

BOARD OF SCHOOL DIRECTORS

WORK SESSION
TUESDAY, MARCH 9, 2021
7:00 PM

MINUTES

Call to Order	President Theresa Lydon called the meeting to order at 7:11 p.m.
Pledge	The meeting opened with the pledge to the flag.
Attendance	Those present included: Mr. Cesario, Ms. Crowell, Mrs. Donahue, Ms. Evans, Mr. LaPorte, Ms. Lindsey, Mrs. Lydon, Mr. Raso and Ms. Shaw. Also present were Dr. William P. Stropkaj, Superintendent; Dr. Shannon Varley, Director of Curriculum, Instruction, Assessment and Staff Development; Mr. Joseph Kubiak, Director of Finance and Human Resources/Board Secretary; Mr. Michael Brungo, Solicitor and Mrs. Maureen S. Myers, Assistant Board Secretary/Recording Secretary were present.
Presentation	Ms. Kim Wetzel from Myers, Patsy and Associates made a presentation in regard to the 2019/2020 Audit of the District.
Public Comment	Dr. Stropkaj read aloud the public comment that was received from members of the community. Public Comment was submitted by Mansoreh Coyle and Connie Cavara.
Board President's Report	BOARD PRESIDENT'S REPORT – Mrs. Theresa Lydon The following action items will be considered at the March 16, 2021 Business/Legislative Meeting: <u>BOARD ACTION REQUESTED</u>
Board Minutes	BOARD MINUTES It is recommended that the Board approve the Work Session Minutes of February 9, 2021 and the Business/Legislative Minutes of February 16, 2021.
For Information Only	<u>FOR INFORMATION ONLY</u> <ul style="list-style-type: none">• Parkway West Career and Technology Center Report <i>Ms. Annie Shaw</i>• SHASDA Report <i>Mr. Santo Raso</i>• PSBA/Legislative Report <i>Mrs. Theresa Lydon</i>

- News from the Boroughs

Executive Session

EXECUTIVE SESSION

Executive Session was held prior to this evening's Work Session to discuss personnel and collective bargaining agreements.

Superintendent's Report

SUPERINTENDENT'S REPORT – Dr. William P. Stropkaj

The following action items will be considered at the March 16, 2021 Business/Legislative Meeting:

BOARD ACTION REQUESTED

Education Plan

2020/2021 EDUCATION PLAN – MARCH 8, 2021 – JUNE 15, 2021

It is recommended that following Instructional Plan beginning March 8, 2021 through June 15, 2021:

Plan for Instruction: March 8, 2021 through June 15, 2021

- **Week of March 8, 2021 through March 12, 2021**
 - **Elementary**
 - Students (A-L): Face-to-Face instruction Monday and Tuesday
Online instruction: Wednesday, Thursday and Friday
 - Students (M-Z): Face-to-Face instruction Thursday and Friday
Online instruction: Monday, Tuesday and Wednesday
 - **Secondary (Middle School and High School)**
 - All Option 1 (Hybrid) Students:
Face-to-Face instruction Monday, Tuesday, Thursday and Friday
Online instruction: Wednesday
- **Week of March 15, 2021 through March 19, 2021**
 - **Elementary**
 - Students (A-L): Face-to-Face instruction Monday and Tuesday
Online instruction: Wednesday, Thursday and Friday
 - Students (M-Z): Face-to-Face instruction Thursday and Friday
Online instruction: Monday, Tuesday and Wednesday
 - **Secondary (Middle School and High School)**
 - All Option 1 (Hybrid) Students:
Face-to-Face instruction Monday, Tuesday, Thursday and Friday
Online instruction: Wednesday
- **Week of March 22, 2021 through May 28, 2021**
 - **All Option 1 (Hybrid Students) K - 12**

Face-to-Face instruction Monday, Tuesday, Thursday and Friday
Online instruction: Wednesday

- **Week of May 31, 2021 through June 4, 2021**
 - **All Option 1 (Hybrid Students) K - 12**
Face-to-Face instruction Tuesday, Wednesday, Thursday and Friday

No School on Monday, May 31, 2021 – Memorial Day

- **Week of June 7, 2021 through June 15, 2021**
 - **All Option 1 (Hybrid Students) K - 12**
Face-to-Face instruction Monday, Tuesday, Thursday and Friday
Online instruction: Wednesday
- **Exceptions/Notes:**
 - **Early Dismissal on Friday, April 2, 2021**
 - **Early Dismissal on Friday, May 28, 2021**
 - **Early Dismissal on Tuesday, June 15, 2021**

Policy 113.1

FIRST READING POLICY 113.1: POSITIVE BEHAVIOR SUPPORT

It is recommended that the Board approve the FIRST READING of Policy 113.1: *Positive Behavior Support*.

Policy 113.2

FIRST READING POLICY 113.2: DISCIPLINE OF STUDENTS WITH DISABILITIES

It is recommended that the Board approve the FIRST READING of Policy 113.2: *Discipline of Students with Disabilities*.

Policy 113.4

FIRST READING POLICY 113.4: CONFIDENTIALITY OF SPECIAL EDUCATION STUDENT INFORMATION

It is recommended that the Board approve the FIRST READING of Policy 113.4: *Confidentiality of Special Education Student Information*.

Policy 859

FIRST READING POLICY 859: JOB RELATED EXPENSES

It is recommended that the Board approve the FIRST READING of Policy 859: *Job Related Expenses*.

Policy 860

FIRST READING POLICY 860: WORKING PERIODS

It is recommended that the Board approve the FIRST READING of Policy 860: *Working Periods*.

Policy 861

FIRST READING POLICY 861: RESPONSIBILITY FOR STUDENT WELFARE

It is recommended that the Board approve the FIRST READING of Policy 861: *Responsibility for Student Welfare*.

Removal of Policies

REMOVAL OF POLICIES

It is recommended that the Board approve the removal of the following policies:

- Policy 439: *Release Time*
- Policy 442: *Jury Duty*
- Policy 528: *Wage and Salary Determination*
- Policy 542: *Jury Duty*
- Policy 529: *Substitute Compensation*
- Policy 549: *Retirement*

Professional Development

PROFESSIONAL DEVELOPMENT

It is recommended that the Board approval the following Professional Development request:

Kevin Gallagher (Computer Science Principles)	Advanced Placement Virtual Institute	\$2,600.00 (total)
Shane Hallam (Psychology)	Allegheny Intermediate Unit June 28 through July 2 Virtual	

For Information Only

The above Professional Development will be paid through Title IV Funds.

Education Report

EDUCATION REPORT – Dr. William P. Stropkaj

The following action items will be considered at the March 16, 2021 Business/Legislative Meeting:

BOARD ACTION REQUESTED

Change in Graduation Requirements

CHANGE IN GRADUATION REQUIREMENTS – COMMUNITY SERVICE

It is recommended that the Board approve the following adjustments to Community Service requirements as follows:

- The Freshman Class of 2024 has to complete 45 hours total
- The Sophomore Class of 2023, Junior Class of 2022 and Senior Class of 2021 has to complete 37.5 hours total

Personnel Report

PERSONNEL REPORT – Mr. Matthew Cesario

The following action items will be considered at the March 16, 2021 Business/Legislative Meeting:

BOARD ACTION REQUESTED

Retirement

RETIREMENT

The Administration recommends that the Board accept the following retirement:

<u>Name</u>	<u>Position</u>	<u>Years of Service</u>	<u>Date</u>
Maria Petrakis	Paraprofessional	15	June 18, 2021

Appointments

APPOINTMENTS

1. Long Term Substitute

In compliance with the *Keystone Oaks Education Association Collective Bargaining Agreement 2017-2020*, it is recommended that the Board approve the employment of the following individual:

Stacy Killian

Special Education – High School
Effective – March 1, 2021 – June 21, 2021
Salary - \$45,500.00 (M+24, Step 1) (pro-rated)

2. Club Sponsor and Stipend – 2020/2021 School Year

In compliance with the *Keystone Oaks Education Association Collective Bargaining Agreement 2017-2020*, it is recommended that the Board approve the following individual for the 2020/2021 school year.

<u>Club</u>	<u>Name</u>	<u>Stipend</u>
Stage Crew	William Eibeck	\$1,200.00 (pro-rated)

3. 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 individuals for the 2020/2021 school year.

<u>Sport</u>	<u>Position</u>	<u>Coach</u>	<u>Stipend</u>
Baseball	Head Coach	Nick Kamberis	\$4,750.00
	Assistant	Ken Hustava	\$3,500.00
	JV	John McCarthy	\$2,650.00
	JV	Jacob Rady	\$2,250.00
	JV	Ron Muszynski	\$1,500.00
	Volunteer	Joe Turano	

Softball	Head Coach	Mark Kaminski	\$4,750.00
	Assistant	Brianna Fischer	\$3,500.00
	Assistant	Melissa Benincasa	\$3,200.00
	Middle School	Keith Buckley	\$3,200.00
	Assistant	Taylor Brownlee	\$2,700.00
	Volunteer	Jenna Ross	
	Volunteer	Kristin Kaminski	
Tennis (Boys)	Head Coach	Leslie Leopold	\$4,200.00
	Assistant	James Svidron	\$2,800.00
Track	Head Coach	Felix Yerace	\$6,300.00
	Assistant	Adam Mitchell	\$4,080.00
	Assistant	Erica Ragan	\$4,080.00
	Assistant	Christian Friday	\$4,080.00
	Assistant	Jeff Sieg	\$4,080.00
	Middle School	James Feeney	\$3,380.00
	Assistant	Judi Fritz	\$2,700.00
	Assistant	Kobe Phillippi	\$2,700.00
	Assistant	Mike Orosz	\$2,700.00
	Volunteer	Marco Canello	
Volleyball (Boys)	Head Coach	Mike Mull	\$4,250.00
	Assistant	Jordan Zange	\$2,800.00
	Volunteer	Pat Morrow	
Swimming (MS)	Head Coach	Jeff DiGiacomo	\$3,400.00
	Assistant	Madeline Morris	\$1,000.00

For Information Only

The Middle School Swimming season was moved to the Spring of 2021 due to COVID-19.

The hiring of **Kristin Kaminski** and **Mark Kaminski** 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 override the Nepotism Policy, and also that there were no other qualified/experienced candidates for the position in question.

4. Approval of Activities – Sponsors and Stipends

In compliance with the *Keystone Oaks Education Association Collective Bargaining Agreement 2017-2020*, it is recommended that the following individuals be approved as sponsors for the 2020/2021 school year:

<u>Name</u>	<u>Position</u>	<u>Stipend</u>
-------------	-----------------	----------------

Shane P. Hallam	Musical Director (HS)	\$3,000.00
William Eibeck	Musical Assistant (HS)	\$5,200.00
Chelsea Frederickson	Musical Assistant (HS)	\$3,600.00
Aubrey Garvin	Musical Assistant (HS)	\$3,600.00
Craig Wetzel	Musical Assistant (HS)	\$3,100.00
Amanda Hallam	Musical Assistant (HS)	\$3,100.00
Jay Weaver	Musical Assistant (HS)	\$2,000.00
Shane P. Hallam	Musical Assistant (HS)	\$1,820.00

Finance Report

FINANCE REPORT – Ms. Raeann Lindsey

The following action items will be considered at the March 16, 2021 Business/Legislative Meeting:

BOARD ACTION REQUESTED

Audited Financial Statements

AUDITED FINANCIAL STATEMENTS

The Administration recommends that the Board accept the Audited Financial Statements as of June 30, 2020 as presented.

Accounts Payable

ACCOUNTS PAYABLE APPROVAL LISTS THROUGH FEBRUARY 28, 2021

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

A. General Fund as of February 28, 2021 (Check No. 63833-63970)	\$923,885.86
B. Food Service Fund as of February 28, 2021 (Check No. 9538-9546)	\$13,521.92
C. Athletics as of February 28, 2021 (Check No. 3248)	\$570.00
D. Capital Reserve as of February 28, 2021 (None)	\$0.00
TOTAL	\$937,977.78

- Mr. Kubiak started a discussion in regard to a motion being on the agenda for the approval of the Myrtle rooftop units to be purchased through the ESSER Grant once approved.

FOR INFORMATION ONLY

I. EXPENDITURE/REVENUE 2020 – 2021 BUDGET to ACTUAL / PROJECTION

ACCT	DESCRIPTION	2020-2021 BUDGET TOTAL	2020-2021 8 MONTH FEBRUARY/ACTUAL	OVER (UNDER) BUDGET
Revenue				
6000	Local Revenue Sources	\$ 29,055,241	\$ 28,682,563	\$ (372,678)
7000	State Revenue Sources	\$ 12,349,006	\$ 4,901,266	\$ (7,447,740)
8000	Federal Revenue Sources	\$ 946,330	\$ 494,629	\$ (451,701)
Total Revenue		\$ 42,350,577	\$ 34,078,458	\$ (8,272,119)
Expenditures				
100	Salaries	\$ 17,502,435	\$ 8,923,089	\$ 8,579,346
200	Benefits	\$ 10,794,110	\$ 5,858,320	\$ 4,935,790
300	Professional/Technical Services	\$ 1,863,096	\$ 911,750	\$ 951,346
400	Property Services	\$ 1,124,200	\$ 641,812	\$ 482,388
500	Other Services	\$ 5,242,271	\$ 2,741,703	\$ 2,500,568
600	Supplies/Books	\$ 1,334,927	\$ 1,027,465	\$ 307,462
700	Equipment/Property	\$ 328,850	\$ 914,161	\$ (585,311)
800	Other Objects	\$ 490,420	\$ 345,319	\$ 145,101
900	Other Financial Uses	\$ 4,500,000	\$ 3,736,885	\$ 763,115
Total Expenditures		\$ 43,180,309	\$ 25,100,504	\$ 18,079,805
Revenues exceeding Expenditures		\$ (829,732)	\$ 8,977,954	\$ 9,807,686
Other Financing Sources/(Uses)				
	Interfund Transfers In (Out)	\$ -	\$ -	\$ -

II. SUMMARY OF STUDENT ACTIVITIES ACCOUNTS AS OF FEBRUARY 28, 2021

Bank Account - Status	Middle / High School	Athletics
Cash Balance - 2/1/2021	\$ 70,574.55	\$ 17,767.14
Deposits	\$ 1,216.36	\$ 1.26
Subtotal	\$ 71,790.91	\$ 17,768.40
Expenditures	\$ 1,062.19	\$ 9,249.75
Cash Balance - 2/28/2021	\$ 70,728.72	\$ 8,518.65

III. BANK BALANCES

BANK BALANCES PER STATEMENT AS OF FEBRUARY 28, 2021

	BALANCE
GENERAL FUND	
FNB BANK	\$ 1,213,248
PAYROLL (pass-thru account)	\$ 50,816
FNB SWEEP ACCOUNT	\$ -
ATHLETIC ACCOUNT	\$ 8,519
PLGIT	\$ 10,883,156
FNB MONEY MARKET	\$ 2,588,632
PSDLAF	\$ 162,293
INVEST PROGRAM	\$ 181,709
OTHER POST-EMPLOYMENT BENEFITS	\$ 1,985,801
COMPENSATED ABSENCES	\$ 430,384
	<u><u>\$ 17,504,558</u></u>
 CAFETERIA FUND	
FNB BANK	\$ 170,474
PLGIT	\$ 528,510
	<u><u>\$ 698,984</u></u>
 CONSTRUCTION FUND / CAP RESERVE	
FNB BANK	\$ 111,606
PLGIT - G.O. BOND SERIES C OF 2014/ 12-19	\$ 801
	<u><u>\$ 112,407</u></u>
 GRAND TOTAL	 <u><u>\$ 18,315,949</u></u>

**Activities & Athletics
Report**

ACTIVITIES & ATHLETICS REPORT – Mr. Thomas LaPorte

The following action items will be considered at the March 16, 2021 Business/Legislative Meeting:

BOARD ACTION REQUESTED

Advertise – Bids

ADVERTISE FOR ATHLETIC BIDS

It is recommended that the Board approve the advertisement of athletic bids for the Winter and Spring of the 2021/2022 school year.

- Mr. LaPorte started a discussion on three (3) items that are in need of being repaired and/ or replaced. These items include the Pool Sound System, Plaque Replacement and bleachers.

On the motion of Mrs. Shaw, seconded by Mrs. Donahue, the meeting was adjourned at 8:15 p.m.

Motion passed 9-0

Respectfully submitted,

Joseph A. Kubiak
Board Secretary

Maureen S. Myers
Assistant Board Secretary

KEYSTONE OAKS SCHOOL DISTRICT

Policy Guide



Policy No. 113.1

Section PROGRAMS

Title POSITIVE BEHAVIOR SUPPORT

Adopted NOVEMBER 16, 1998

Last Revised ~~DECEMBER 13, 2016;~~
~~FEBRUARY 17, 2011~~

POLICY NO. 113.1 POSITIVE BEHAVIOR SUPPORT		
Section 1	<p><u>Purpose</u></p> <p>Students with disabilities shall be educated in the least restrictive environment (LRE) in accordance with their Individualized Education Program (IEP), and shall only be placed in settings other than the regular education class when the nature or severity of the student’s disability is such that education in the regular education class with the use of appropriate supplementary aids and services cannot be achieved satisfactorily and cannot meet the needs of the student. The IEP team for a student with a disability shall develop a Positive Behavior Support Plan or shall include behavioral goals, interventions, and strategies in the IEP for each if the student requires specific intervention to address whose behavior that interferes with his/her learning or the learning of others. The identification, evaluation, and plan or program shall be conducted and implemented in accordance with state and federal laws and regulations.</p>	22 PA Code See 14.133, 14.145 20 U.S.C. 1414 34 CFR 300.114, 300.324
Section 2	<p><u>Authority</u></p> <p>The Board directs that the District’s behavior support programs shall be based on positive rather than negative behavior techniques to ensure that students shall be free from demeaning treatment and unreasonable use of restraints or other aversive techniques. The use of restraints shall be considered a measure of last resort and shall only be used after other less restrictive measures, including de-escalation techniques. Behavior support</p>	22 PA Code See 14.133 20 U.S.C. 1414, 1415 34 CFR 300.324, 300.34, 300.530

**POLICY NO. 113.1
POSITIVE BEHAVIOR SUPPORT**

programs and plans shall be based on a functional behavioral assessment and shall include a variety of research-based techniques to develop and maintain skills that will enhance students' opportunity for learning and self-fulfillment.

Pol. 113, 113.2,
113.3

~~following principles shall govern the use of behavior supports and interventions for students with disabilities:~~

- ~~1. Positive, rather than negative, measures must form the basis of behavior support programs to ensure that all students shall be free from demeaning treatment, the use of adverse techniques, punitive "time out" and the unreasonable use of restraints.~~
- ~~2. Behavior support programs and plans must be based on a functional assessment of behavior and use positive behavior techniques.~~
- ~~3. Behavior support programs must include research based practices and techniques to develop and maintain skills that will enhance an individual student's opportunity for learning and self-fulfillment.~~
- ~~4. When an intervention is needed to address problem behavior, the types of intervention chosen for a particular student shall be the least intrusive necessary.~~
- ~~5. The use of restraints is considered a measure of last resort, only to be used after other less restrictive measures, including de-escalation techniques.~~
- ~~6. Nothing in this policy shall be construed to require the development of a separate behavior support or intervention plan when appropriate positive behavioral interventions, strategies, and supports, consistent with the requirements of this policy, can be incorporated into body of the IEP.~~
- ~~7.~~

Section 3

Definitions

~~As used in this policy,~~ The following words and terms shall have these meanings, unless the context clearly indicates otherwise:

22 PA Code Sec.
14.133

**POLICY NO. 113.1
POSITIVE BEHAVIOR SUPPORT**

Aversive Techniques – Deliberate activities designed to establish a negative association with a specific behavior.

Behavior Support – The development, change and maintenance of selected behaviors through the systematic application of behavior change techniques.

Functional Behavior Assessment (FBA) – A student-centered team process used in instances when behavior negatively impacts a student’s learning or that of the student’s peers. FBA is an evidence-based process for gathering information to understand the function (purpose) of behavior in order to write an effective positive behavior support plan.

A FBA must be conducted and behavioral interventions implemented when: The IEP team (1) determines that a student’s behavior is interfering with the student’s learning or the learning of others, and (2) requires additional information to provide appropriate educational programming.

Positive Behavior Support Plans or Behavior Intervention Plan – A plan for students with disabilities who require specific intervention to address behavior that interferes with learning. A positive Behavior Support Plan shall be developed by the IEP team, be based on a functional behavior assessment, and become part of the individual student’s IEP ~~whether as a separate document attached thereto or as goals and intervention~~. These plans must include methods that use positive reinforcements, ~~and other positive techniques to shape a student’s behavior,~~ and related services required to assist a student with a disability to benefit from special education.

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

Restraints – Application of physical force, with or without the use of any device, ~~designed for the purpose of to restraining the~~ free movement of a student’s body, excluding the following:

**POLICY NO. 113.1
POSITIVE BEHAVIOR SUPPORT**

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

Seclusion – Confinement of a student in a room, with or without staff supervision in the same room at all times, in order to provide a safe environment to allow the student to regain self-control.

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

Pol. 113

Section 4

Delegation of Responsibility

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

The Superintendent or designee shall develop administrative ~~regulations~~ ~~guidelines or procedures as needed~~ to implement this policy.

<p>Section 5</p>	<p align="center">POLICY NO. 113.1 POSITIVE BEHAVIOR SUPPORT</p>	
	<p>The Superintendent or designee shall provide regular training and retraining of staff in the use of specific procedures, methods and techniques, including de-escalation techniques, emergency responses, restraints and seclusions, that will be used to implement positive behavior supports or interventions in accordance with students' IEPs, Positive Behavior Support Plans and Board policy.</p>	<p>22 PA Code 14.133</p>
	<p>The Superintendent or designee shall maintain and report data on the use of restraints, as required. Such report shall be readily available for review during the state's cyclical compliance monitoring. Procedures shall be established requiring reports to be made to the District by entities educating students with disabilities who attend programs or classes outside the District, including private schools, agencies, intermediate units and career and technical schools.</p>	<p>22 PA Code 14.133</p>
	<p><u>Guidelines</u></p> <p>Development of a separate Positive Behavior Support Plan is not required when appropriate positive behavioral interventions, strategies and supports can be incorporated into a student's IEP.</p> <p>When an intervention is necessary to address problem behavior, the positive techniques and types of intervention chosen for a student shall be the least intrusive necessary.</p> <p><u>Physical Restraints</u></p>	<p>22 PA Code 14.133 34 CFR 300.324</p>
	<p>Restraints to control acute or episodic aggressive or self-injurious behavior may be used only when the student is acting in a manner that presents as to be a clear and present danger to the student him/herself, other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective.</p> <p>The Superintendent or designee shall notify the person in parental relation arent/guardian as soon as practicable of the use of restraints to control the aggressive behavior of the student and shall convene a meeting of the IEP team within ten (10) school days of the inappropriate behavior causing the use of restraints, unless the person in parental relation arent/guardian, after written notice, agrees in writing to waive the meeting. At this meeting,</p>	<p>22 PA Code 14.133</p>

**POLICY NO. 113.1
POSITIVE BEHAVIOR SUPPORT**

the IEP team shall consider whether the student needs a functional behavioral assessment, re-evaluation, a new or revised Positive Behavior Support Plan, or a change of placement to address the inappropriate behavior.

The use of restraints shall not ~~may only~~ be included in ~~a student's~~ the IEP for the convenience of staff, as a substitute for an educational program, or to be employed as punishment. Restraints may be included in an IEP with person in parental relation consent ~~only if~~ under the following conditions:

22 PA Code 14.133

1. The restraint is used ~~on conjunction~~ with specific components ~~elements~~ of a Positive Behavior Support Plan.
2. The restraint is used in conjunction with ~~the teaching of~~ socially appropriate ~~acceptable~~ alternative skills ~~to replace problem~~ or behaviors.
3. Staff are authorized ~~to use the restraint,~~ and have received ~~appropriate~~ all training ~~required, to use the specific procedure.~~
4. ~~The p~~Positive Behavior Support Plan ~~of the student~~ includes ~~efforts to a plan for~~ eliminating the use of restraints ~~through the application of positive behavior support.~~

~~The use of restraints is not included in the IEP for the convenience of staff, as a substitute for an educational program, or to be employed as punishment.~~

Mechanical Restraints

Mechanical restraints, which are used to control involuntary movement or lack of muscular control of a students when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's person(s) in parental relation ~~arents/guardians.~~

22 PA Code 14.133

**POLICY NO. 113.1
POSITIVE BEHAVIOR SUPPORT**

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

Seclusion

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

The District prohibits the seclusion of student in locked rooms, locked boxes and other structures or spaces from which the student cannot readily exit.

22 PA Code 14.133

Aversive Techniques

The following aversive techniques for addressing behavior are considered inappropriate and shall not be used in educational programs:

22 PA Code 14.133

1. Corporal punishment.
2. Punishment for behaviors caused by or directly and substantially related a manifestation of to a student’s disability.
3. Locked rooms, locked boxes, other locked structures or spaces from which the student cannot readily exit.
4. Noxious substances.
5. Deprivation of basic human rights, such as withholding meals, water or fresh air.
6. Suspensions constituting a pattern as defined in state regulations.
7. Treatment of a demeaning nature.

~~22 PA Code 14.133~~

22 PA Code 14.143

**POLICY NO. 113.1
POSITIVE BEHAVIOR SUPPORT**

- 8. Electric shock.
- 9. Methods implemented by untrained personnel.
- 10. Prone restraints, which are restraints by which a student is held face down on the floor.

Reporting and Monitoring

The Superintendent or designee shall maintain and report data on the use of restraints in a manner prescribed by the Secretary of Education of the Commonwealth of Pennsylvania. Such report shall be readily available for review during cyclical compliance monitoring conducted by the Pennsylvania Department of Education. Procedures shall be established requiring reports be made to the District by entities educating students with disabilities who attend programs or classes outside the district, including private schools, agencies, intermediate units and vocational schools.

22 PA Code 14.133

Referral to Law Enforcement

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The Superintendent or designee shall respond to such incidents in accordance with the District's Special Education Plan and, if applicable, the procedures, methods and techniques defined in the student's Behavior Support Plan.

SC 1302.1-A
22 PA Code 10.2,
10.21, 10.22, 10.23,
10.25, 14.104,
14.133
34 CFR 330.535
20 U.S.C. 1415
Pol. 103.1, 113,
113.2, 218, 227,
250, 251, 805.125,
823

For a student with a disability who has a Positive Behavior Support Plan at the time of referral, subsequent to notification to law enforcement, the District shall convene the student's IEP team and an updated functional behavior assessment and Positive Behavior Support Plan shall be required ~~for students~~

22 PA Code 10.23,
14.133,
Pol. 113.3

**POLICY NO. 113.1
POSITIVE BEHAVIOR SUPPORT**

~~with disabilities who have Behavior Support Plan of such referral.~~

If, as a result of such referral, the student is detained or otherwise placed in a residential setting located outside the District, the Superintendent or designee shall ensure notify that the school district or intermediate unit is informed in which the residential setting is located of the need to update review the student's functional behavioral assessment and Positive Behavior Support Plan.

22 PA Code 14.133

For a student with a disability who does not have a Positive Behavior Support Plan, subsequent to notification to law enforcement, the District shall convene the student's IEP team to consider whether a Positive Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations and Board policy.

22 PA Code 10.23, 14.133

Relations With Law Enforcement

The District shall provide a copy of its administrative regulations and procedures for behavior support, developed in accordance with the Special Education Plan, to each local police department that has jurisdiction over school property. Updated copies shall be provided each time the administrative regulations and procedures for behavior support are revised by the District.

22 PA Code 10.23, 14.104
Pol. 113, 805.1

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

22 PA Code 10.23, 14.104, 14.133
Pol. 113, 805.1

Regular Program of Training

~~The Superintendent or designee shall provide for the regular training and re-training, as needed, of personnel in the use of specific procedures, methods, and techniques, including restraints and seclusions, that those personnel will be expected to employ in the implementation of positive behavior supports or~~

~~22 PA Code 14.133~~

**POLICY NO. 113.1
POSITIVE BEHAVIOR SUPPORT**

~~interventions in accordance with the IEP of the child and this policy.~~

Previously Revised: December 13, 2016; February 17, 2011

References:

School Code – 24 P.S. Sec. 1302.1-A

State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.21, 10.22, 10.23, 10.25, 14.104, 14.133, 14.143, 14.145

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1414, 1415

Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations – 34 CFR Part 300.114, 300.324, 300.34, 300.530, 300.535

Board Policy – 103.1, 113, 113.2, 113.3, 218, 227, 250, 251, 805.125, 823

Policy Guide



Policy No. 113.2

Section PROGRAMS

Title DISCIPLINE OF STUDENTS WITH DISABILITIES

Adopted DECEMBER 13, 2016

Last Revised _____

POLICY NO. 113.2 DISCIPLINE OF STUDENTS WITH DISABILITIES		
Section 1	<p><u>Purpose</u></p> <p>The District shall develop and implement Positive Behavior Support Plans and programs for students with disabilities who require specific interventions to address behaviors that interfere with learning.</p> <p>Students with disabilities who violate the Code of Student Conduct, or engage in inappropriate behavior, disruptive or prohibited activities and/or actions injurious to themselves or others, which would typically result in corrective action or discipline of students without disabilities, shall be disciplined in accordance with state and federal laws and regulations and Board policy and, if applicable, their Individualized Education Program (IEP) and Positive Behavior Support Plan.</p>	<p>Title-22 PA Code See. 14.133 Pol. 113, 113.1</p> <p>Title-22 PA Code See. 14.133, 14.143 34 CFR Sec. 300.530 Pol. 218, 233</p>
Section 2	<p><u>Definitions</u></p> <p>Students with disabilities – school-aged children -within the jurisdiction of the District who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services.</p> <p>Suspensions from school – disciplinary exclusions from school for a period of one (1) to ten (10) consecutive school days.</p>	<p>Pol. 113</p> <p>Title-22 PA Code See. 12.6 Pol. 233</p>

<p>Section 3</p>	<p style="text-align: center;">POLICY NO. 113.2 DISCIPLINE OF STUDENTS WITH DISABILITIES</p> <p>Expulsions from school – disciplinary exclusions from school by the Board for a period exceeding ten (10) consecutive school days and may include permanent exclusion from school.</p> <p>Interim alternative educational settings – removal of a student with a disability from the student’s his/her current placement. Interim alternative educational settings may be used by school personnel for up to forty-five (45) school days for certain infractions committed by students with disabilities. The IEP team shall determine the interim alternative educational setting; however, this does not constitute a change in placement for a student with a disability.</p> <p>Manifestation of Disability – the behavior is caused by, or directly and substantially related to, the student’s disability.</p> <p><u>Authority</u></p> <p>The Board directs that the District shall comply with provisions and procedural safeguards of the Individuals With Disabilities Education Act (IDEA), and federal and state regulations when disciplining students with disabilities for violations of Board policy or district rules or regulations. No student with a disability shall be subjected to a disciplinary change in placement if the student’s particular misconduct is a manifestation of the student’s his/her disability. However, under certain circumstances a student with a disability may be placed in an interim alternative educational setting by school personnel or the IEP team could, if appropriate, change the student’s educational placement to one which is more restrictive than the placement where the misconduct occurred.</p> <p><u>Provision Of Education During Disciplinary Exclusions</u></p> <p>During any period of expulsion, or suspension from school for more than ten (10) consecutive days in a year, or placement in an interim alternative educational setting for disciplinary reasons, a student with a disability shall continue to receive a free and public appropriate education (FAPE), in accordance with law.</p>	<p>Title-22 PA Code See: 12.6 Pol. 233</p> <p>20 U.S.C. See: 1415(k) 34 CFR See: 300.530(g)</p> <p>Title-22 PA CodeSee: 14.143 20 U.S.C. See: 1415(k) 34 CFR See: 300.530</p> <p>Title-22 PA CodeSee: 12.6(e) 20 U.S.C. See: 1412(a) 34 CFR See: 300.530(b),(d)</p>
-------------------------	--	---

POLICY NO. 113.2 DISCIPLINE OF STUDENTS WITH DISABILITIES		
Section 4	<p><u>Guidelines</u></p> <p><u>Suspension From School</u></p> <p>A student with a disability may be suspended for ten (10) consecutive and fifteen (15) cumulative days of school per school year, for the same reasons and duration as a student without a disability. Such suspension shall not constitute a change in the student’s educational placement.</p> <p><u>Changes In Educational Placement/Manifestation Determinations</u></p> <p>For disciplinary exclusions which constitute a change in educational placement, the District shall first determine whether the student’s behavior is a manifestation of the student’s his/her disability. Expulsion, or exclusion from school for more than fifteen (15) cumulative days in a year, or patterns of suspensions for substantially identical behaviors constitute changes in educational placements requiring a manifestation determination. For students with intellectual disability, any disciplinary suspension or expulsion is a change in educational placement.</p> <p>A student with a disability whose behavior is not a manifestation of the student’s his/her disability may be disciplined in accordance with Board policy, district rules and regulations in the same manner and to the same extent as students without disabilities.</p> <p><u>Parent/Guardian Appeals From Disciplinary Actions/Request For Hearing By District For Students Who Are A Danger To Themselves Or Others</u></p> <p>A due process hearing may be requested by a person in parental relation arent/guardian of a student with a disability who disagrees with a disciplinary placement or manifestation determination, or by the District if the District believes that the current placement is substantially likely to result in injury to the student or others. On person in parental relation arent/guardian appeal, or when the District requests a due process hearing, the hearing officer may return the student to the placement from which the student was removed or order the student’s his/her removal to an appropriate interim alternative educational setting</p>	<p>Title-22 PA CodeSee: 12.6, 14.143, 14.15 20 U.S.C. See: 1415(k) 34 CFR See: 300.530, 300.536</p> <p>Title-22 PA CodeSee: 14.143 34 CFR See: 300.530</p> <p>Title-22 PA CodeSee: 14.143 34 CFR See: 300.530(e) Pol. 218, 233</p> <p>20 U.S.C. See: 1415(k) 34 CFR See: 300.532</p>

**POLICY NO. 113.2
DISCIPLINE OF STUDENTS WITH DISABILITIES**

for up to forty-five (45) school days if the hearing officer determines that maintaining the student's ~~child's~~ current placement is substantially likely to result in an injury to the student or others.

Placement during appeals of disciplinary actions shall be in the interim alternative educational setting pending the decision of the hearing officer or expiration of the time period set for the disciplinary exclusion from the student's regular placement unless the District and the person in parental ~~relation~~ ~~arent/guardian~~ agree otherwise.

20 U.S.C. ~~See:~~
1415(~~k~~)
34 CFR ~~See:~~
300.533

Students Not Identified As Disabled/Pending Evaluation

Students who have not been identified as disabled may be subject to the same disciplinary measures applied to students without disabilities if the District did not have knowledge of the disability. If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation shall be expedited.

20 U.S.C. ~~See:~~
1415(~~k~~)
34 CFR ~~See:~~
300.534

Administrative Removal To Interim Alternative Educational Setting For Certain Infractions

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

20 U.S.C. ~~See:~~
1415(~~k~~)
34 CFR ~~See:~~
300.530(~~g~~)

1. Carries a weapon to or possesses a weapon at school, on school property, or at school functions under the jurisdiction of the District. For purposes of this provision, weapon is defined as a **weapon**, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than two and one-half (2 ½) inches in length.

18 U.S.C. ~~See:~~ 930
20 U.S.C. ~~See:~~
1415(~~k~~)
34 CFR ~~See:~~
300.530(~~i~~)
Pol. 250

**POLICY NO. 113.2
DISCIPLINE OF STUDENTS WITH DISABILITIES**

2. Knowingly possesses or uses illegal drugs, as defined by law, or sells or solicits the sale of a controlled substance, as defined by law, while at school, on school property, or at school functions under the jurisdiction of the District.

20 U.S.C. ~~See:~~
1415(~~k~~)
21 U.S.C. Sec.
812(~~e~~)
34 CFR ~~See:~~
300.530(~~i~~)
Pol. 227

3. Has inflicted serious bodily injury upon another person while at school, on school property, or at school functions under the jurisdiction of the District. For purposes of this provision, **serious bodily injury** means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

18 U.S.C. ~~See:~~
1365(~~h~~)(~~3~~)
20 U.S.C. ~~See:~~
1415(~~k~~)
34 CFR ~~See:~~
300.530(~~i~~)

Referral To Law Enforcement and Reporting Requirements

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

SC 1303-A
~~Title~~-22 PA
Code~~See:~~ 10.2
35 P.S. ~~See:~~ 780-102

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The Superintendent or designee shall respond to such incidents in accordance with the district's Special Education Plan and, if applicable, the procedures, methods and techniques defined in the student's **Positive** Behavior Support Plan.

SC 1302.1-A
~~Title~~-22 PA
Code~~See:~~ 10.2,
10.21, 10.22, 10.23,
10.25, 14.104,
14.133
20 U.S.C. ~~See:~~
1415(~~k~~)
34 CFR ~~See:~~
300.535
Pol. 103.1, 113,
113.1, 113.3, 218,
227, 250, 251, 823,
805.125

**POLICY NO. 113.2
DISCIPLINE OF STUDENTS WITH DISABILITIES**

For a student with a disability who does not have a **Positive Behavior Support Plan**, subsequent to notification to law enforcement, the District shall convene the student’s IEP team to consider whether a **Positive Behavior Support Plan** should be developed to address the student’s behavior, in accordance with law, regulations and Board policies.

~~Title-22 PA Code~~ See: 10.23, 14.133
Pol. 113.1, 113.3

When reporting an incident committed by a student with a disability to the appropriate authorities, the **District** shall provide the information required by state and federal laws and regulations and shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. The **District** shall **ensure compliance with the Family Educational Rights and Privacy Act when transmitting** copies of the student’s special education and disciplinary records ~~only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act.~~

~~Title-22 PA Code~~ See: 10.2, 10.21, 10.22, 10.23
20 U.S.C. ~~See: 1232g, 1415(k)(6)~~
34 CFR ~~See: 300.535~~
34 CFR Part 99
Pol. 113.4, 216, 805.125

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

SC 1303-A
Pol. 805.125

References:

School Code – 24 P.S. Sec. 510, 1302.1-A, 1303-A

PA Controlled Substance, Drug, Device and Cosmetic Act – 35 P.S. Sec. 780-102

State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.21, 10.22, 10.23, 10.25, 12.6, 14.104, 14.133, 14.143

Crimes Code, Possession of Firearms and Dangerous Weapons – 18 U.S.C. Sec. 930

Crimes Code, Definition, Serious Bodily Injury – 18 U.S.C. Sec. 1365~~(h)(3)~~

POLICY NO. 113.2
DISCIPLINE OF STUDENTS WITH DISABILITIES

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1412, 1415~~00~~~~et seq.~~,

Controlled Substances Act – 21 U.S.C. Sec. 812

Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations – 34 CFR Part 300.530, 300.532, 300.533, 300.534, 300.535, 300.536

Family Educational Rights and Privacy – 34 CFR Part 99, 20 U.S.C. Sec. 1232g

Board Policy – 103.1, 113, 113.1, 113.3, 113.4, 216, 218, 227, 233, 250, 251, 805.1, 823, ~~825~~

Policy Guide



Policy No. 113.4

Section PROGRAMS

Title CONFIDENTIALITY OF
SPECIAL EDUCATION
STUDENT INFORMATION

Adopted DECEMBER 13, 2016

Last Revised _____

POLICY NO. 113.4 CONFIDENTIALITY OF SPECIAL EDUCATION STUDENT INFORMATION		
Section 1	<p><u>Authority</u></p> <p>The Board recognizes the need to protect the confidentiality of personally identifiable information in the education records of students with disabilities.</p> <p>The District shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, retaining, disclosing and destroying student special education records, in accordance with Board policy, state requirements, and federal and state law and regulations.</p> <p>The rights provided by this policy apply to persons in parental relation parents/guardians of students who receive special education programming and services from the District or an outside program provided through the District.</p>	<p>Pol. 113, 216</p> <p>Pol. 216 34 CFR 300.611-300.627</p> <p>34 CFR 300.520, 300.625</p>
Section 2	<p><u>Definitions</u></p> <p>Destruction shall mean the physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.</p> <p>Disclosure shall mean to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means,</p>	<p>34 CFR 300.611</p> <p>34 CFR 99.3</p>

**POLICY NO. 113.4
CONFIDENTIALITY OF SPECIAL EDUCATION
STUDENT INFORMATION**

including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.

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

34 CFR 99.3
20 U.S.C. 1232g
Pol. 216

Personally identifiable information includes, but is not limited to:

34 CFR 99.3,
300.32

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

**POLICY NO. 113.4
CONFIDENTIALITY OF SPECIAL EDUCATION
STUDENT INFORMATION**

Section 3

Guidelines

~~Parental~~ Access Rights

The District shall permit persons in parental relation~~arents/guardians~~ to inspect and review any education records relating to their child(ren) that are collected, retained, or used by the District in connection with providing special education services to the student.

34 CFR 99.10,
300.613

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

The District shall presume a person in parental relation~~arent/guardian~~ has authority to inspect and review records relating to their~~his/her~~ child unless it has been provided documentation that the requesting person in parental relation~~parent/guardian~~ does not have this authority under applicable state law.

34 CFR 99.4,
300.613

The District shall comply with a person in parental relation's request for review within forty-five (45) days following receipt of the request.

34 CFR 99.10,
300.613

A person in parental relation~~arent's/guardian~~'s right to inspect and review education records includes the right to:

1. A response from the District to reasonable requests for explanations and interpretations of the records.
2. Request that the District provide copies of the records if failure to provide copies would effectively prevent the person in parental relation~~arent/guardian~~ from exercising the right to inspect and review the records.
3. Have a representative inspect and review the records.

**POLICY NO. 113.4
CONFIDENTIALITY OF SPECIAL EDUCATION
STUDENT INFORMATION**

If an education record includes information on more than one (1) student, the persons in parental relation~~arents/guardians~~ shall have access only to the information relating to their child or shall be informed of the information in the record.

34 CFR 99.12,
300.615

The District shall provide persons in parental relation~~arents/guardians~~, upon request, a list of the types and locations of education records collected, maintained, or used by the District.

34 CFR 300.616

Fees

The District may charge a fee for copies of records that are made for persons in parental relation~~arents/guardians~~ so long as the fee does not effectively prevent persons in parental relation~~arents/guardians~~ from exercising their right to inspect and review those records.

34 CFR 99.11,
300.617

The District shall not charge a fee to search for or to retrieve information in response to a person in parental relation's request.

Record Of Access

The District shall keep a record of parties obtaining access to education records collected, maintained, or used in providing special education and related services to students with disabilities, except access by persons in parental relation~~arents/guardians~~ and authorized district employees.

34 CFR 300.614

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

Amendment Of Records Upon Parental Request

If a person in parental relation~~arent/guardian~~ believes that information in the student's education records is inaccurate, misleading or violates the privacy or other rights of the student, the person in parental relation~~parent/guardian~~ may request that the District amend the information.

34 CFR 99.20,
300.618

**POLICY NO. 113.4
CONFIDENTIALITY OF SPECIAL EDUCATION
STUDENT INFORMATION**

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

If the District declines to amend the information in accordance with a parental request, the District shall inform the parent/guardian of the refusal and advise the **person in parental relation**~~parent/guardian~~ of the right to a hearing.

Records Hearing

The District shall, on request, provide **persons in parental relation**~~arents/guardians~~ with an opportunity for a hearing to challenge information in the student's education records to ensure that the information is not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. The District recognizes that **persons in parental relation**~~arents/guardians~~ who believe that there is a due process violation relating to an alleged violation of confidentiality may also request a special education due process hearing.

34 CFR 99.21,
300.510-300.516,
300.619

Hearing Procedures

A hearing to challenge information in education records must meet the following requirements:

34 CFR 99.22,
300.621

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

**POLICY NO. 113.4
CONFIDENTIALITY OF SPECIAL EDUCATION
STUDENT INFORMATION**

of ~~their~~his/her choice, including an attorney.

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

Result of Hearing

If, as a result of the hearing, the District decides that the information is inaccurate, misleading, or otherwise in violation of the student's privacy or other rights, the ~~D~~istrict shall amend the information accordingly and inform the **person in parental relation**~~arent/guardian~~ in writing.

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

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

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

Storage, Retention And Destruction Of Information

The District shall store all education records and personally identifiable information of students receiving special education services in such a way as to protect the confidentiality and

34 CFR 99.21,
300.620

34 CFR 300.623

POLICY NO. 113.4 CONFIDENTIALITY OF SPECIAL EDUCATION STUDENT INFORMATION	
<p>integrity of the records and information, prevent unauthorized access to and disclosure of records and information, and ensure compliance with other legal and regulatory requirements regarding records retention. Student records include any financial documents related to any services that a student receives.</p>	
<p>The District shall maintain, for public inspection, a current listing of the names and positions of those district employees who have access to personally identifiable information.</p>	34 CFR 300.623
<p>In order to comply with state compliance monitoring requirements, the District shall maintain education records for students receiving special education services for at least six (6) years.</p>	Pol. 216
<p>The District shall inform person in parental relationarents/guardians when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the student. After notice, such information shall be destroyed upon the person in parental relation's request.</p>	34 CFR 300.624
<p>No education record shall be destroyed if there is an outstanding request to inspect or review the record or if a litigation hold exists.</p>	34 CFR 99.10
<p>The District may maintain a permanent record of the student's name, address, and phone number, his/her grades, attendance record, classes attended, grade level completed, and year completed.</p>	34 CFR 300.624
<p>The District shall ensure the destruction of education records in a manner that protects the confidentiality and privacy rights of the student and the student'shis/her family.</p>	34 CFR 300.623
<p><u>Disclosure To Third Parties</u></p>	
<p>The District shall obtain person in parental relation's consent before disclosing personally identifiable information to parties other than school district officials with a legitimate educational interest or other educational institutions that provide special</p>	34 CFR 99.30, 99.31, 300.154, 300.622 Pol. 113.1, 113.2,

POLICY NO. 113.4 CONFIDENTIALITY OF SPECIAL EDUCATION STUDENT INFORMATION		
	<p>education services to the student for the purposes of meeting a requirement of law or regulation unless the information is contained in education records and the disclosure is permitted without parental consent under law and regulations.</p>	216
	<p>The person in pParental relation's consent must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.</p>	34 CFR 300.622
	<p>If a student is enrolled, or is going to enroll in a private school that is not located in the District of the person in parental relations' arent's/guardian's residence, person in parental relations' consent must be obtained before any personally identifiable information about the student is released between officials in the District where the private school is located and officials in the District of the person in parental relation's arent's/guardian's residence.</p>	34 CFR 300.622
	<p>Disclosure to Law Enforcement</p> <p>When reporting an incident committed by a student with a disability to the appropriate authorities, in accordance with applicable law, regulations and Board policy, the District shall provide the information required by state and federal laws and regulations and shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. The District shall ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records.</p>	20 U.S.C. 1232g, 1415 22 PA Code 10.2,10.21, 10.22, 10.23 34 CFR 99, 300.535 Pol. 113.2, 216, 805.1
Section 4	<p><u>Delegation of Responsibility</u></p> <p>In order to maintain the confidentiality of the educational records and personally identifiable information of students with disabilities, the Board designates the Director of Special Education to coordinate the District's efforts to comply with this policy and applicable laws and regulations.</p> <p>All district employees collecting or using personally identifiable information shall receive training or instruction regarding Board</p>	34 CFR 300.623 34 CFR 300.623

**POLICY NO. 113.4
CONFIDENTIALITY OF SPECIAL EDUCATION
STUDENT INFORMATION**

policy, administrative regulations, and state and federal law and regulations regarding confidentiality of education records and personally identifiable information.

References:

[State Board of Education Regulations – 22 U.S.C. Sec. 10.2, 10.21, 10.22, 10.23](#)

Individuals With Disabilities Education Act, Title 34, Code of Federal Regulations – 34 CFR Part [99, 99.3, 99.4, 99.10, 99.11, 99.12, 99.20, 99.21](#) ~~et seq.~~, [99.22, 99.30, 99.31, 300.154, 300.32, 300.510-300.516, 300.520, 300.535, 300.611-300.627](#) ~~et seq.~~, 20 U.S.C. Sec. 1415

Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g

Board Policy – 113, 113.1, 113.2, 216, [805.1](#)

Policy Guide



Policy No. 859

Section OPERATIONS

Title JOB RELATED EXPENSES

Adopted _____

Last Revised _____

	<p style="text-align: center;">POLICY NO. 859 JOB RELATED EXPENSES</p> <p style="text-align: center;">THIS POLICY SHALL SUPERSEDE POLICIES 331, 431, AND 531.</p> <p>Section 1 <u>Authority</u></p> <p>The Board shall reimburse administrative, professional and support employees for the actual and necessary expenses, including travel expenses, they incur in the course of performing services for the District, in accordance with compensation plans, individual contracts, applicable collective bargaining agreements, and Board policy.</p> <p>Section 2 <u>Delegation of Responsibility</u></p> <p>The validity of payments for job related expenses for all district employees shall be determined by the Director of Finance and Human Resources in collaboration with the Superintendent.</p> <p>The Superintendent or designee shall develop administrative regulations for approval and reimbursement of job related expenses, including travel expenses, which shall require employees to provide adequate documentation of expenses.</p> <p>Section 3 <u>Guidelines</u></p> <p>The use of a personal vehicle shall be considered a legitimate job expense if travel is among the employee's assigned schools, but not between home and school, and is authorized in advance by the Director of Finance and Human Resources in collaboration with the Superintendent.</p>	<p style="text-align: center;">SC 517</p>
--	---	---

**POLICY NO. 859
JOB RELATED EXPENSES**

Use of a personal vehicle for approved purposes is reimbursable at the rate per mile consistent with compensation plans, individual contracts, applicable collective bargaining agreements, and Board policy.

Actual and necessary expenses incurred when attending functions outside the District shall be reimbursed to an employee if approval has been obtained in advance from the Director of Finance and Human Resources.

Attendance at approved events outside the District shall be without loss of regular pay, unless otherwise stipulated prior to attendance.

SC 517

References:

School Code – 24 P.S. Sec. 517

Policy Guide



Policy No. 860

Section OPERATIONS

Title WORKING PERIODS

Adopted _____

Last Revised _____

POLICY NO. 860 WORKING PERIODS		
Section 1	<p><u>Authority</u></p> <p>Work schedules required for administrative, professional and support employees shall be clearly specified to ensure regular attendance by employees and consistent operation of the District.</p> <p>The Board has the authority and responsibility to determine the hours and days during which district programs and services shall be available to students and the community, consistent with compensation plans, individual contracts, applicable collective bargaining agreements, and Board resolutions.</p> <p>The Board has the authority to make modifications to the school calendar and the school schedule as necessary to meet the instructional and health and safety needs of students and staff. Modifications to staff working periods shall be addressed in accordance with compensation plans, individual contracts, applicable collective bargaining agreements, Board resolutions and/or Board-approved health and safety or other emergency preparedness and response plans.</p>	<p>SC 510, 1504 Pol. 804</p> <p>SC 520.1 Pol. 804, 805</p>
Section 2	<p><u>Delegation of Responsibility</u></p> <p>The Superintendent or designee shall develop administrative regulations to ensure district employees are informed of and adhere to their assigned work schedules.</p>	

References:

School Code – 24 P.S. Sec. 510, 520.1, 1504

Board Policy – 804, 805

Policy Guide



Policy No. 861

Section OPERATIONS

Title RESPONSIBILITY FOR STUDENT WELFARE

Adopted _____

Last Revised _____

<p>Section 1</p>	<p style="text-align: center;">POLICY NO. 861 RESPONSIBILITY FOR STUDENT WELFARE</p> <p style="text-align: center;">THIS POLICY SHALL SUPERSEDE POLICY 440.</p> <p><u>Authority</u></p> <p>The Board adopts this policy to ensure appropriate oversight of and responsibility for student welfare by administrative, professional and support employees.</p> <p>District employees are responsible for the safety of students in their charge within school buildings and on district property.</p> <p>Each employee is responsible for supervision, control and protection of students, commensurate with assigned duties and directives.</p> <p>Each employee is responsible to ensure that students are supervised by a teacher or other staff member at all times while engaged in district activities.</p> <p>Teachers and designated staff shall provide proper instruction in and enforcement of safety rules and procedures included in the Board-approved health and safety plan and assigned curriculum.</p> <p>Each employee has the responsibility to report immediately to the building principal or designated staff an accident, safety hazard, unsafe or dangerous condition, or to immediately address observed violations of district safety rules.</p> <p>Employees may not send students on any personal errands.</p>	<p>SC 510</p> <p>Pol. 705, 805</p> <p>Pol. 705</p>
-------------------------	--	--

**POLICY NO. 861
RESPONSIBILITY FOR STUDENT WELFARE**

Employees may not transport students in a personal vehicle, except when specifically authorized by the building principal or designee.

Employees shall not require a student to perform tasks that may be detrimental to the student's health.

Section 2

Delegation of Responsibility

Building principals shall monitor employees' adherence to this policy to ensure the maintenance of standards that protect student welfare.

Building principals shall annually develop and implement a plan of supervision for the following:

1. Student arrivals and departures, including buses.
2. Halls, restrooms and playgrounds.
3. Cafeteria.
4. Before and after school.
5. Curricular field trips.
6. Extracurricular activities and interscholastic athletics

References:

School Code – 24 P.S. Sec. 510

Board Policy – 705, 805