**POLICY NO. 810.3
SCHOOL VEHICLE DRIVERS**

traffic control in this or any other state or any federal, provincial, territorial or municipal law relating to motor vehicle traffic control in Canada, other than parking violations, shall notify the Superintendent or designee in writing of the conviction within thirty (30) days of the date of conviction. Notice is required no matter what type of vehicle the driver was driving.

Any school-related vehicle driver whose operating privilege is suspended, revoked, canceled or recalled by any state, shall notify the Superintendent or designee immediately upon reporting to work for the next scheduled shift following the notice of the suspension, revocation, cancellation, loss or disqualification.

75 Pa. C.S.A. 1606

Controlled Substances and Alcohol

Drug and Alcohol Testing -

The District may require school related vehicle drivers to submit to the following drug and alcohol tests: pre-employment, random, post-accident, reasonable suspicion, return-to-work and follow-up.

Prohibited Conduct –

School-related vehicle drivers shall not use medical marijuana products.

School-related vehicle drivers shall not ingest hemp products or otherwise use hemp products in a way that may result in absorption of hemp or hemp residue into the body.

A school-related vehicle driver shall not report for duty, drive, operate or be in the actual physical control of the movement of a school-related vehicle under the following circumstances:

1. While using or while having any amount of alcohol present in the body, including medications containing alcohol.

2. While under the influence of a controlled substance or combination of controlled substances, or the combined

75 Pa. C.S.A. 1612

75 Pa. C.S.A. 3802

**POLICY NO. 810.3
SCHOOL VEHICLE DRIVERS**

influence of alcohol and a controlled substance or substances.

3. After consuming alcohol or a controlled substance within the previous eight (8) hours.

An exception shall be made for therapeutic use of prescribed controlled substances used by a school vehicle driver when the driver has submitted in advance a licensed medical practitioner's written statement that the prescribed substance will not adversely affect the driver's ability to safely operate a school-related vehicle.

Consequences/Discipline –

The District shall place a school-related vehicle driver who drives, operates or is in physical control of a school-related vehicle out of service for thirty (30) days if the school-related vehicle driver:

1. Has any detectable amount of alcohol in his/her system; or
2. Refuses to take a test to determine his/her alcohol content.

A school-related vehicle driver who refuses to take a drug or alcohol test required pursuant to Board policy and administrative regulations has not refused to take a Department of Transportation (DOT)-test.

Consistent with contractual and legal requirements, a determination shall be made as to the appropriate disciplinary action for a school-related vehicle driver who violates Board policy or administrative regulations. Nothing in this policy shall limit the Board's authority to impose discipline, including discharge.

Maintenance of Records

Drug and alcohol test information for school-related vehicle drivers shall be maintained separate from test information for covered drivers, such information shall be treated as confidential

75 Pa. C.S.A. 1606, 1612

49 CFR 40.191, 40.261

49 CFR 40.13

**POLICY NO. 810.3
SCHOOL VEHICLE DRIVERS**

and shall only be released in accordance with law.

Drug and alcohol test information for school-related vehicle drivers shall not be included on the U.S. Department of Transportation Drug and Alcohol Testing MIS Data Collection Form.

Acknowledgment of Receipt

Each school-related vehicle driver shall sign a statement certifying that s/he has received a copy of this policy and its accompanying administrative regulations.

The District shall keep the original signed statement in the school-related vehicle driver's personnel file and provide a copy to the driver.

Training

School-related vehicle drivers shall attend orientation and training sessions, as appropriate to the nature of their service. When training is provided for other school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which school related vehicle drivers should also receive that training.

References:

PA School Code – 24 P.S. Sec. 111, 111.1

Child Protective Services Law – 23 Pa. C.S.A. 6344, 6344.3

PA Vehicle Code – 75 Pa. C.S.A. Sec. 102, 1606, 1612, 3316, 3802

Procedures for Transportation Workplace Drug and Alcohol Testing Programs – 49 CFR Part 40.13, 40.191, 40.261

Board Policy – 817, 818, 850

Policy Guide



Policy No. 810
 Section OPERATIONS
 Title TRANSPORTATION
 Adopted AUGUST 21, 1989
 Revised ~~JULY 12, 2014;~~
~~JANUARY 17, 2013;—~~
~~MARCH 19, 2001—~~

POLICY NO. 810 TRANSPORTATION	
Section 1	<p><u>Purpose</u></p> <p>Transportation for students shall be provided in accordance with law and Board policy.</p>
Section 2	<p><u>Definitions</u></p> <p>School bus means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities. 75 Pa. C.S.A. 102</p> <p>School-related vehicle means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district or any other vehicle owned/leased by the District. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children. 75 Pa. C.S.A. 102</p>
Section 32	<p><u>Authority</u></p> <p>The Board Transportation shall be provided transportation for qualified students residing in the boroughs of Green Tree, Dormont, and Castle Shannon, in accordance with the law and SC 1361, 1362, 1726-A 22 PA Code Sec.</p>

POLICY NO. 810 TRANSPORTATION	
<p>Board policy. resident students in grades kindergarten through 12 to the district’s public schools and charter, regional charter and nonpublic schools located in the District or within the district’s transportation boundary or other placements as required by law or agreements. The district’s transportation boundary is a distance not exceeding ten (10) miles by the nearest public highway outside the school district’s border.</p>	<p>23.1, 23.2, 23.4</p>
<p>The Board shall purchase, lease, equip, and maintain school buses/vehicles and/or contract for school bus/vehicle services for transportation of students to and from school at regularly scheduled hours and for field trips and extracurricular activities.</p>	<p>SC 1361, 1362 22 PA Code 23.1, 23.2, 23.4 Pol. 610, 611, 818</p>
<p>The Board shall provide transportation for students living within the prescribed limits when walking conditions to the school are found to be hazardous by the Department of Transportation.</p>	<p>SC 1362 67 PA Code 447.1 et seq</p>
<p>The Board shall provide transportation for eligible resident students who are enrolled in nonpublic schools or charter schools as required by law.</p>	<p>SC 1361, 1726-A Pol. 139</p>
<p>The Board shall provide transportation for children in foster care in accordance with federal and state laws and regulations, and the local transportation plan.</p>	<p>20 U.S.C. 6312</p>
<p>The Board shall provide transportation for homeless children and youths in accordance with federal and state laws and regulations.</p>	<p>42 U.S.C. 11432 Pol. 240</p>
<p>The Board prohibits any diesel-powered motor vehicle weighing 10,001 pounds or more to idle for more than five (5) minutes in any continuous sixty-minute period while parked, loading or unloading, except as allowed by law.</p>	<p>35 P.S. 4601 et seq</p>
<p>The Board shall ensure that permanent signs, notifying drivers of the idling restrictions, are maintained on district property at locations where diesel-powered motor vehicles weighing 10,001 pounds or more load or unload. Signs shall also be posted at locations that provide fifteen (15) or more parking spaces for such diesel-powered motor vehicles.</p>	<p>35 P.S. 4608 67 PA Code 212.101</p>
<p>Such transportation will be provided from a designated school bus stop near the student’s permanent residence, to school and</p>	

**POLICY NO. 810
TRANSPORTATION**

~~return to the same designated school bus stop. Parents who desire to have their child(ren) picked up from or transported to an alternate bus stop, shall make special written application to the District Transportation Office. The District shall honor such requests provided the alternate stop currently exists, and the existing bus serving that stop is not filled to capacity, without regard to whether student requesting such special service is designated a walker or rider. Any special transportation arrangements granted are valid for the current school year only, with requests to be made and considered each succeeding year. Any student having special transportation arrangements shall be denied such special arrangements in the event the particular bus becomes filled with regular use riders. Nothing in this policy shall be interpreted to cause the District to provide transportation for any purpose other than those specifically identified in this policy.~~

~~Transportation schedules shall be established by the Superintendent or designee so that all pupils are returned to their designated school bus stop no later than one (1) hour after the end of the school day.~~

~~The School District reserves the further right, in its sole discretion, to transport any student during the school day, i.e., after the student has arrived at school, regardless of whether the student has otherwise been designated as a walker for purposes of this policy, in emergency situations or where the School District deems such transportation necessary to the student's participation in his/her normal program(s). Nothing set forth herein shall obligate the School District to provide such transportation at the request of a parent.~~

~~The Board shall transport eligible resident students who are enrolled in non-district schools within the distance prescribed by law.~~

SC-1361

Section 4

Delegation of Responsibility

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

The school bus/vehicle driver shall report all incidents, including, but not limited to, discipline problems, medical

<p>Section 53</p>	<p>POLICY NO. 810 TRANSPORTATION</p>	
	<p>problems, bullying/harassment, safety issues, accidents or injuries, and violations of Pennsylvania’s School Bus Stopping Law to the Superintendent or designee as soon as practicable.</p>	
	<p>The building principal may suspend a student from bus transportation for disciplinary reasons, and the parents/guardians shall be responsible for the student's transportation.</p>	<p>22 PA Code 23.4</p>
	<p>The Superintendent or designee shall be responsible to:</p>	
	<p>1. Maintain records and make required reports regarding school transportation.</p>	<p>22 PA Code 23.1, 23.4</p>
	<p>2. Distribute rules governing student conduct during transport; such rules shall be binding on all students transported by the District.</p>	<p>22 PA Code 23.4</p>
	<p>3. Provide each school bus/school vehicle driver with:</p> <ul style="list-style-type: none"> a. The Pennsylvania School Bus Driver’s Manual. b. The written rules for student conduct on buses/vehicles. c. The procedures for evacuation drills. d. Any additional laws and applicable Board policies and administrative regulations which apply to school bus/vehicle drivers. 	
	<p>4. Prepare a district map or schedule indicating each bus stop and bus route.</p>	<p>22 PA Code 23.4</p>
	<p><u>Guidelines</u></p>	
	<p><u>Student Health Information</u></p>	
	<p>When necessary for student safety, or when required by a student’s IEP or Section 504 Service Agreement, a school bus/vehicle driver shall be provided with relevant student health and medical information.</p>	<p>Pol 113, 209.1, 209.2, 210, 210.1</p>
	<p>School bus/vehicle drivers shall maintain the confidentiality of</p>	<p>Pol. 113.4, 216</p>

	<p style="text-align: center;">POLICY NO. 810 TRANSPORTATION</p> <p>student health/medical information in accordance with district policies and procedures and applicable law.</p> <p><u>Evacuation Drills</u></p> <p>Bus evacuation drills shall be conducted twice a year and reported to the Pennsylvania Department of Education, in accordance with law and Board policy.</p> <p>Transportation services for preschool children will not be provided by the District.</p> <p><u>Bus Stop Locations</u></p> <p>a. Stops will generally be located no closer than 0.3 miles apart; however, on routes designated hazardous by the Pennsylvania Department of Transportation, stops may be scheduled according to the law.</p> <p>b. Stops will generally be located at intersections, and not at a student's home. Exceptions may be made for special education students and for students living on designated hazardous routes.</p> <p><u>Walkers and Walking Distances</u></p> <p>a. Students will generally walk 0.3 miles to a bus stop. Elementary students may be required to walk up to 1.5 miles and secondary students may be required to walk up to 2.0 miles to a bus stop.</p> <p>b. Elementary students (grades K-5) whose permanent residence is less than or equal to 1.5 miles to the school grounds as measured along a public roadway or roadways, shall be designated as walkers. The distance for secondary students (grades 6-12) shall be 2.0 miles.</p> <p>c. Exceptions may be made for students living on designated hazardous routes.</p> <p><u>Bus Conduct</u></p> <p>Proper behavior on a school bus is essential for the safety of all</p>	<p>SC 1517 75 Pa. C.S.A. 4552 Pol. 805</p> <p>SC 2541</p> <p>SC 1362 67 PA Code Sec. 447.1 <i>et seq.</i></p> <p>18 PA C.S.A. Sec. 5704</p>
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**POLICY NO. 810
TRANSPORTATION**

~~passengers.~~

~~School buses and vehicles may be equipped with audio and/or video recording equipment. The Board authorizes use of such equipment for school discipline and security purposes. Each school year, the Superintendent or designee shall notify students and their parents or guardians of this policy by letter mailed to the students' home addresses. Notice that students may be audio recorded must be posted clearly visible on each school bus or school vehicle that is furnished with audio recording equipment.~~

~~22 PA Code Sec.
23.4~~

~~It shall be the responsibility of the building principal and/or designee, to ensure that students are appropriately supervised when riding District buses.~~

~~To assure the safety of all passengers, the Board has adopted the following Rules of Conduct:~~

- ~~a. Each student shall be seated immediately upon entering the bus.~~
- ~~b. No student shall stand or move from place to place during the trip. Students must keep their feet out of the aisle once seated.~~
- ~~c. Loud, boisterous, profane language, or indecent conduct, shall not be tolerated.~~
- ~~d. Smoking is prohibited on the bus.~~
- ~~e. No items of any kind shall be thrown in or from the bus.~~
- ~~f. The bus driver has the same authority over a student as does a teacher in the classroom.~~
- ~~g. Students must board and leave the bus only at their assigned stop.~~
- ~~h. Bus passes will be issued to all students and must be shown to the driver or school personnel upon request.~~
- ~~i. Vandalism to the bus will not be tolerated.~~

**POLICY NO. 810
TRANSPORTATION**

~~Violations of the above rules will be handled as outlined below:~~

FIRST OFFENSE

~~A warning will be given to the student. The Principal will consult with the student and notify the parent. The Principal will work with the driver to assign the student a seat on the bus for the remainder of the semester.~~

SECOND OFFENSE

~~Transportation privileges will be suspended for a specific period of time, or the student will be suspended from school. A parent conference will be held.~~

THIRD OFFENSE

~~Transportation privileges will be suspended for the remainder of the semester, or the student will be suspended from school. A conference will be held with the parents to discuss the conduct of the student.~~

~~A student that is removed from the bus for the remainder of the semester for disciplinary reasons shall observe the following procedure to request a reinstatement of his/her bus riding privileges:~~

- ~~a.—Student and parent/guardian must submit written request to building principal requesting reinstatement of riding privileges.~~
- ~~b.—Student and parent/guardian must participate in a conference with the Principal and student transportation personnel to review student conduct and evaluate request.~~
- ~~c.—At the completion of the conference, the District will decide the student's bus riding status.~~
- ~~d.—If the District reinstates the student's riding privileges, the student will be placed on probationary status for the remainder of the school year.~~

**POLICY NO. 810
TRANSPORTATION**

~~e. An infraction of the rules of bus conduct committed by a student on probationary status will result in suspension of bus riding privileges for the remainder of the school year. Should this occur, the student and his/her parent/guardian must again apply for restoration of riding privileges.~~

~~Third offenses committed during the last thirty (30) days of the school year will result in suspension of transportation privileges for the first semester of the following year.~~

SERIOUS OFFENSE

~~(Including, but not limited to smoking and vandalism)~~

~~Offenses of a serious nature that affect the health or safety of bus occupants or damage the bus will result in suspension from school even though the offense is a first infraction of the rules. Parents/guardians of students guilty of vandalizing a bus will be responsible for the cost of repairs to the bus.~~

~~Nothing set forth in the policy will be applied in violation of the rights of students as provided under the Individuals with Disabilities Education Act, as Reauthorized.~~

Review of Employees Personnel Files

~~The District shall review the application materials and complete background checks for all bus drivers employed by the transportation companies providing transportation services to the District, pursuant to the School Code and the contracts with each transportation company at the beginning of each school year. The District retains the discretion to request that an operator not be used to transport District students, upon proper notice to the transportation company.~~

~~This responsibility is in addition to the requirement for clearances that must be presented to the District when an individual is initially hired by the District or the contract carriers.~~

Reports of Employee Crimes/Child Abuse

22 PA Code Sec
23.1

**POLICY NO. 810
TRANSPORTATION**

~~District bus drivers and/or the District's transportation contract carriers shall be responsible to inform the District in writing at the beginning of each school year whether or not they or any of their employees:~~

- ~~1. Have been charged, subsequent to approval as a District bus driver, with a criminal offense that would bar their employment as bus drivers or contracted service providers.~~
- ~~2. Were charged with a crime deemed serious under the criteria established by law.~~
- ~~3. Have been charged with or convicted of crimes that affect their suitability to have direct contact with students.~~

SC 111

~~This responsibility is in addition to the requirement for clearances that must be presented to the District when an individual is initially hired by the District or the contract carriers.~~

~~The District and contract carriers shall have procedures in place to ensure they are notified by their employees when the employees are charged with crimes or child abuse. The procedures shall also include provision that the failure on the part of employees to make such a timely notification shall subject them to disciplinary action, including termination.~~

~~If any bus drivers have been charged as stated in the policy, the transportation contract carriers shall, in their written, yearly notification, include the name of the employee, nature(s) of the offense(s), and the status of the disposition. The District will review this information to determine if the employee shall continue to transport District students.~~

**POLICY NO. 810
TRANSPORTATION**

References:

PA School Code – 24 P.S. Sec. ~~111~~, 1361, 1362, ~~2541~~ 1374,
1517, 1726-A,

State Board of Education Regulations – 22 PA Code Sec. 23.1,
23.2, 23.3, 23.4

Every Student Succeeds Act – 20 U.S.C. Sec. 6312

Education for Homeless Children and Youths – 42 U.S.C. Sec.
11432

State Department of Transportation Regulations – 67 PA Code
Sec. 212.101, 447.1 et seq.

Pennsylvania Vehicle Code – 75 Pa. C.S.A. Sec. 102, 4552

Diesel-Powered Motor Vehicle Idling Act – 35 P.S. Sec. 4601 et
seq., 4608

~~PA Crimes Code – 18 PA C.S.A. Sec. 5704~~

Board Policy – 103, 103.1, 113, 113.4, 139, 209.1, 209.1, 210,
210.1, 216, 240, 610, 611, 805, 818

Revision History: July 12, 2014; January 17, 2013; March 19,
2001

Policy Guide



Policy No. 818

Section OPERATIONS

Title CONTRACTED SERVICES

Adopted AUGUST 21, 1989

Revised _____

POLICY NO. 818 CONTRACTED SERVICES		
Section 1	<p><u>Purpose</u></p> <p>The Board, in its effort to provide cost effective programs, the Board uses outside independent contractors for a variety of purposes. The District is required to ensure that such contractors comply with certain legal requirements regarding contractor employees involved in the delivery of services to the District. This policy is adopted to outline those requirements and the manner in which the District shall direct and monitor contractor compliance. may need to utilize contracted services. The Board will continue to supervise and evaluate such services to assure their effectiveness. This policy is to assist the Board in maintaining qualified and legally certified services.</p> <p>The Board is required by law to ensure that independent contractors and their employees submit a report of criminal history record from the Pennsylvania State Police. Such reporting form shall be provided from the Pennsylvania State Police for in-state residents and from the Federal Bureau of Investigation for out-of-state residents.</p> <p>Improper performance of the contract, as determined by the District specifications, will result in legal action against the Contractor and/or the surety which provided the performance bond, if any.</p>	SC-111
Section 2	<p><u>Definitions</u></p> <p>For purposes of this policy, contractor employee shall include an individual who:</p>	

	POLICY NO. 818 CONTRACTED SERVICES	
	<ol style="list-style-type: none"> 1. Is employed or offered employment by an independent contractor or a subcontractor of an independent contractor, or is an individual independent contractor; and 2. Has or will have direct contact with children. <p>Direct Contact with Children – the possibility of care, supervision, guidance or control of children or routine interaction with children.</p> <p>For purposes of this policy, independent contractor shall mean an individual or entity that contracts with the District to provide services.</p>	SC 1205.6
Section 32	<p><u>Authority</u></p> <p>The District is required by law to ensure that independent contractors and contractor employees comply with the mandatory background check requirements for criminal history and child abuse certifications, the employment history review requirement, and the arrest and conviction reporting requirements.</p> <p>All independent contractors and their employees who contract with the District or are hired by the independent contractor shall not do any work for, at or on behalf of the District until such independent contractor or is employees have complied with the mandatory background check requirements for criminal history and the District has evaluated the results of that screening process.</p>	23 Pa. C.S.A. 6344 SC 111, 111.1
Section 4	<p><u>Guidelines</u></p> <p>Prior to using contracted services, a written contractual agreement shall be entered into between the District and the independent contractor and maintained centrally by the District in a manner similar to that for other contracts. Requests for proposals, bid specifications for proposals and resulting contracts shall specify the following:</p> <ol style="list-style-type: none"> 1. Mandatory requirements for criminal history background checks, child abuse certifications, employment history 	55 PA Code 3490.132

	POLICY NO. 818 CONTRACTED SERVICES	
	<p>reviews, and arrest and conviction reporting for contracted services involving direct contact with children, as mandated by law and set forth in this policy.</p> <p>2. A requirement that all contracted transportation providers provide a program of drug and alcohol testing for covered drivers. A covered driver shall include any contractor employee who drives, operates or is in the actual physical control or movement of a school bus or a commercial vehicle owned, leased or operated by the independent contractor in connection with school district services.</p> <p>3. That failure to comply with this policy and the requirements for criminal history background checks and child abuse certifications, employment history reviews, and required reporting of employee arrests, convictions or other misconduct by an independent contractor or contractor employee shall be grounds for termination of the contract.</p> <p>The Superintendent or designee shall review all information provided pursuant to this policy and determine if information is disclosed that precludes employment or continued service of an independent contractor or contractor employee.</p> <p>Information submitted by an independent contractor or contractor employee in accordance with this policy shall be maintained centrally in a manner similar to that for school employees.</p> <p><u>Pre-Employment Requirements</u></p> <p><i>Employment History Review –</i></p> <p>Independent contractors shall conduct an employment history review, in compliance with state law, prior to assignment of a contractor employee to perform work for the District in a position or assignment involving direct contact with children. The independent contractor may use the information for the purpose of evaluating an applicant’s fitness to be hired or for continued employment of a current contractor employee and may report the information as permitted by law.</p>	<p>49 CFR Part 382 67 PA Code 71.3 75 Pa. C.S.A. 1612, 3802 Pol. 810.1</p> <p>23 Pa. C.S.A. 6344 SC 111, 111.1 55 PA Code 3490.132 23 Pa. C.S.A. 6344.3</p> <p>SC 111.1</p>

	POLICY NO. 818 CONTRACTED SERVICES	
	<p>Independent contractors shall inform the District, in writing, upon receipt of an affirmative response to any of the abuse and sexual misconduct background questions for a contractor employee. If the District objects to the assignment, the independent contractor may not assign the contractor employee to the District.</p> <p>Independent contractors shall, upon request, provide the District to which a contractor employee is assigned access to the employee's employment history review records.</p> <p><i>Criminal History -</i></p> <p>Prior to assignment of contractor employees to perform work for the District in a position or assignment involving direct contact with children, contractor employees shall submit an official child abuse clearance statement and state and federal criminal history background checks (certifications) as required by law.</p> <p>Contractor employees shall report, on the designated form, all arrests and convictions as specified on the form. Contractor employees shall likewise report arrests and/or convictions that occur subsequent to initially submitting the form. Failure to accurately report such arrests and convictions may subject the individual to denial of employment/contract, termination if already hired/contracted, and/or criminal prosecution.</p> <p><i>Tuberculosis Test -</i></p> <p>Contractor employees providing services for students shall undergo a test for tuberculosis in accordance with the regulations and guidance of the Pennsylvania Department of Health.</p> <p><u>Arrest and Conviction Reporting Requirements</u></p> <p>All independent contractors shall adopt policies and procedures that require their employees, who are providing services to the District and who have direct contact with children, to notify the independent contractor, in writing, within seventy-two (72) hours of the occurrence, of an arrest or conviction required to be reported by law. Contractor employees shall also be required to</p>	<p>SC 111.1</p> <p>23 Pa. C.S.A. 6344 SC 111</p> <p>SC 111</p> <p>SC 1418 28 PA Code 23.44</p> <p>SC 111 23 Pa. C.S.A. 6344.3</p>

	POLICY NO. 818 CONTRACTED SERVICES	
	<p>report to the independent contractor, within seventy-two (72) hours of notification, that the employee has been named as a perpetrator in a founded or indicated report pursuant to the Child Protective Services Law. The policies and procedures shall also include the provision that the failure on the part of contractor employees to make such a timely notification shall subject them to disciplinary action, including termination.</p> <p>If the independent contractor receives notice of such arrest or conviction or that the contractor employee has been named as a perpetrator in a founded or indicated report, from either the contractor employee or a third party, the independent contractor shall immediately report, in writing, that information to the Superintendent or designee.</p> <p>The independent contractor shall immediately require a contractor employee to submit new certifications when there is a reasonable belief that the employee was arrested for or has been convicted of an offense required to be reported by law, was named as a perpetrator in a founded or indicated report, or has provided written notice of such occurrence.</p> <p>Contractor employees who provide transportation services shall immediately notify the independent contractor, who will then notify the District’s transportation supervisor of any traffic citations or the suspension, revocation or cancellation of operating privileges.</p> <p><u>Educator Misconduct</u></p> <p>If the Superintendent reasonably suspects that conduct being reported involves an incident required to be reported under the Educator Discipline Act, the Superintendent or designee shall notify the Pennsylvania Department of Education, in accordance with applicable law, regulations and Board policy.</p> <p><u>Training</u></p> <p>Independent contractors shall provide their employees who have direct contact with children with mandatory training on child abuse recognition and reporting. The training shall include, but not be limited to, the following topics:</p>	<p>SC 111 23 Pa. C.S.A. 6344.3</p> <p>75 Pa. C.S.A. 1606</p> <p>SC 2070.9a Pol 817.1</p> <p>SC 1205.6</p>

	POLICY NO. 818 CONTRACTED SERVICES	
	<ol style="list-style-type: none"> 1. Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct. 2. Provisions of the Educator Discipline Act, including mandatory reporting requirements. 3. District policy related to reporting of suspected abuse and sexual misconduct. 4. Maintenance of professional and appropriate relationships with students. <p>Employees of independent contractors who have direct contact with children are required to complete a minimum of three (3) hours of training every five (5) years.</p> <p>Contractor employees shall attend orientation and training sessions, as appropriate to the nature of their service. When training is provided for school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which contractor employees should also receive that training.</p> <p><u>Child Abuse Reporting</u></p> <p>All contractor employees who have reasonable cause to suspect that a child is the victim of child abuse shall make a report of suspected child abuse in accordance with applicable law, Board policy and administrative regulations.</p> <p><u>Confidentiality</u></p> <p>No contractor employee shall be permitted access to confidential student information unless the District has determined that such access is necessary for the contractor employee to fulfill his/her responsibilities. Contractor employees with access to confidential student information shall maintain the confidentiality of that information in accordance with Board policies and procedures and applicable law. If a contractor employee has questions about the confidentiality of student information, the contractor employee should consult with the building principal.</p>	<p>SC 2070.1 et seq</p> <p>Pol. 806</p> <p>Pol. 847</p> <p>SC 1205.6</p> <p>Pol. 806 23 Pa. C.S.A. 6311</p> <p>Pol. 113.4, 216</p>

	POLICY NO. 818 CONTRACTED SERVICES	
Section 3	<p><u>Delegation of Responsibility</u></p> <p>The Superintendent shall prepare rules and procedures to assure that the legal requirements for contracted services are complied with.</p> <p>Failure to comply with this policy and the requirements of Act 34 of 1985 by an independent contractor may lead to a cancellation of the contract.</p> <p>Mandatory background check requirements Policy 610 will be included in all bidding specifications for contracted services.</p> <p>School Code Board Policy</p> <p>References:</p> <p>PA School Code – 24 P.S. Sec. 111, 111.1, 1418</p> <p>Child Abuse Recognition and Reporting Training – 24 P.S. Sec. 1205.6, 2070.9a et seq</p> <p>Educator Discipline Act – 24 P.S. Sec. 2070.1a et seq</p> <p>Child Protective Services Law – 23 Pa. C.S.A. Sec. 6311, 6344, 6344.3</p> <p>Pennsylvania Vehicle Code – 75 Pa. C.S.A. Sec. 1606, 1612, 3802</p> <p>State Department of Transportation Regulations – 67 PA Code Sec. 71.3</p> <p>Controlled Substance and Alcohol Testing – 49 CFR Part 382</p> <p>Department of Human Services Regulations – 55 PA Code 3490.132</p> <p>State Department of Health Regulations – 28 PA Code Sec. 23.44</p> <p>Board Policy – 113.4, 216, 806, 810.1, 817.1, 847</p>	<p>SC-111 No. 610</p>