

Policy Committee Agenda
February 4, 2020 – 7:00 p.m.
Room 200, T/E Administration Offices

- 1. Approval of Minutes of the January 21, 2020 Policy Committee Meeting**
- 2. Public Comment**
- 3. Review of Policies for 2nd Reading**
 - Policy and Regulation 1120: Communications with the School Board
 - Policy 4350: Health and Safety in the Workplace
 - Policy 5223: Promotion
 - Policy and Regulation 5405: Student Substance Abuse
 - Policy and Regulation 8040: Emergency Preparedness
- 4. Information**
 - None
- 5. Follow Up from Previous Policy Committee Meeting**
 - Policy and Regulation 5401: Student Discipline
 - Policy and Regulation 6151: Staffing the Educational Program (Class Size)
- 6. Policies and Regulations for Review and Discussion**
 - Regulation 3233: Federal Fiscal Compliance - Procurement
 - Regulation 3323: Procurement
 - Regulation 3380: Travel Reimbursement
 - Policy and Regulation 5001: Enrollment and Registration Requirements and Verification of Student Residency
- 7. Policy Committee Goals**
- 8. Future Meetings**

Policy meetings for the remainder of the 2019-2020 school year will be on March 3, April 1, and May 5. Unless advertised otherwise, all meetings are held at the Tredyffrin/Easttown Administration Offices, 940 West Valley Road, Suite 1700, in Room 200 at 7:00 p.m.

2019 Policy Committee Goals:

1. To identify and examine critical issues facing the District from a Policy and Regulation perspective.
2. To review existing and develop new Policies and Regulations in response to legal requirements, administrative recommendations, Board priorities, community input and external issues.
3. To communicate Policy and Regulation revisions to stakeholders via webpage postings, email messages, and oral reports at Board meetings.
4. To continue with a cyclical review of Board Policies and Regulations in determining if they should be revised, updated or repealed.

**Draft Pending Committee Approval
Policy Committee Meeting
Tuesday, January 21, 2020
T/E Administrative Offices, Room 200
7:00 p.m.**

Board Committee Members: Kyle Boyer, Chair; Todd Kantorczyk, Sue Tiede, Tina Whitlow

Other Board Members: Michele Burger, Roberta Hotinski, Scott Dorsey, Mary Garrett Itin, Stacy Stone

T/E School District Representatives: Rich Gusick, Ed Diasio, Mark Cataldi, Mike Szymendera, Ellen Turk

Attendees:

Maggie Gaines, Mark Gaines, Ali Brazunas, Kate Mayer, Happy Mayer, Wendy Brooks, Jamie Lynch, Saire Lynch, Ed Sweeney

Approval of Minutes

The minutes of the October 1, 2019 meeting were approved.

Public Comment

- Maggie Gaines commented on Policy and Regulation 5401 Student Discipline
- Mark Gaines commented on Policy and Regulation 5401 Student Discipline
- Jamie Lynch commented on Policy and Regulation 5401 Student Discipline; Policy and Regulation 1120 Communications with the School Board
- Kate Mayer commented on Policy and Regulation 5401 Student Discipline; Policy and Regulation 1120 Communications with the School Board
- Ed Sweeney commented on Policy and Regulation 5401 Student Discipline
- Wendy Brooks commented on Policy and Regulation 5401 Student Discipline
- Saire Lynch commented on Policy and Regulation 5405 Student Substance Abuse

After discussion, the Committee decided to further review and discuss the threat assessment procedures, including consultation with law enforcement, stipulated in Policy and Regulation 5401: Student Discipline.

Review of Policies for 2nd Reading

Policy and Regulation 4320: Tobacco, Smoking Products and Electronic Smoking Products: Possession and Use (Employees)

The proposed new title of the Policy and Regulation is “Tobacco Products: Use (Tredyffrin/Easttown School District Employees).” The Policy was revised to use the same definitions as in Policy 5411. The Regulation specifies that employees found in violation of the Policy will be required to stop the prohibited activity and was revised to remove wording “may be asked to leave.” The Policy will be sent to the Board of School Directors for a second reading at their meeting on January 27, 2020. The Regulation was approved and will go into effect upon the adoption of the revised Policy.

Policy and Regulation 5411: Tobacco, Smoking Products and Electronic Smoking Products: Possession and Use (Students)

The proposed new title of the Policy and Regulation is “Tobacco Products: Possession and Use (Students).” Revisions to the Policy include new definitions of “tobacco products,” “cigarettes” and “electronic cigarettes.” The Regulation was revised to assign detention time for first time offenders and, if the violation involves vaping, then completion of a vaping education program is required. A second offense will result in a suspension. In addition, a high school or middle school student who commits an offense under the Policy, other than vaping, is subject to prosecution and, upon conviction, sentenced to pay a fine up to \$50 and pay court costs. The Policy will be sent to the Board of School Directors for a second reading at their meeting on January 27, 2020. The Regulation was previously approved at the October 1, 2020 meeting.

Policy and Regulation 8070: Surveillance Monitoring in Schools and on School Buses

The proposed new title of the Policy and Regulation is “Recording in Schools and on School Buses/Vehicles.” The Policy establishes recording on school property, as well as video and audio recording on school vehicles. The Policy also stipulates the authorization to provide law enforcement with access to live images captured by video recording devices in order to promote the health, safety and welfare of students, staff, and other individuals. A Memorandum of Understanding (MOU) with the local law enforcement, re: access to live images, will be drafted. The Regulation outlines the location, operation, and control of recording devices; protection of information and disclosure; use of information collected; and, access to personal information. The Policy will be sent to the Board of School Directors for a second reading at their meeting on January 27, 2020. The Regulation was approved and will go into effect upon the adoption of the revised Policy.

Policy 9140: Board Committees

This Policy was revised to remove the Board standing committee on personnel. The Policy will be sent to the Board of School Directors for a second reading at their meeting on January 27, 2020.

Information

None

Follow Up from Previous Policy Committee Meeting

Policy 4350: Health and Safety in the Workplace

This Policy is recommended to be repealed and incorporated into revised Policy 8040. The Policy will be sent to the Board of School Directors for a first reading at their meeting on January 27, 2020.

Policy and Regulation 8040: Emergency Preparedness

Revisions to the Policy and Regulation include the new title of “Safety and Security.” A comprehensive District-wide safety program is delineated including the designation of the District’s Safety and Security Coordinator; building level emergency plans; safety committees; school Threat Assessment Teams; security guards; safety-related student programming and services; building access and guest/visitor management procedures; and partnerships with police, fire and EMS. The Policy will be sent to the Board of School Directors for a first reading at their meeting on January 27, 2020. Further minor revisions were made to the Regulation, which was approved to go into effect upon the adoption of the Policy.

Policy and Regulation 5405: Student Substance Abuse

The Policy defines “controlled substance” and “distribution” as well as delineating prohibited conduct, reporting and prevention. The Regulation was reorganized for better readability, largely regarding the investigation process and school-based discipline. Students in violation of the Policy will still receive support through the Student Assistance Program. The Policy will be sent to the Board of School Directors for a first reading at their meeting on January 27, 2020. Further revisions will be made to the Regulation and will be brought back to the committee.

Policies and Regulations for Review and Discussion

Policy and Regulation 1120: Communications with the School Board

In November 2011 the Public Information Committee recommended not listing correspondence on regular Board meeting agendas in order to reduce the size of the printed materials, but the Policy and Regulation were not revised to reflect the practice in place. At the May 2019 Policy Committee meeting it was recommended that the Public Information Committee discuss this topic again. At the October 2019 Public Information Committee meeting it was recommended the District pilot listing correspondence on regular Board meeting agendas for 2-3 months with the following parameters: an 8:00 am deadline the Friday before the meeting, no anonymous messages, no solicitation messages, and the listing of sender’s name and topic of the email. In addition, correspondence must comply with Policy and Regulation regarding civility and solicitation messages will not be considered. The Policy will be sent to the Board of School Directors for a first reading at their meeting on January 27, 2020. The Regulation was approved and will go into effect upon the adoption of the Policy.

Policy 5223: Promotion

Revisions to the Policy include the new title “Promotion, Acceleration and Retention of Students.” The revisions establish that an individualized evaluation of the student is a crucial element in the decision to promote, accelerate or retain. In cases of possible retention, parents/guardians shall be informed of the possibility as early in the school year as possible. The Policy will be sent to the Board of School Directors for a first reading at their meeting on January 27, 2020.

Policy and Regulation 5227: Graduation Requirements

No revisions were made to the Policy, so it will be marked as reviewed and posted. Revisions to the Regulation reflect course name changes and the sequence of required English courses at the high school that were discussed at the December 2019 meeting of the Education Committee and approved at the January 6, 2020 Board meeting as part of the Program of Studies. The Regulation was also approved for posting.

Policy and Regulation 6151: Staffing the Educational Program (Class Size)

As part of an approved budget strategy, the Policy and Regulation were previously suspended as of June 30, 2018 and remain in effect until June 30, 2020 unless extended by the Board after a review by the Board. Discussion was held regarding the approved practice since the 2018-2019 school year of the following upper target class sizes for core academic subjects: 23 for Grades K-1; 24 for Grade 2; 26 for Grades 3-4; 28 for Grades 5-12. The Policy will be brought back to the committee to reflect the current practice in place. The Regulation is recommended to be rescinded, with some elements being included in a revised Policy.

Policy and Regulation 8100: Transportation

No revisions were made to the Policy, so it will be marked as reviewed and posted. The bus roster size indicated in the Regulation was changed to 65 for elementary students, while remaining 55 for secondary students. In addition, the section on middle school shuttle buses was removed as they are no

longer needed due to the change in school start times. The form to request a long-term alternate bus assignment was revamped as well. The Regulation was also approved for posting.

Policy Committee Goals

The Committee will discuss goals at the next meeting.

Future Meetings

Policy meetings for the remainder of the 2019-2020 school year will be on February 4, March 3, April 1, and May 5. Unless advertised otherwise, all meetings are held at the Tredyffrin/Easttown Administration Offices, 940 West Valley Road, Suite 1700, in Room 200 at 7:00 p.m.

Adjournment

The meeting adjourned at 9:56 PM.

*Communications with the School Board*Written Correspondence

All written correspondence from identified correspondents, to the Board including e-mail communications, shall be promptly acknowledged. Responses to questions or further explanations will be provided by the appropriate Administrator or Board member. Responses will be in accordance with other Board Policies. Correspondence received anonymously by the District, by the Board or by its members will not be recognized as formal correspondence and therefore will typically not be given a response.

In accordance with privacy law, all correspondence that is addressed to the School Board will be reviewed by the administration to redact any specifically protected student and/or teacher names.

Correspondence to the Board, received by the Secretary of the Board will be considered as part of the established School Board agenda if received ~~by close of business on the Friday before the regularly scheduled Board meeting~~ in accordance with provisions outlined in the accompanying Administrative Regulation. If, however, in the judgment of the President of the Board, or any other Board member, the correspondence received in an untimely manner requires immediate action of the Board, ~~he/she/they~~ shall bring that correspondence to the Board's attention at the next regularly scheduled public meeting.

Public Comment at Meetings

In order to promote public discourse of issues that concern the District community, at every regular monthly business meeting of the Board, the Board shall provide at least two (2) opportunities for comments or questions from the public. The public comment periods are reserved for District residents and taxpayers to the District. Additionally, the Board will accept comments from sitting public officials for non-campaigning purposes. At every standing committee meeting of the Board open to the public, the committee shall provide a reasonable opportunity for comments from the public regarding the subject of the meeting. The Board reserves the right to eject any unruly or obstreperous individuals from public meetings. The presiding officer or solicitor may:

- 1) interrupt or terminate a participant's statement when the statement exceeds time limits established by the Board, or is:
 - a. personally directed,
 - b. abusive,
 - c. obscene, or
 - d. irrelevant,
- 2) request any individual to leave the meeting when that person does not observe reasonable decorum,

- 3) request the assistance of law enforcement officers to remove a disorderly person when ~~his/her~~their conduct interferes with the orderly progress of the meeting, or
- 4) call a recess or adjourn to another time when the lack of public decorum interferes with the orderly conduct of the meeting.

{02020957 } Adopted: November 24, 1969

Revised: September 22, 1986

Revised: November 23, 1998

Revised: September 26, 2005

Revised: August 25, 2008

Revised: April 26, 2010

Revised: August 23, 2010

Revised: January 24, 2011

Reviewed: December 15, 2011

Revised: September 22, 2014

Communications with the School Board

All matters of public information related to the educational program of the District are to be made available to concerned residents of the District in accordance with Policy and Regulation 1123 *Public Access to School District Records*.

Since it is the intention of the Board to maintain the highest level of communications with the public, to heed public opinion and to keep the public informed, it is the duty of every professional and non-instructional employee to represent the school district in a responsible manner. District personnel shall cooperate in every way with efforts to release information describing our school system to newspapers, public agencies and members of the public at large. These efforts to describe our educational program should be achieved cooperatively by the local school teachers, administrators, and the central office.

Correspondence with the School Board

In order to be considered by members of the Board or the District administration on behalf of the Board, correspondence, including email, must contain the correspondent's name and residential address.

Correspondence, including email, which meets the criteria stated above, as well as the criteria listed immediately below, will be listed on the School Board agenda for the next regularly scheduled meeting.

In order to be listed on the School Board agenda for the next regularly scheduled meeting, correspondence shall: (1) be received by the District no later than 8:00 a.m. on the Friday before the meeting; (2) include the sender's name and the topic of their correspondence (i.e. no anonymous messages); and (3) comply in all aspects with Board Policy and Administrative Regulation regarding civility. Solicitation messages will not be considered correspondence for inclusion on a School Board agenda.

A member of the Board or the District administrative staff writing on behalf of the Board will respond in writing to correspondence addressed to the Board of School Directors.

Anonymous correspondence will not be brought to the attention of the members of the Board and will not be addressed by the Board or the District administration.

Requests for Public Information

In addition to selected materials distributed to the public at meetings of the Board, requests for public information shall be made in accordance with Policy and Regulation 1123 *Public Access to School District Records*. For information on how to submit an open records request please visit the T/E School District website or contact the Open Records Officer at the T/E Administration Offices, 940 West Valley Road, Suite 1700, Wayne, Pennsylvania, 19087.

Communication between the District and the Media

Local press representatives are encouraged to report on school activities.

Public Comment at Board Meetings

Regular Board meetings

Residents and taxpayers are invited to address the Board during the designated public comment periods. The first public comment period occurs prior to any agenda items. The Board requests comments made during this first opportunity be limited to items on the agenda. A separate public comment period will occur before Board action on any Priority Discussion Agenda item limited to that item. The final Public comment period will occur after the final action item and may relate to any matter of concern, official action or deliberation which is or may be before the Board.

During or immediately after the first public comment period, the Board will accept comments from sitting public officials for non-campaigning purposes and, by agreement with the TEEA, the Board will accept comments from the union president.

The Board requests that each public comment be limited to five minutes.

Special Meetings

Residents and taxpayers are invited to address the Board during the designated public comment periods limited to items on the agenda.

The Board requests that each public comment be limited to five minutes.

Board Committee Meetings

Residents and taxpayers are invited to address the Board during the designated public comment periods limited to items on the agenda.

The Board Chair has the discretion to establish time limits for comment and to permit public comment at any time during the meeting.

[Cross Reference: Policy and Regulation 1305 \(Code of Civility \(General Public\)\)](#)

Health and Safety in the Work Place

~~When an employee is providing services for, or works in close proximity to, school children or other staff members, that individual shall pose no threat to the health or safety of students or other staff members. Employees shall not engage in work activities which pose a threat to his or her own health or safety. If a circumstance arises in which an employee does pose such a threat, attempts shall be made to eliminate this threat by reasonable accommodation where and as required by law.~~

~~This Policy applies to all employees of the District, regardless of the location of employment.~~

~~This Policy is intended to be implemented and interpreted consistent with the requirements of the Americans with Disabilities Act of 1990.~~

REPEAL

Promotion, Acceleration and Retention of Students

The Board recognizes that the academic, social, emotional and physical development of students will vary and that students should be placed in the educational setting most appropriate to their needs.

A crucial element in the decision to promote, accelerate or retain students is the individualized evaluation of the student. The evaluation of students must be continuous and systematic, with a focus on the whole child, including their academic, physical, social and emotional growth and development. The evaluation shall take into consideration, but not necessarily be limited to, academic achievement, attitude, effort, work habits, behavior, attendance, and other factors related to learning.

A student shall generally be promoted from one grade to the next when they have successfully completed the curriculum requirements and achieved the academic standards established for the present level.

In cases of possible retention, parents/guardians shall be informed of the possibility of retention as early in the school year as possible. Parents/guardians may be asked to collaborate with school officials to come up with a plan to avoid possible retention. Students should only be recommended for retention after reasonable efforts have been made to remediate the student's difficulties.

Guidelines for promotion, acceleration, and retention of students shall be applied at each instructional level. The Superintendent or designee has the final responsibility for determining the promotion, acceleration or retention of a student.

Grades K-4

A student may be promoted, accelerated, or retained in keeping with the best academic and developmental interests of that individual student, as determined by the teacher, instructional team, and principal. When the parent(s)/guardian(s) are in disagreement with the decision on promotion, acceleration, or retention, the Superintendent or designee shall review the recommendation, accompanied by appropriate supporting data and materials, before the Superintendent or designee renders a final decision.

Grades 5-8

A student may be promoted, accelerated, or retained in keeping with the best academic and developmental interests of that individual student. The promotion of a middle school student to the next grade is contingent upon the student receiving passing grades in no fewer than all major subjects except one. A course shall be considered a major subject if it meets every day of the cycle for a full year. When the parent(s)/guardian(s) are in

{02008987 }Adopted: April 12, 1976

Revised: September 26, 1988

Revised: May 26, 1992

Revised: September 26, 1994

Revised: May 12, 1997

Revised: March 27, 2000

Revised: March 18, 2013

disagreement with the decision on promotion, acceleration, or retention, the Superintendent or designee shall review the recommendation, accompanied by appropriate supporting data and materials, before the Superintendent or designee renders a final decision.

Grades 9-12

The promotion of a high school student is determined by cumulative credits earned. Students must earn 5.5 credits and pass four major courses to be promoted from ninth to tenth grade. Students must complete a minimum of 11 credits prior to entering eleventh grade. Eleventh grade students are promoted to the twelfth grade if they can realistically earn enough credits to qualify for June graduation. It is recommended that a student complete a minimum of 17 credits prior to entering the twelfth grade year. With advanced approval by the high school principal or designee, students may earn credits through successful completion of a summer school course or through successful completion of an Experiential Learning Program.

At all times, students in grades 9-11 must maintain a course schedule with sufficient credits to be eligible for promotion to the next grade. Students in grade 12 must maintain a course schedule with sufficient credits to qualify for June graduation. Students may not choose to repeat core academic courses that have been previously completed with a passing grade if doing so creates an inability to earn sufficient credits to achieve annual promotion (grades 9-11) or graduation (grade 12).-

{02008987 } Adopted: April 12, 1976

Revised: September 26, 1988

Revised: May 26, 1992

Revised: September 26, 1994

Revised: May 12, 1997

Revised: March 27, 2000

Revised: March 18, 2013

*Student Substance Abuse*Definitions

“Controlled substance” shall mean any of the following:

1. Controlled substances prohibited by federal and state law;
2. Look-alike drugs;
3. Alcoholic beverages;
4. Anabolic steroids;
5. Drug paraphernalia;
6. Any volatile solvents or inhalants, such as but not limited to glue and aerosol products;
7. Substances that when ingested cause a physiological effect that is similar to the effect of a controlled substance as defined by state or federal law, such as but not limited to herbal incense or other products containing synthetic cannabinoids; or
8. Prescription or nonprescription (over-the-counter) medications, except those for which permission for use in school has been granted pursuant to Board Policy.

~~“Illegal and other controlled substances” are any controlled substance classified as illegal under Pennsylvania law or federal law.~~

~~“Prohibited items” means, for purposes of this Policy:~~

- ~~(1) illegal and other controlled substances, medication, as defined in other policies governing medication, or any other substance which alters behavior or judgment; or~~
- ~~(2) simulated medication or look alike drugs (defined below);~~
- ~~(3) anabolic steroids, except for a valid medical purpose as prescribed by a licensed healthcare provider and body building, muscle enhancement, increasing muscle bulk or strength, or the enhancement of athletic ability are not valid medical purposes;~~
- ~~(4) alcoholic beverages; or~~
- ~~(5) paraphernalia associated with (1), (2) or (3).~~

~~The term “prohibited items” does not include medication currently prescribed for a student by a licensed healthcare provider according to that student’s medically diagnosed needs, provided that the use of medication is by the student only pursuant to the prescription and otherwise in accordance with other District policies governing the use of medication.~~

“Distribution” means the unauthorized delivery, sale, transfer, sharing, or turning over, directly or indirectly, of a controlled substance to/with another student or individual.

~~“Simulated medication” or “look~~Look~~-alike drugs” are defined as substances that may be used to feign or mimic the appearance, actual use or effects of substances that alter behavior or judgment.~~

“Under the influence” means noticeable impairment of ability to ambulate, converse, comprehend or perform motor tasks as a result of consumption of prohibited items.

Prohibited Conduct

Students are prohibited from using, distributing, possessing, or being under the influence of controlled substances in ~~Detected evidence of use of, distribution of, possession of, or being under the influence of prohibited items within~~ any of the buildings owned by the District, on ~~school grounds~~ District property, in school vehicles and/or while participating in school-sponsored activities on or off District ~~premises property~~.

Students who are found to be in violation of this prohibition shall be suspended from school and disciplined in accordance with Board Policy and the applicable student handbook. ~~shall cause the student or students to be placed on immediate suspension and delivered into the custody of their parents or legal guardian.~~ Aiding or abetting any of the above-mentioned prohibited conduct shall be treated in the same manner.

~~The proper law enforcement authorities will be notified of such action. Expulsion proceedings may be initiated as warranted.~~

Response of School District Personnel & Reporting Procedures

It shall be the duty of all personnel, upon the observance of a violation or potential violation of this Policy~~the possession of prohibited items or behavior associated with or evidence of use of prohibited items on the part of a student or students while on District property, or engaged in school-related activities,~~ to immediately report such observed behavior to the appropriate medical or supervisory personnel.

Upon reasonable suspicion that a student ~~is concealing evidence of prohibited items~~ has violated or is in violation of this Policy, the administration may search the person, personal effects, lockers and automobiles of such student(s), in accordance~~consistent~~ with Board Policy and applicable law. ~~statutes and case law and in accordance with Regulation 5405.~~

Violations of this Policy shall be referred to the appropriate law enforcement agencies in accordance with applicable law or regulations, Board Policy, and the Memorandum of Understanding in effect with local law enforcement.

{01765401 } Adopted: August 11, 1969

Revised: January 26, 1981

Revised: September 10, 1984

Revised: June 10, 1985

Revised: September 26, 1994

Revised: May 24, 1999

Revised: December 2, 2002

Revised: August 23, 2004

Revised: August 28, 2006

Reviewed: November 10, 2011

Revised: June 15, 2015

The District reserves the right to enforce this Policy and the accompanying Administrative Regulation with respect to off-campus conduct to the fullest extent permitted by law.

The Superintendent or designee shall annually report violations of this Policy which take place on school property to the Office for Safe Schools on the required form, in accordance with state law and regulations.

Prevention

Through the regular curriculum, programs/services offered by the District, the Student Assistance Program, community resources, and consistent enforcement of disciplinary procedures, all staff and parents/guardians shall strive to educate students on the dangers of the abuse of controlled substances and prevent future violations of this Policy. ~~The principal, together with school staff and parents and guardians, shall collaborate to prevent future student use of prohibited items.~~

{01765401 }Adopted: August 11, 1969

Revised: January 26, 1981

Revised: September 10, 1984

Revised: June 10, 1985

Revised: September 26, 1994

Revised: May 24, 1999

Revised: December 2, 2002

Revised: August 23, 2004

Revised: August 28, 2006

Reviewed: November 10, 2011

Revised: June 15, 2015

Student Substance Abuse

~~It is generally agreed that the most meaningful approaches to substance abuse involve a cooperative effort on the part of students, parents, the school and community social agencies. Furthermore, the best contribution schools can make is to provide a positive, meaningful learning environment and an educational program of value for each student.~~

~~Students attend school so that they may develop to their fullest potential. In order to create and maintain an academic environment, the school, with the support of the students and parents, must strive to eliminate substance abuse. The following Regulations define practices intended to meet this goal.~~

I. STUDENT ASSISTANCE PROGRAM (SAP)

The District, recognizing the need to ~~manage and treat~~address the problem of substance abuse on a District-wide basis ~~and to take appropriate measures to prevent the problem of such abuse~~, supports the maintenance of a Student Assistance Program. The purpose of the Student Assistance Program is three-fold: (1) to identify students who are having problems because of substance abuse or due to mental health problems, (2) to intervene when appropriate either by personal contact or through support groups, and (3) with the involvement and approval of parents/guardians, to refer those students for appropriate help.

The Student Assistance Program is not a treatment program. ~~Instead, It seeks to improve the program's goal is to identify~~ identification of students who exhibit "at risk" behavior, such as suicidal intent, depression and substance abuse, and to offer a means of ~~It also provides for~~ intervention by alerting parents or guardians to behavioral changes or related school problems and by making referrals to outside agencies or school support services.

H. STUDENTS SEEKING HELP

Any student who is self-referred or who is voluntarily knowingly referred by anyone else and who seeks or accepts help with a drug, alcohol, or substance abuse problem, and who is not under the immediate influence; not, presently facing school-based disciplinary consequences; and not, or otherwise in possession of a substance governed by Policy 5405 violation of Policy 5405 at the time of referral is not subject to the disciplinary provisions ~~as outlined in section IV. B. 2 of this Regulation~~ outlined in this Administrative Regulation, so long as the student follows through on and completes the required steps of their intervention plan. In such instances, an intervention plan will be developed and implemented at the principal's direction in conjunction with the Student Assistance Team Program.

- A. School personnel to whom a student reports a drug, alcohol, or substance abuse problem and from whom ~~he or she~~ the student seeks or accepts help should consult with the student and make an appropriate referral to the Student Assistance Team Program, school counselor or building administrator.

- B. The Student Assistance ~~Team~~Program will make an appropriate assessment and referral for psychological, medical or other types of help, as may be appropriate as indicated. If assessment or treatment appears necessary, the consent of the parent or legal guardian of the student shall not be necessary to refer the student for treatment (71 P.S. §1690.112), although the District will notify the parent or legal guardian of any such referral.
- C. Follow-up will be conducted by a member of the Student Assistance Team and the agency to which the student was referred.
- D. In accord with the Pennsylvania Drug and Alcohol Abuse Control Act, a student in the District who suffers from the effects of substance abuse and who is at least fourteen (14) years of age may consent to counseling or medical care related to its diagnosis and treatment.

III. Violation of Policy 5405 INVESTIGATION AND SCHOOL-BASED DISCIPLINE

- ~~A. Policy 5405 is violated when any student, employee, visitor, guest or any other person manufactures, uses, abuses, possesses, is under the influence of, distributes or attempts to distribute substances subject to Policy 5405 or paraphernalia associated with substances subject to Policy 5405 on school premises, or at any school-sponsored activity anywhere, or while traveling to and from school or school-related activities, or who conspires, aids, or abets the use, abuse, active possession, constructive possession, or distribution of substances subject to Policy 5405.~~
- ~~B. "Under the influence" means noticeable impairment of ability to ambulate, converse, comprehend or perform motor tasks as a result of consumption of substances subject to Policy 5405.~~
- ~~C. Simulated ("look alike") medication is prohibited and its possession is a violation of this Regulation. This would include sale, distribution, or possession of substances which look like controlled pills, alcohol, marijuana, or other substances which alter behavior or judgment.~~
- ~~D. The principal or designee is authorized to prevent any person from entering District premises, who possesses or attempts to distribute, or is under the influence of substances subject to Policy 5405.~~
- ~~E. Students who are on field trips or are participating in school-sponsored activities at or away from school are subject to Policy 5405 and these Regulations. Any students covered by the rules in the Coaches Handbook or by agreements governing participation in non-athletic extracurricular activities shall also be subject to these Regulations. Students who violate these Regulations may be returned home, if warranted, before completion of the activity, and the appropriate authorities shall be notified as indicated elsewhere in this Regulation.~~

IV. Investigation, Identification and Consequences

~~A. Identification of Students Suspected of Substance Abuse~~

~~1. Responsibilities of School District Employees~~

- a. An employee who suspects a student of being in violation of Policy 5405 while on school property has a duty to ensure that the student is taken immediately to the building principal or designee. Suspicion may ~~include~~ be based on smelling ~~of~~ alcohol or marijuana or other circumstances leading the employee to reasonably suspect a violation of Policy 5405.
- b. An employee who suspects a student of being in violation of Policy 5405 while involved in any school-related activity on or off school property has a duty to ensure that the student is taken immediately to the ~~professional~~ staff member supervising the activity. After confirming the suspicion of violation of Policy 5405, the activity supervisor will immediately notify the building principal or responsible school personnel.
- c. District personnel are advised that knowledge of the investigation, diagnosis or treatment of a student's substance abuse is to be held in ~~professional-strict~~ professional-strict confidence.

~~2. Responsibilities of Principal or Designee~~

- a. A conference will be held between the student and appropriate school personnel to explore the reasons for the exhibited symptoms and to afford the student an opportunity for explanation regarding the exhibited symptoms.
 - b. If reasonable suspicion of a violation of Policy 5405 exists, the parent/guardian will be contacted, apprised of the situation, and invited, where feasible, to offer possible explanations for the child's exhibited behavior. The building principal or designee shall also notify the Superintendent or designee of Schools.
 - c. The principal or designee may also arrange for an examination by police or medical personnel to determine whether the student is under the influence of illegal drugs, alcohol, or other substances, or whether the student requires medical attention.
- ~~If the parent or student refuses to cooperate, the principal will refer the case to the appropriate local police authorities and implement disciplinary procedures.~~
- d. Upon admission from the student or confirmation from the investigation and/or examination that the student has ~~used any substance subject to~~ violated Policy 5405, the student will be subject to disciplinary action as detailed below. ~~in the following section. Medical assessment or treatment will be pursued as warranted by the student's condition.~~

B. Treatment and School-Based Discipline
Discipline for Confirmed Violation of Policy 5405

~~1. All students will be referred to the Student Assistance Team or its grade-level equivalent. Students must attend a counseling or treatment program as determined by an assessment conducted by the COAD liaison or a licensed substance abuse treatment facility. An alternative licensed substance abuse treatment facility may also be pursued at parents' expense with approval of the Superintendent of Schools. Written verification, provided by the treatment facility, indicating compliance with the recommendations cited in the assessment and/or in the treatment plan is required. Failure to attend a program will be in violation of disciplinary regulations and pursued accordingly. Failure to participate or follow through with the recommendations for treatment will result in a recommendation for expulsion or alternative placement to the Superintendent of Schools.~~

~~2. The following disciplinary procedures will be used~~ implemented in connection with any violation of Policy 5405.

1a. The building principal or designee will contact the student's parent(s) or guardian(s) and may request that they come to the principal's office immediately.

2b. The principal or designee will notify the proper local authorities for appropriate investigation and disposition.

3. The student will be referred to the Student Assistance Team Program or its grade-level equivalent.

4e. The student will be suspended from school in accordance with the following guidelines:

- A student who is found to be in violation of Policy 5405 for the first time (except for distribution) shall be suspended out of school for five (5) school days and will not be permitted to participate in school-sponsored activities for fifteen (15) school days following the infraction. Following an informal hearing, additional school-based discipline may be imposed. A student's agreement to attend, without undue delay, a counseling and/or treatment program, as determined by an assessment conducted by the liaison to the Student Assistance Program or a licensed substance abuse treatment facility, will be considered as a mitigating factor in determining whether additional school-based discipline will be imposed.

- A student who is found to be in violation of Policy 5405 who has previously been suspended for a violation of Policy 5405 shall be suspended from school for ten (10) school days and will not be permitted to participate in school-sponsored

activities for ninety (90) school days following the infraction. Following an informal hearing, the matter shall also be referred to the Superintendent to determine whether expulsion charges will be brought against the student.

- Any student who is found to be in violation of Policy 5405 for distributing a controlled substance shall be suspended from school for ten (10) school days and will not be permitted to participate in school-sponsored activities for ninety (90) school days following the infraction. Following an informal hearing, the matter shall be referred to the Superintendent to determine whether expulsion charges will be brought against the student.

5. In the case of a student who is recommended for expulsion, the Superintendent or designee may, at the Superintendent or designee's sole discretion, hold such expulsion proceedings in abeyance, and may permit a student to return to school after a ten (10) school day suspension, if the student agrees to undergo a substance abuse assessment conducted by a licensed substance abuse treatment provider, at the parents'/guardian's expense, and to comply with the recommendations cited in the assessment and/or treatment plan without undue delay, as determined by the Superintendent or designee. Expulsion proceedings will be held in abeyance in order to provide the student with a reasonable amount of time to undergo the agreed upon substance abuse assessment and to complete a treatment plan based on the recommendations cited in the assessment. Written verification, provided by the treatment facility, indicating compliance with the recommendations cited in the assessment and/or treatment plan must be provided to the District. Upon receipt of written verification that the student has complied with the recommendations cited in the assessment and/or treatment plan, expulsion proceedings will be withdrawn against the student. Expulsion proceedings will immediately be re-instated against a student who does not undergo the required assessment and/or comply with the recommendations cited in the assessment and/or treatment plan within a reasonable amount of time, as determined by the Superintendent or designee.

6. Additional penalties for prohibited use of anabolic steroids are as follows:

- a) First violation – suspension from school athletics for the remainder of the season or thirty (30) school days, whichever is longer.
- b) Second violation – suspension from school athletics for the remainder of the season and for the following season.
- c) Third violation – permanent suspension from school athletics.

No student shall be eligible to resume participation in school athletics unless satisfactory evidence is provided to the building principal or

~~designee indicating there has been a medical determination that no residual evidence of steroid or performance enhancement exists is provided to the building principal or designee.~~

Participation in School-Sponsored Activities

~~For purposes of this Administrative Regulation, "participation in school-sponsored activities" means attendance at (including representation of the school or District in) athletic events or other school activities such as club or academic activities. The student may still participate in graduation ceremonies but may not represent the school as an individual, such as a speaker or other program participant. Exclusions from participation in school-sponsored activities under this Administrative Regulation carry over from year-to-year except in the case of graduating seniors. The principal or designee will schedule an informal hearing in accordance with District Policy at which time the student and parents may offer an explanation of the circumstances.~~

~~d. — If after the informal hearing, the principal or designee determines the offense has been committed by the student, the principal or designee will take the following action:~~

~~1) — A student who is found to be in violation of Policy 5405 for the first time (except for distribution) shall be suspended out of school for five (5) days and will not be permitted to participate in school-sponsored activities as defined at the end of this Regulation for fifteen (15) school days following the infraction.~~

~~2) — A student with more than one violation of Policy 5405 for use or possession (but not distribution) of drugs, alcohol, or substances subject to Policy 5405 will be suspended from school for ten (10) days and will not be permitted to participate in school-sponsored activities for ninety (90) school days following the infraction. A substance abuse assessment conducted by a licensed substance abuse treatment provider at parents'/guardian's expense will be required. At the expense of the parent/guardian, the student must complete a treatment plan based on the recommendations cited in the assessment conducted by the licensed substance abuse treatment provider. Written verification, provided by the treatment facility, indicating compliance with the recommendations cited in the assessment and/or in the treatment plan is required. Failure to participate in the recommendations cited in the assessment and/or in the treatment plan will result in referral to the Superintendent for expulsion proceedings or alternate placement.~~

~~3) — For a student who distributes drugs, alcohol, or substances subject to Policy 5405, the principal or designee will refer the case to the Superintendent who may request a formal disciplinary hearing to be scheduled before the Board of School Directors, where expulsion or alternative placement will be recommended as warranted by the results of the investigation.~~

~~4) — Additional penalties for prohibited use of anabolic steroids are as follows:~~

~~First violation — suspension from school athletics for the remainder of the season or 30 school days, whichever is longer.~~

~~Second violation — suspension from school athletics for the remainder of the season and for the following season.~~

~~Third violation — permanent suspension from school athletics.~~

~~No student shall be eligible to resume participation in school athletics unless there has been a medical determination that no residual evidence of steroid exists.~~

~~For purposes of this Regulation, "participation in school sponsored activities" means attendance at (including representation of the school or District in) athletic events or other school activities such as cultural programs or academic activities. The student may still participate in graduation ceremonies but may not represent the school as an individual, such as a speaker or other program participant. Exclusions from participation in school sponsored activities under this Regulation carry over from year to year except in the case of graduating seniors.~~

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Reviewed: June 22, 2006

Revised: August 20, 2009

Revised: May 17, 2012

Emergency Preparedness Safety and Security

The purpose of this Policy is to outline the Board's commitment and multi-faceted approach towards proactively ensuring the safety, security, and wellbeing of all District students, staff, other stakeholders in the school community, and property.

The Board directs the Superintendent or designee to implement a District-wide safety program that promotes the safety and security of all students, staff, other stakeholders in the school community, and property.

The Superintendent or designee shall make reports and recommendations to the Board on an as-needed basis, or when required by law, regarding current safety and security practices and any strategies or resources needed to better or more comprehensively implement this Policy and the accompanying Administrative Regulation.

The Superintendent or designee shall post rules for safety and the prevention of accidents in the workplace and shall instruct all employees on the appropriate procedure through which to report an accident or injury at work.

Threats to the safety or security of students, staff, or District property shall be reported and responded to promptly in accordance with the applicable comprehensive emergency plan and as instructed by the Superintendent or designee.

The District-wide safety program shall include, but not be limited to, the following:

- Designation of a school administrator as the District's Safety and Security Coordinator, as required by applicable law;
- Maintenance and annual review of comprehensive emergency plans for each school building and the District's administration building;
- Continued existence of a District-wide safety committee and school-based safety committees in each school that meet on a regular basis;
- Continued existence of a District-wide student wellness committee that meets on a regular basis;
- Creation of a Threat Assessment Team in each school building;
- Employment of security guards or other school safety personnel;
- Safety-related student programming and services;
- Consistent building access and guest/visitor management practices, leveraging technology

wherever feasible;

- Utilization of camera systems and similar technology, where appropriate;
- Efficient building and equipment maintenance/repair program that prioritizes safety and security-related work orders;
- Procedures for encouraging students to play an active role in promoting school safety, security, and a school climate conducive to learning;
- Procedure for engaging and encouraging students, staff, and others to report concerns or suggestions regarding safety and security;
- Advanced preparation for emergency situations through routine drills and other age-appropriate instruction on a variety of emergency situations that could arise in the school setting;
- Ongoing training and professional development of staff to reinforce emergency response procedures and expectations, including, but not limited to, school safety and security training mandated by law;
- Procedures for parents/guardians to follow in the event of an emergency situation, as well as a corresponding notification system;
- Inclement weather procedures and a corresponding notification system; and
- Ongoing partnership and collaboration with local law enforcement, the fire department, and other emergency management organizations.

Legal References:

24 P.S. Sec. 1309-B

24 P.S. Sec. 1310-B

24 P.S. Sec. 1302.1-A

24 P.S. Sec. 1517

24 P.S. Sec. 1518

Board Policy and Administrative Regulation 1310: Visitors Entering District Schools

Board Policy and Administrative Regulation 5401: Student Discipline

Board Policy and Administrative Regulation 5402: Student Wellness and Nutrition

Board Policy and Administrative Regulation 5423: Self-Harming Behavior

Board Policy and Administrative Regulation 8060: Security of District Facilities

Board Policy and Administrative Regulation 8070: Recording in Schools and on School Buses

Board Policy and Administrative Regulation 8100: Transportation

Administrative Regulation 2129: School Safety and Security Coordinator

Emergency Plans

~~It is the responsibility of the principal of each building to develop and implement in cooperation with community governmental agencies special emergency drill activities that would be appropriate to an emergency that would demand that students remain at school. Building evacuation drills, such as fire or other emergencies, lockdown drills, and bus evacuation drills will be conducted periodically in each school building under a plan established by the Superintendent and in accordance with all applicable laws. Drill activities shall assure accounting for students, orderly movement of students, and placement of students in the safest available building area, an area so designated in consultation with architects and engineers.~~

~~The Board directs that the Superintendent or his/her designee establish procedures to be followed for emergency evacuations or lockdowns that affect the operation of District schools.~~

Emergency Responses

~~All threats to the safety of the schools shall be identified by appropriate personnel and responded to promptly, in accordance with the plan for emergency preparedness as promulgated by the Superintendent or designee.~~

~~Reports of fire shall typically require the evacuation of the threatened school or building, after consideration of mitigating circumstances.~~

~~The Superintendent or his/her designee is the authorized person to close or not open schools during emergency situations.~~

~~If weather conditions make it too dangerous for travel, the schools will not be opened, or closed if already opened, and the appropriate radio and television stations will be notified and will carry the information in their broadcasts. Other appropriate District communications methods will be utilized as well.~~

~~In the event that schools are in session and an emergency develops which would indicate that sufficient time is available to transport students to their homes, the schools will be closed and buses will transport students in the usual manner. It is the responsibility of the parents to arrange for places for their children to go if schools are closed earlier or later than the scheduled time and their own home is not available.~~

~~In the event that an emergency arises and it is not feasible to transport students, students will remain at the school. Again, radio and television stations will be notified if possible and other District communications methods will be employed. Children will not be dismissed if prohibited by law enforcement authorities, even where the parent or guardian appears in person at the school.~~

Guidelines

~~The Superintendent or designee shall develop procedures for handling school emergencies which include:~~

- ~~1. Immediate notification to appropriate administrative personnel whenever an emergency or impending emergency arises.~~
- ~~2. A plan for locating students in the school buildings or another safe place.~~
- ~~3. Design of a communications system to notify parents of the evacuation of students and to alert the whole school community when necessary.~~
- ~~4. Cooperation with local agencies, such as the police department, fire department and emergency management agency.~~
- ~~5. Instruction in emergency preparedness and survival techniques as part of the regular curriculum.~~
- ~~6. Instruction of staff members in the techniques of handling emergencies.~~
- ~~7. Advising the community about District emergency and safety policies.~~

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Revised: May 24, 2004

Revised: November 28, 2005

Reviewed: April 17, 2013

Emergency Preparedness Safety and Security

School Safety and Security Coordinator

The Public School Code requires the Superintendent to appoint a school administrator as the School Safety and Security Coordinator for the District.

The designated School Safety and Security Coordinator. The duties of the School Safety and Security Coordinator shall be those outlined in Administrative Regulation 2129, and any additional duties required by law.

Building Level Emergency Plans

Every school in the District shall have a comprehensive emergency plan, drafted in collaboration with Easttown Township and Tredyffrin Township and Chester County emergency management officials.

Emergency plans shall include emergency procedures and directives, including drill guidelines and response protocols. Each classroom in the District shall have a copy of the emergency response protocols relevant to their school building.

Age-appropriate safety information shall also be displayed throughout each school building outlining the appropriate response(s) to a variety of emergency situations that could arise in the school setting.

Each comprehensive emergency plan shall be reviewed and updated annually, if necessary, by the applicable safety committee, as outlined in more detail below.

Safety Committees

Each school in the District shall have a safety committee, which shall meet on a regular basis to discuss issues specific to their building and update safety protocols.

School-based safety committees are responsible for organizing and conducting regular school safety drills and updating building level emergency plans on an annual basis, as needed.

At least one representative from each school-based safety committee shall be designated to be a member of the District Safety Committee, which shall meet on a regular basis. These designated representative(s) serve as a liaison between the District and teachers/staff.

In addition to representatives from the school-based safety committees, the District safety committee shall also include representatives from local law enforcement agencies, Emergency Medical Services, District transportation department, District nursing services, District maintenance department, District administrators, community members, and parent representatives.

The District recognizes that student wellness is a critical component of District wide safety as specified in Board Policy and Administrative Regulation 5402: Student Wellness and Nutrition.

School Threat Assessment Teams

Each school will have a Threat Assessment Team made up of school representatives and the School Safety and Security Coordinator to review and address threatening behaviors. The Threat Assessment Team is responsible for implementing the Protocol for Assessment of Threatening Behaviors as outlined in Administrative Regulation 5401: Student Discipline.

Security Guards

The District employs security guards to assist with promoting and providing a safe and secure learning environment for students and staff and to enhance the existing safety and security systems and protocols.

Safety-Related Student Programming and Services

School Counseling Services

School counseling services serve as a critical component of student support and are available in each school building. Such services are available to support students on a wide range of issues involving personal, social, and emotional development. School counseling services are also available to facilitate student discussion groups and individual or group student assessments. Students are encouraged to utilize counseling services as resources to support their wellbeing.

School Psychologists

School psychologists shall be available to provide individualized assessments to determine students' strengths and learning needs, assist with determining appropriate interventions and consult with students, families and school personnel.

Mental Health Services

Mental Health Specialists shall be available for conducting clinical interviews, coordinating behavioral health services, facilitating student discussion groups and consulting with the Student Assistance Program(SAP) and Individualized Education Plan (IEP) teams.

Student Assistance Program (SAP)

SAP teams work to identify school supports to assist families in accessing community services for those struggling with drug or alcohol issues that pose a barrier to student learning and success at school or to overall student wellness.

Other Safety-Related Programming and Services

In order to take a proactive and holistic approach toward safety-related programming and services in District schools, the Superintendent and/or designee(s) shall regularly seek out and obtain or implement programming, resources, and/or services geared toward, among other topics:

- Managing mental health challenges, disorder and/or crisis;
- Talking with children about violence and/or tragic news;
- Recovering from trauma;
- Coping with disaster;
- Managing stress, anxiety, depression, substance use, disruptive behavior disorders and eating disorders;
- Suicide prevention and awareness; (See Board Policy 5423: Self-Harming Behavior)
- Recognizing social isolation and teaching students the skills needed to connect with and include peers who may be experiencing social isolation.

Building Access & Guest/Visitor Management Procedures

The District is committed to striking the appropriate balance between providing a welcoming school climate and reducing the risk of unauthorized access to school facilities.

As part of the District's guest/visitor management practice, each District building is equipped with buzz-in entry systems, which allows school staff to screen visitors prior to granting visitors access to the school.

Through the use of buzz-in entry system, the District is able to:

- Identify the visitor's name and purpose for visit prior to entering the building.
- Maintain a record of all guests/visitors to the school facility;
- Identify any person who might attempt to access the school but who is restricted due to documented reasons, such as a custodial matter or court-ordered restriction

After a visitor is cleared through the buzz-in entry system, a badge with the date and time and the visitor's name is issued. All visitors are required to wear their badge at all times.

Cameras and Recording Systems

Some district buildings are equipped with internal and/or external video recording cameras for recording video images (but not audio). Video images obtained from recording devices are used as a means of enhancing the security of students, staff, other third parties, and District property, and for disciplinary purposes.

As outlined in more detail in Board Policy 8070: Recording in Schools and on School Buses, the Board has also authorized the use of video and audio recording on school vehicles for disciplinary and security purposes. The intention of video and audio recording on school vehicles is to provide a safe environment for students, school personnel and contracted personnel.

Building Maintenance/Repair

The maintenance and repair of District buildings, grounds, equipment, and property is an important component of the District-wide safety program.

Work orders for necessary repairs/maintenance that pose a safety or security risk shall be prioritized. Any unsafe condition, practice, material, equipment, tool, or machine shall be brought to the attention of the building principal or the Facilities and Maintenance Department.

Role of Students in Promoting School Safety, Security and Climate Conducive to Learning

The success of the District's safety initiatives depends in part on the continuing and sincere efforts of all members of the school community.

Students who see anything out of the ordinary that raises a question or a concern regarding school safety and/or security should immediately contact school administration or law enforcement. Students are also instructed to express concerns to a trusted adult or via the Safe to Say Something reporting system. General concerns or inquiries may also be sent to the School Safety and Security Coordinator.

Reporting Concerns or Suggestions Regarding School Safety or Security

The success of the District's safety initiatives depends in part on the continuing and sincere efforts of all members of the school community.

Any staff member or other third party who sees anything out of the ordinary that raises a question or a concern regarding school safety and/or security should immediately contact school administration or law enforcement. General concerns or inquiries may also be sent to the School Safety and Security Coordinator.

Preparing for Emergency Situation – Routine Drills

Preparing for emergencies involves yearlong practice through various drills. Drills are conducted as follows at all schools in the District:

- **Building Evacuation:** This drill involves **the systematic movement of students and staff from the school building to another area when conditions are safer outside than inside**, such as a fire drill. During an evacuation drill, the school safety team assists with the evacuation. These drills take place on a monthly basis at each school in the District.
- **School Vehicle Evacuation:** **As required by applicable law, two emergency evacuation drills on school vehicle will be conducted each school year. The first evacuation drill will be conducted during the first week of school, and the second evacuation drill will take place during the month of March. Each such drill shall include the practice and instruction concerning the location, use and operation of emergency exit doors and fire extinguishers and the proper evacuation of the vehicle in the event of fires or accidents.**
- **Exterior Lockdown:** **During an exterior lockdown drill, the exterior of the building is locked and secure.** All outside school activities are safely returned into the building. **Building occupants are informed of the situation and encouraged to raise their level of alertness and situational awareness. Ingress and egress of the school building becomes**

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Revised: November 2005

highly restricted. Interior school functions and operations may continue as scheduled. If high risk activity moves onto the school campus, the next step is interior lockdown. This drill takes place once per school year at each school in the District.

- **Interior Lockdown:** During a lockdown drill, students, teachers, staff and visitors restrict their movements within classrooms, offices and workspaces, turn off lights, and shut and lock their doors. This drill takes place at least three (3) times per school year at each school in the District; one of the drills includes the relocation of students to a designated rally point.
- **Shelter-in-Place:** This drill involves immediately seeking shelter in a safe location within the building. This course of action may need to be taken during a severe thunderstorm, high winds, tornado, severe weather, or in the event of a hazardous material (HAZMAT) accidental release of toxic chemicals. This drill takes place once per school year at each school in the District.

Professional Development – School Safety and Security

The District will provide employees with mandatory training on school safety and security, as required by law.

The training shall address the following topics:

- Situational awareness;
- Trauma-informed education awareness;
- Behavioral health awareness;
- Suicide and bullying awareness;
- Substance use awareness; and
- Emergency training drills, including fire, natural disaster, active shooter, hostage situation and bomb threat.

Employees will be required to complete a minimum of three (3) hours of training every five (5) years. Employees required to undergo continuing professional education shall receive Act 48 credit toward their continuing professional education requirements if the training program has been approved by the Department of Education in consultation with the statewide School Safety and Security Committee.

Guidelines for Parents/Guardians to Follow During Emergency Situations

Parents/guardians should ensure that the District has their most up-to-date contact information in order to ensure effective communication during an emergency situation. The District's ability to communicate is only as effective as the contact information the District has on file. Parents/guardians may update their contact information at any time by contacting the school in which their child attends.

The District recognizes the importance of timely and effective communication with parents/guardians during emergency situations. In the event of a school evacuation or early dismissal, parents/guardians will be informed through the District's notification system as soon

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as possible. Information will be communicated about when and where children may be picked up, if applicable.

If there is an ongoing incident taking place, updates will be provided as new information is available. Information will be made available on the District's website to the extent possible.

During an emergency, the first priority of school personnel is to address the emergency at hand. While some parents/guardians may wish to immediately come to school to pick up or aid their child, reporting too early may interfere with emergency responders and/or with the District's actions related to moving and accounting for students and staff in a safe, efficient, and calm manner.

District staff and emergency responders will do everything possible to make the best decisions to assure everyone's safety. Parent/guardian cooperation in allowing these professionals to do their jobs in an effective manner is appreciated.

Inclement Weather Procedures and Notification System

The safety of staff and students is the District's top priority when making decisions as to whether to open or close schools in inclement weather. The decision to open or close schools is based on careful analysis of all relevant factors, including, but not limited to:

- Road conditions;
- Amount of snow and/or ice accumulated;
- Precipitation timeframe;
- Building conditions, such as whether they have electricity and heat;
- Parking lot conditions;
- Temperature and wind chill;
- Weather predictions; and
- What other local school districts are doing.

Decisions regarding the opening or closing of school are made as soon as possible in order to ensure sufficient time to communicate the news effectively to parents/guardians and the community.

Notifications will be communicated through:

- Television (ABC 6, CBS 3, NBC 10, FOX 29);
- District website;
- District notification system;
- TETV weather announcement (Comcast/Xfinity Channel 14 and Verizon Channel 20);
- Recorded notification message on District hotline number (610)-240-1970.

Partnerships with Police, Fire, and EMS

The Easttown and Tredyffrin Township Police Departments, Fire Department, Emergency Management Service, and Chester County Office of School Emergency Planning are key safety partners of the District.

As required by applicable law, the District maintains and updates a Memorandum of Understanding with the Easttown and Tredyffrin Township Police Departments.

Development of Emergency Plans

~~Each building principal is responsible for having in place at the commencement of each school year an emergency plan (“Emergency Plan”) for their assigned building.~~

~~Each Emergency Plan shall contain, at a minimum, the following:~~

- ~~1. Building evacuation drill procedures;~~
- ~~2. Lockdown drill procedures;~~
- ~~3. Bus evacuation drills;~~
- ~~4. A plan for sequestering students in the school buildings or another safe place.~~
- ~~5. Design of a communications system to notify parents of the evacuation of students and to alert the whole school community when necessary.~~
- ~~6. Instruction in emergency preparedness and survival techniques as part of the regular curriculum.~~
- ~~7. Immediate notification of appropriate administrative personnel whenever any employee becomes aware of an emergency or impending emergency.~~
- ~~8. Cooperation with local agencies, such as the police department, fire department and emergency management agency.~~
- ~~9. Instruction of staff members in the techniques of handling emergencies.~~

~~The following agencies for the Township in which the school is located shall be consulted in connection with the development of the Emergency Plan. Such consultation shall be coordinated through the Business Manager as designated by the Superintendent:~~

- ~~1. Police department;~~
- ~~2. Fire department; and~~
- ~~3. Township emergency services.~~

~~The Business Manager shall also coordinate review of the Emergency Plans by the District’s architects and engineers.~~

Notification to School Community of Emergency Plans

~~Notification to staff, students and parents of the contents of the Emergency Plans shall include, but not necessarily be limited to, the following:~~

- ~~1. Posting in the administration office of each school building;~~
- ~~2. Mailing to staff at least once per school year;~~
- ~~3. Discussion in student assemblies; and~~
- ~~4. Posting on District website.~~

Student Discipline

Definitions

For purposes of this Policy and the accompanying Administrative Regulation, the following definitions shall apply:

Bullying shall mean an intentional electronic, written, verbal or physical act, or a series of acts which meet the following criteria:

1. directed at another student or students;
2. occurs in a school setting;
3. is severe, persistent or pervasive; and
4. has the effect of doing any of the following:
 - a. substantially interfering with a student's education;
 - b. creating a threatening environment; or
 - c. substantially disrupting the orderly operation of the school.

School setting shall mean in school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the District.

Hazing occurs any time a person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a student into or with an organization, or for the purpose of continuing or enhancing a student's membership or status in an organization, causes, coerces or forces a student to do any of the following:

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

Aggravated hazing occurs when a person commits an act of hazing that results in serious bodily injury or death to the student and:

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

Organizational hazing occurs when an organization intentionally, knowingly or recklessly promotes or facilitates hazing.

Any activity, as described above, shall be deemed a violation of this Policy and the accompanying Administrative Regulation, regardless of whether the consent of the
Tredyffrin/Easttown School District

student was sought or obtained or whether the conduct was sanctioned or approved by the student organization.

Student activity or organization means any activity, society, corps, team, club or service, social or similar group, operating under the sanction of or recognized as an organization by the District, whose members are primarily students or alumni of the District.

Bodily injury shall mean impairment of physical condition or substantial pain.

Serious bodily injury shall mean bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Harassment means verbal, written, electronic, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, gender, age, disability, sexual orientation, gender identity, gender expression or religion when such conduct:

1. Is sufficiently severe, persistent or pervasive that it affects a student's educational performance or creates an intimidating, threatening or abusive educational environment; and/or
2. Has the purpose or effect of unreasonably interfering with a student's educational performance; and/or
3. Adversely affects a student's educational opportunities.

Harassment includes, but is not limited to, slurs, jokes, bullying, hazing or other verbal, written, electronic, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, gender, age, disability, sexual orientation, gender identity, gender expression or religion. Harassment also includes sexual harassment, as defined below.

Sexual harassment is a specific form of harassment which means unwelcome sexual advances, requests for sexual favors, inappropriate verbal or physical conduct of a sexual nature, gestures of a sexual nature, or display of materials which evoke responses not in keeping with the atmosphere intended for the classroom or the school environment.

Threatening behavior shall mean a physical, verbal or written threat to (1) commit violence with intent to terrorize, injure or damage another or others, (2) cause evacuation of a building, place of assembly or facility of transportation, or (3) otherwise cause serious public inconvenience with reckless disregard of the risk of causing such terror or inconvenience.

Transient threat is a broad category including all threats that do not reflect a genuine intent to harm others.

Substantive threat means behaviors or statements that represent a serious risk of harm to others.

Behaviors targeting others means bullying, hazing, harassment, and threatening behaviors

collectively.

General Discipline Guidelines

The principal or designee of each school in the District shall have the authority to discipline students for sufficient reason in accordance with the specific building Code of Conduct, Pennsylvania Public School Code of 1949, as amended, and other applicable Federal and State laws and/or regulations.

Discipline measures may include warning, detention, suspension, expulsion or other appropriate responses to the circumstances as determined by the principal or designee. The severity of any consequence should be proportional to the severity of the offense and take into account, among other considerations, the age of the student, the student's prior disciplinary record, special circumstances about the incident, as well as any applicable laws or regulations. Violations of this Policy and the accompanying Administrative Regulation shall be reported to local law enforcement in accordance with the Memorandum of Understanding in effect between the District and the local law enforcement agency.

School personnel shall promptly notify the disciplined student's parent or guardian of such disciplinary action.

Offenses committed on school grounds, in school vehicles or while participating in school-sponsored activities on or off school premises or that have some other legally-recognized nexus to the school that are considered to be of an extremely serious nature and may result in either suspension or expulsion, include but are not limited to the following:

1. Inappropriate physical contact, attack, fighting, bullying, hazing, harassment or threatening behavior.
2. The use of, distribution of, or possession of, any substance subject to Policy 5405 (Student Substance Abuse) or 5411 (Tobacco, Smoking Products and Electronic Smoking Products). Aiding or abetting any of the above actions regarding substances subject to Policy 5405 or 5411 shall be treated in the same way.
3. The use, possession, or transfer of any item which could be considered a weapon or which is dangerous in nature, as outlined in Policy 5410 or in accordance with applicable law.
5. Destruction or defacing of school property.
6. Infraction of school rules that carries the consequence of suspension or expulsion, as outlined in the applicable Student Handbook, Code of Conduct or otherwise in Board Policy or an accompanying Administrative Regulation.
7. Conduct adversely affecting the school routine or otherwise endangering the safety, morals, health or welfare of others.

8. Inappropriate physical contact, attack, threatening behavior or other retaliatory conduct directed at school staff members, their property, or their families.

School personnel shall also promptly notify the parent or guardian of any student determined to be a target or recipient of behaviors targeting others in violation of this Policy. The Superintendent or designee will establish guidelines in the accompanying Regulation for further communication of situations involving threatening behaviors.

Suspension

When a suspendable offense occurs, the principal or designee shall meet with the student, at which time the student shall have the opportunity to offer an explanation of the infraction. After that meeting, the principal or designee may suspend a student, either in-school or out-of-school. Parents/guardians will be notified.

When a suspension exceeding three school days is under consideration, the principal or designee shall offer the student and student's parents/guardians an informal hearing, as required by law. After such hearing the principal or designee may extend the suspension for a period of up to ten total school days. Parents/guardians will be notified.

The principal shall promptly report all suspension actions to the Superintendent or designee.

Expulsion

The Board may either expel for a period exceeding ten (10) consecutive school days or may permanently expel any student whose misconduct and disobedience is such as to warrant this sanction. Expulsion proceedings shall be in accordance with applicable state law and regulations.

Supports

The Superintendent or designee will coordinate with the schools to promote reasonable uniformity of available supports among the schools with consideration for elementary, middle school and high school levels.

Special Considerations - Discipline of Students with Disabilities

The discipline of students with disabilities shall be in accordance with federal and state law, their Individualized Education Program, a behavioral intervention plan and Board Policy.

Special Considerations – Bullying, Hazing, Harassment and Threatening Behavior

It is the Policy of the Board to maintain a safe, positive and respectful environment for students and staff that is free from bullying, hazing, harassment and threatening behavior. Any form of bullying, hazing, harassment or threatening behavior that is a part of a school sponsored or student activity or organization is prohibited. No student, coach, activity sponsor, volunteer, District employee, administrator, representative, agent, or contractor shall plan, direct, encourage, assist, engage in, tolerate, condone, ignore or fail

to properly report any known instances of bullying, hazing, harassment or threatening behavior.

Students who believe they or others have been subjected to bullying, hazing, harassment or threatening behavior are encouraged to promptly report such incidents to a building administrator, teacher and/or school counselor.

Students, administrators, coaches, activity sponsors, volunteers, District employees, representatives, agents, and contractors shall be alert to incidents of bullying, hazing, harassment and threatening behavior and shall promptly report such conduct to their supervisor or the building principal.

The Board directs that the District promptly investigate all complaints of bullying, hazing, harassment and threatening behavior, and administer appropriate discipline to any individual who violates this Policy or the accompanying Administrative Regulation, in accordance with applicable Board Policies, Administrative Regulations, and any applicable Code of Conduct. Appropriate corrective and preventative action shall be taken when allegations are substantiated.

Reports of alleged bullying or hazing that could be interpreted to also constitute discrimination and/or unlawful harassment shall be handled in coordination with the appropriate Title IX coordinator. Complaints of bullying, hazing, harassment and threatening behavior may also be referred to the appropriate law enforcement agency for investigation, as required by law or as determined by the Superintendent or designee.

No reprisals nor retaliation shall occur as a result of good faith charges of bullying, hazing, harassment or threatening behavior. Confidentiality of all parties shall be maintained, consistent with the District's legal and investigative obligations.

The District shall inform students, staff, parents, independent contractors and volunteers that bullying, hazing, harassment and threatening behavior of students will not be tolerated, by a variety of methods which may include publication in handbooks, on the District's website, and presentations to students and staff when appropriate.

Threat Assessment Team

Each District school will establish a Threat Assessment Team comprised of school and District personnel to oversee the threat assessment process and consult with law enforcement. The Superintendent or designee will issue regulations to implement and train the Threat Assessment Team.

Reporting Disciplinary Incidents to the Board

The Board shall receive an annual summary of disciplinary incidents, consistent with state and federal reporting.

Delegation of Responsibility

The Superintendent or designee shall develop and promulgate an Administrative Regulation implementing this Policy.

The Superintendent or designee, in cooperation with other appropriate administrators, shall ensure the review of this Policy and the accompanying Administrative Regulation no less than every two (2) years, and recommend any necessary revisions.

Legal Reference:

18 Pa. C.S.A. 2801 et seq (Timothy J. Piazza Antihazing Law)

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Student Discipline

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Guidelines for Developing Self-Discipline

1. The development and maintenance of self-discipline is an integral aspect of learning.
2. Each professional staff member, as a part of the normal teacher-learning process, shall develop and emphasize self-disciplinary procedures with students.
3. Each staff member is responsible for contributing to the maintenance of these standards of behavior which are conducive to learning in the school setting, as defined in the Policy.

Disciplinary Action

Building Level

1. Under these District-wide guidelines, basic standards of behavior shall be developed and then reviewed annually within each building of the District.
2. Appropriate and consistent action shall be taken in the school setting. Punishment or consequences will be proportional to the severity and frequency of the infraction with consideration of academic consequences associated with discipline.
3. Building administrators and their designees shall be responsible for implementing and maintaining consistent building-wide standards.
4. The individuality of each student and each incident shall be taken into consideration in any disciplinary action.
5. If a student is suspended from school, a building administrator shall contact the parent(s) or guardian(s) by telephone or face-to-face prior to re-admittance of the student.

District Level: Expulsion

1. When a building principal or designee is recommending that a student be considered for potential expulsion, they shall submit to the Superintendent the following information:
 - a. A chronology of the incident(s).
 - b. Statement(s) by those involved in the incident(s).
 - c. Statement(s) from educators currently familiar with the student's situation.
 - d. A review and recommendation by the principal.

2. The Superintendent or designee may review the student's file in determining the appropriate action. In the event that the Superintendent recommends that expulsion proceedings be brought against a student, a formal hearing shall be offered to the student and their parent(s)/guardian(s) in accordance with Board Policy and applicable law.

Protocol for Assessment of Threatening Behaviors

1. Building administrator or designee conducts initial investigation to verify the incident and the probability of student involvement.
2. If the building administrator or designee cannot verify the incident, then the parent/guardian of all known students associated with the reported incident should be contacted. No further action is required.
3. Building administrator or designee notifies the Threat Assessment Team and serves as the designated leader. The Threat Assessment Team shall include, whenever practical, the District safety coordinator, building administrators, a District mental health specialist, school counselor, school psychologist and, on an ad hoc basis, other District staff with relevant knowledge of the student involved with the threatening behavior.
4. The Threat Assessment Team will take into consideration the developmental age of the students involved when determining discipline measures and supports.
5. Building administrator or designee contacts parent(s)/guardian(s) of the student who engaged in threatening behaviors to review these steps in the protocol, which do not necessarily need to be taken in the order listed below:
 - a. The student will be removed from class to a safe location and/or additional supervision will be assigned.
 - b. Parent(s)/guardian(s) is/are notified by the building administrator and an initial investigation is conducted by the building administrator or designee.
 - c. A clinical interview may be completed by a District mental health specialist and the results of the clinical interview will be discussed with the Threat Assessment Team and parent(s)/guardian(s).
 - d. Based upon the available information, the Threat Assessment Team will categorize the threat as transient or substantive.
 - e. The building administrator, with input from the Threat Assessment Team, will determine any disciplinary action on a case-by case basis while considering the severity of the threatening behavior and prior relevant disciplinary history of the student.
 - f. A designated member of the Threat Assessment Team will maintain contact with the family of the suspended student during the suspension.
 - g. Whether determined to be a transient or substantive threat, the student may be required to attend school-based counseling session(s).
 - h. If the Threat Assessment Team determines the threat is transient, the student may return to school pending the outcome of any disciplinary action.

- i. If the Threat Assessment Team determines the threat is substantive, a mental health risk assessment (“the mental health risk assessment”) shall be required.
 - j. If the mental health risk assessment is required, it will be completed by a District-selected or District-approved certified child and adolescent psychiatrist or other District-selected or District-approved qualified mental health professional.
 - k. The Office of Individualized Student Services will schedule the mental health risk assessment, and the school administrator or designee will contact the parent(s)/guardian(s) to discuss arrangements for the mental health risk assessment.
 - l. Signed parent/guardian consent is required for the mental health risk assessment to commence. If signed consent is not forthcoming and the family has not made arrangements with a District-approved psychiatrist or other mental health professional, then the student will be suspended, pending the development of a District-approved written plan to ensure the safety of the student and others in school.
 - m. If there is a delay in the completion of the mental health risk assessment beyond the length of the assigned suspension, then a District-approved written safety plan will be developed to ensure the safety of the student and others before the student is scheduled to return to school.
 - n. If suspension exceeds three (3) school days, the family has the right to an informal hearing. If suspension exceeds ten (10) school days, the student has the right to a formal hearing.
 - o. The building administrator or designee will hold a conference with a suspended student and their parent/guardian prior to readmission to school.
 - p. A student who is suspended or expelled for threatening behavior is subject to random searches in accordance with Policy 5412 and applicable law.
 - q. Police must be notified by the building administrator in the event of a weapons or drug offense.
 - r. Police will be notified by the building administrator in situations involving possible criminal conduct such as threatening statements or actions towards others, or an intentional infliction or attempted infliction of bodily injury.
6. Office of Individualized Student Services or designee prepares appropriate parent/guardian permissions for assessment and release of information for building administrator to secure parent/guardian signature.
 7. Upon receipt of permission and information release from the parent(s)/guardian(s), building administrator or designee contacts the District-approved mental health professional to provide student records and information about the incident.
 8. The administrator or designee makes arrangements with the mental health professional to contact the building administrator or designee immediately following the mental health risk assessment as to whether the student is safe to return to school

and to make recommendations for support. Following the mental health risk assessment, the mental health professional contacts the building administrator or designee as per previous agreement. The administrator or designee contacts the parent(s)/guardian(s).

9. If the mental health risk assessment determines that the student is not considered a threat to self or others, then the student may return to school as determined by the building administrator pursuant to District disciplinary procedures.
10. Supports and services are guided by assessment data and determined by the appropriate building based team. Building and District personnel work with the parent(s)/guardian(s) and student to discuss and implement recommendations.
11. A report from the mental health risk assessment is sent to the Office of Individualized Student Services which, in turn, will disseminate it to the building administrator and the parent(s)/guardian(s).

Communication of Situations Involving Bullying, Hazing, Harassment and Threatening Behaviors (“Behaviors Targeting Others”)

School personnel shall promptly notify the parent or guardian of any student determined to be a target or recipient of behaviors targeting others. School personnel shall also promptly notify the parent or guardian of the student who displays threatening behavior.

The Superintendent or designee shall, in their discretion, authorize school or community-wide communications in accordance with Board Policy, the Family Educational Rights and Privacy Act (FERPA) and other applicable law based on relevant conditions, which may include but is not limited to the following:

- (1) the nature or severity of the threat;
- (2) the number of individuals targeted by a threat;
- (3) the degree to which there has been an expression of schoolwide or community concern or potential schoolwide or community exposure;
- (4) recommendation of law enforcement; and
- (5) consultation with District Solicitor or other legal counsel

Not all five conditions need to exist in order for notification to be given.

Supports

The principal or designee will review the supports available at school for any student determined to be a target or recipient of behaviors targeting others, as well as for their family. The principal or designee will review supports available at school for the student in violation of the Policy, as well as for their family.

Suspensions of Students with Disabilities

Typically, students with disabilities and students determined to be handicapped under Chapter 15, may not be suspended beyond ten (10) consecutive school days and fifteen (15) cumulative school days ("the 10/15 day limits") allowed by State Board of Education regulations, 22 Pa. Code §14.143. The exception to this general rule is where the IEP team determines that the student's conduct was not a manifestation of the student's disability. No later than the day on which the decision to take disciplinary action is made, the District shall notify the parent(s)/guardian(s) of the decision and of all procedural safeguards under the IDEA.

When discipline is to be imposed upon a student with disabilities, school personnel have the authority to (1) remove the child from his or her current placement to an appropriate interim alternative educational setting or suspension for a period of not more than the 10/15 day limits to the extent such discipline would be applied to students without disabilities; (2) assign the student to an alternative educational setting for the same period as such discipline would be imposed upon children without disabilities if there has been a determination that the conduct at issue was not a manifestation of the child's disability or (3) assign the student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the conduct at issue was a manifestation of the child's disability if the special circumstances for emergency placement described in this Administrative Regulation apply.

When a student with a disability has committed an act that would result in a suspension from school all regular disciplinary procedures must be followed. If the proposed suspension is longer than the 10/15 day limits or involves the exclusion of a student with Intellectual Disability, it is considered a change of educational placement as defined in 22 Pa. Code §14.143. Any recurring, part-day removals may constitute a change of placement just as recurring full day removals of the student from the class constitute a change in placement.

If proposed discipline would result in a change in placement, then in addition to other applicable procedures, within ten school days of any decision to change the placement of a student with a disability, the relevant members of the IEP team must conduct a manifestation determination as set forth below.

Emergency Exclusions for Students with Intellectual Disability

The protection afforded students with intellectual disability in the Commonwealth concerning suspension is greater than the protection afforded other students with disabilities. For students with intellectual disability, any suspension is a change in placement; however, the regulations provide a mechanism for emergency exclusions of students with intellectual disability, where necessary.

If a discipline problem with a student with intellectual disability is so immediate or severe as to warrant immediate action, the District, via the Director of Individualized

Student Services, with the approval of the Secretary of Education or a designee, may implement an interim change in educational placement, including exclusion from school, as long as notice is provided to the parent(s)/guardian(s) and a due process hearing is scheduled as soon as possible. The Secretary approval process is available only for an exclusion of a student with intellectual disability for ten (10) school days or less. A school district proposing to exclude a student with intellectual disability must first notify the student's parent(s)/guardian(s) in writing requesting approval. If the approval is not given, the parent(s)/guardian(s) and/or the District has/have the right to a due process hearing to determine whether a change in placement is appropriate.

In the event of a weapons incident, the appropriate procedures are followed including police notification, documentation for state reporting and recommendation to the Superintendent by administration for discretionary action if warranted.

IEP/Multidisciplinary Team Consideration

Within ten (10) school days after the decision to change the placement, the relevant members of the IEP team as determined by the parent(s)/guardian(s) and the Administration, must consider whether the student's behavior is attributable to the student's disability. In making this determination (hereafter called the manifestation determination), the IEP team must review all relevant information in the student's file, including the IEP, any teacher observations and any relevant information provided by the parent(s)/guardian(s) to determine: (a) whether the conduct in question was caused by or had a direct and substantial relationship to the student's disability; and (b) whether the conduct in question was the direct result of the District's failure to implement the IEP. If the team determines that the answer to either of these questions is "yes", then the conduct shall be deemed a manifestation of the student's disability.

Conduct Deemed a Manifestation of Disability

If the conduct is deemed a manifestation, then the IEP team must (a) conduct a functional behavioral assessment of the student unless such an assessment was previously conducted and develop and implement a behavior intervention plan, unless such a plan has already been developed; or (b) if a behavior intervention plan was previously developed, then the IEP team must review the plan and modify it as necessary to address the behavior.

The behavioral intervention plan will provide the vehicle in the determination of what constitutes a change in educational placement for each student's program. If the IEP team has included certain school responses to student behavior in the behavior intervention plan, the application of the agreed upon procedures will not constitute a change in educational placement.

Additionally, if the conduct is deemed a manifestation of the student's disability, then the student must be returned to the placement from which the student was removed unless (a) the parent(s)/guardian(s) and the District agree to a change in placement as part of a behavioral intervention plan; or (b) the special circumstances for emergency placements

set forth in this Administrative Regulation apply. If the conduct in question involved any of these special circumstances, then the District may assign the student to an alternative educational setting for not more than forty-five (45) school days, regardless of whether the conduct was a manifestation of the student's disability.

If the conduct is deemed a manifestation, but the District believes that maintaining the current placement is substantially likely to result in injury to the child or others, then the District may request an expedited due process hearing which must be scheduled within twenty (20) school days of the request. The student must remain in the current placement pending the hearing officer's decision, unless the District and the parent(s)/guardian(s) agree to an alternative placement.

Conduct Not a Manifestation of Disability

If the conduct is not deemed a manifestation of the student's disability, then the District may proceed with the disciplinary measures applicable to students without disabilities in the same manner and for the same duration as they would apply to students without disabilities. The District is still required to provide a free appropriate public education to the student, but it may provide the education in an alternative setting. If a hearing before the Board is necessary, then the Board must receive the complete special education and disciplinary record of the child.

If the parent(s)/guardian(s) disagree(s) with determination that the behavior was not a manifestation of the student's disability, then the parent(s)/guardian(s) has/have the right to an expedited hearing to challenge the determination. During the appeal, the student must remain in the interim alternative educational setting until the disposition of the appeal or until the expiration of the period of exclusion, whichever occurs first, unless the District and the parent(s)/guardian(s) agree otherwise.

If the conduct is not deemed a manifestation, then the District must, as appropriate, provide a functional behavioral assessment, behavior intervention services and modifications that are designed to address the behavior violation so that it does not recur.

Special Circumstances for Emergency Placements

The Administration can remove a student with disabilities to an interim alternative educational setting for a period of forty-five (45) school days regardless of whether the conduct in question was a manifestation of the student's disability under the following circumstances:

Weapons

A student with a disability who carries or possesses a dangerous weapon to or at school, on school premises, on a school vehicle, or to or at a school function can be placed in an interim alternative educational setting for a maximum of forty-five (45) school days (the IEP team determines the setting and the student returns to regular education on the 46th school day unless a mutually agreed upon new placement has been identified).

Procedures described above related to the manifestation determination and development of a functional behavioral assessment and implementation or modification of a behavioral intervention plan still apply.

Controlled Substances

A student with a disability who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, on a school vehicle, or at a school function can be placed in an interim alternative educational setting for a maximum of forty-five (45) school days (the IEP team determines the setting and the student returns to regular education on the 46th school day unless a mutually agreed upon new placement has been identified). The term “illegal drug” means a controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional. This does not include a legally-prescribed drug. A “controlled substance” is a substance as defined in the Controlled Substances Act (21 U.S.C. § 812(c).) Procedures described above related to the manifestation determination and development of a functional behavioral assessment and implementation or modification of a behavioral intervention plan still apply.

Serious Bodily Injury

A student with a disability who has inflicted serious bodily injury upon another person while at school, on school premises, on a school vehicle, or at a school function can be placed in an interim alternative educational setting for a maximum of forty-five (45) school days (the IEP team determines the setting and the student returns to regular education on the 46th school day unless a mutually agreed upon new placement has been identified). Serious bodily injury is defined as “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.” Procedures described above related to the manifestation determination and development of a functional behavioral assessment and implementation or modification of a behavioral intervention plan still apply.

For any of these special circumstances for emergency placements, if a student’s conduct is deemed not to be a manifestation of the student’s disability, then the District can impose discipline beyond the forty-five (45) school days to the extent and for the duration that it would impose such discipline on students without disabilities. If the District proposes such a placement beyond the forty-five (45) school day alternative placement, then the District must offer a formal hearing as it would for students without disabilities, in accordance with Board Policy and applicable law.

Procedures for Suspensions of Students with Disabilities

For suspensions of one to three school days and four to ten school days for all students with disabilities, except those who have intellectual disability, follow procedures used for regular education students. In addition, the principal should notify the appropriate special education supervisor of the suspension and the readmission date.

For special education students who are being suspended for periods of time longer than the 10/15 school day limits:

1. Prior to the student actually serving any suspension in excess of the 10/15 school day limits, the relevant members of the IEP team must conduct a manifestation determination.
2. If the IEP team determines the conduct was a manifestation of the student's disability, then the IEP team must conduct a functional behavioral assessment, unless one was already conducted and develop/modify a behavior intervention plan. Additionally, the student may not be suspended in excess of the 10/15 school day limits unless the special circumstances for emergency placement set forth above apply (dangerous weapon, illegal drugs/controlled substance, inflicted serious bodily injury on another). If special circumstances do not apply and the District believes that maintaining the current placement is substantially likely to result in injury to the student or others, then the District can request an expedited due process hearing.
3. If the IEP team determines the conduct was not a manifestation of the student's disability, then the student may be suspended in excess of the 10/15 school day limits. The decision of the IEP team need not be unanimous and can be made over a parent/guardian objection, subject to the parent(s)/guardian(s) having a right to contest the determination.
4. If the conduct is deemed not a manifestation, then the District issues a Notice of Recommended Educational Placement (NOREP) with a copy of the Parents' Rights letter indicating the alternative educational placement as the placement and (under "Reasons for the Recommendations") indicating that the IEP team determined that the conduct was not a manifestation of the student's disability.
5. If the student's parent(s)/guardian(s) do/does not reject the NOREP or otherwise request a hearing, the suspension or expulsion and alternative placement may be implemented as if the student were a regular education student. If the suspension is in excess of ten (10) consecutive school days, the District must offer a formal hearing in the same manner as it would for any regular education student. This hearing may be waived by parental consent. If the conduct involved special circumstances for emergency placement, then a formal hearing would only be necessary if and to the extent that the alternative placement would exceed forty-five (45) school days.
6. If the parent(s)/guardian(s) reject(s) the NOREP, then the student can be assigned to the interim alternative educational placement and an expedited due process hearing on the manifestation determination must take place within twenty (20) school days of the date of the request and must result in a determination within ten (10) school days after the hearing. If the removal exceeds ten (10) school days, and the conduct involved does not involve the special circumstances for emergency placements, then a formal hearing must be offered as it would be for students without disabilities. If the conduct involved the special circumstances for emergency placement, then a formal hearing would only be necessary if and to the extent that the alternative placement would exceed forty-five (45) school days.

7. If the District prevails in the due process proceedings, then it can continue to implement the alternative placement for the duration of the exclusion as if the student were in regular education (subject to the formal hearing requirement, if applicable).

Suspension of a Student Who Has NOT Been Determined to be Eligible for Special Education

1. The District may expel the child for more than ten (10) school days to the same extent that it would expel a nondisabled child for the same offense, provided, however, that
 - a. the District did not have knowledge that the child was a child with a disability before the violation occurred; and
 - b. if an evaluation is requested after the violation occurs, the District conducts the evaluation in an “expedited manner.”
2. The District will be deemed to have knowledge of a disability if, prior to the violation,
 - a. the parent(s)/guardian(s) expressed a concern, in writing, to supervisory or administrative personnel or a teacher of the child, that the child requires special education and related services; or
 - b. the teacher of a child has expressed specific concerns about a pattern of behavior demonstrated by the child directly to the Director of Individualized Student Services or other supervisory personnel; or
 - c. the parent(s)/guardian(s) has/have requested an evaluation.
3. The District will not be deemed to have knowledge of a disability if:
 - a. the parent(s)/guardian(s) of the child has/have not allowed an evaluation; or
 - b. the parent(s)/guardian(s) of the child has/have refused services; or
 - c. the child has been evaluated and it was determined that the child was not a child with a disability under the IDEA.

Reporting & Investigation Procedures – Bullying, Hazing, Harassment

1. Students who believe they or others have been subjected to bullying, hazing or harassment are encouraged to promptly report such incidents to a building administrator, teacher and/or school counselor.
2. Each building administrator or designee shall be responsible for reviewing and investigating any reports received alleging bullying, hazing or harassment. Reports of alleged bullying or hazing that could be interpreted to also constitute discrimination and/or unlawful harassment shall be handled in coordination with the Director of State and Federal Programs as the District’s Title IX Coordinator under this Policy and Administrative Regulation.

3. The building administrator or designee responsible for reviewing and investigating such reports shall conduct a prompt and thorough investigation. The building administrator or designee shall determine what, if any, interim measures should be put in place to protect students from further hazing, bullying, harassing or discriminatory conduct related to the alleged incident and report. Such interim measures may include, but need not be limited to, the separation of alleged victims and perpetrators. Records shall be maintained documenting the investigation performed, the outcome, any discipline imposed, and any preventative or corrective action taken and notification to parents/guardians of the alleged victims and perpetrators of such corrective action to the extent permitted by student privacy considerations as judged by the Superintendent or designee.
4. Violations of this Administrative Regulation and the accompanying Board Policy shall be reported to local law enforcement in accordance with the Memorandum of Understanding in effect between the District and the local law enforcement agency. Annually, the building administrator or designee shall assist the Superintendent or designee with the compilation of all incidents required to be incorporated into the District's annual report to the Pennsylvania Department of Education, Office for Safe Schools.

Special Provisions – Hazing

If a student organization is found to have engaged in organizational hazing, it shall be subject to appropriate penalties, which could include rescission of permission for that organization to operate on school property.

Any person or organization that causes or participates in hazing may be subject to criminal prosecution. An individual needing medical attention or seeking medical attention for another shall not be subject to criminal prosecution if they comply with the requirements of law relating to Safe Harbor.

Special Provisions – Student Bullying Policy

As required by Pennsylvania law, the District shall make its bullying policy available on its publicly accessible website.

Building administrators or designees will also ensure that notification of the bullying policy is posted in each classroom and in a prominent location within the school building. An age-appropriate summary shall be included as part of this posting. (See Attachments A and B).

Once each school year, each building administrator or designee will review the District's bullying policy with its students.

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BULLYING

What is Bullying?

A person is bullied when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more other persons, and he or she has difficulty defending himself or herself.

Specific forms of bullying behaviors may include:

- Says hurtful, demeaning things to you or calls you names.
- Says scary things to you a lot because they want to make you feel frightened.
- Tells you they are going to hurt you or threatens you.
- Teases or taunts you a lot, especially if you asked the student to stop.
- Tells other people bad things about you.
- Tells other students not to play with you, talk to you, be around you, or include you.
- Writes you a lot of mean, threatening, demeaning letters, text messages or email messages.
- Makes cruel faces at you on purpose.
- Hits, kicks, slaps, punches, or pinches you on purpose.
- Tries to hurt your body in any way.
- Forces you or somehow gets you to do something that you do not want to do.
- Tells you lies a lot that make you feel upset.
- Makes you feel like you do not want to come to school or like you cannot concentrate in school.

What Should You Do if You are Being Bullied?

- If you think that someone is bullying you, you should tell your teacher or an adult at school immediately.
-

What Will the School Do?

- Sometimes the school will decide to have a meeting with the bully's parents.
- Sometimes the school will take privileges away from the bully including school activities.
- Sometimes the bully will be suspended from school.
- Sometimes the police will need to talk to the bully, especially if the bully threatened someone or tried to hurt someone.

What are Our School's Anti-Bullying Rules?

1. We will not bully others.
2. We will try to help students who are bullied.
3. We will try to include students who are left out.
4. If we know that someone is being bullied, we will tell an adult at school and an adult at home.

Information taken from the Olweus Bullying Prevention Program, ©2007

BULLYING

Definition of Bullying

Bullying is when a student or a group of students intentionally and repeatedly uses hurtful or intimidating words, actions or other behaviors against another student.

A student is bullying you if he or she does any of the following things **intentionally** and **repeatedly**:
Says unkind, harsh, demeaning, or abusive things to you or calls you names.

Threatens or intimidates you in writing, email, notes, messages, to you in person, or by any electronic means.

Teases, taunts, or harasses you.

Makes negative comments, slurs, or innuendos towards you.

Tells other people offensive or insulting things about you.

Ostracizes you, isolates you or tells other students not to talk to you, involve you, or be around you.

Writes threatening, demeaning, or intimidating letters or email messages to you.

Makes cruel faces or physical gestures at you.

Physically hits, kicks, slaps, punches, pinches or purposely assaults you in any way.

Forces, coerces, influences or manipulates you do something that you do not want to do.

Frequently tells you lies that make you feel upset or that affect you in a negative manner.

Makes you feel like uncomfortable to attend school or disrupts your concentration at school.

What Should You Do if You are Being Bullied?

If you think that someone is bullying you during the school day, on school property, on a school bus, or at a school-sponsored activity, you should tell your teacher or an adult at school immediately.

What Happens if You Report a Bully?

The school will investigate the situation.

The school may decide to have a conference with the bully's parents.

The school may take privileges away from the bully, including participation in extracurricular activities.

The bully may be suspended from school.

The police and law enforcement may need to be contacted, especially if the bully threatened someone or tried to hurt someone.

*Staffing the Educational Program (Class Size)**Definition*

“Upper Target” means the number which, if exceeded, would, in the absence of countervailing considerations, cause the District to increase the number of sections for a grade or course at a particular school.

Class sizes may be expected to vary depending on enrollments, instructional considerations, administrative constraints, and economic impact.

The Upper Target for each class size shall serve as a guideline in allocating staff prior to the start of the school year. Although exceptions below or above these ranges may occur due to specific circumstances, the administration will generally allot staff based on the following:

<u>Grade Level</u>	<u>Upper Target</u>
K – 1	22 <u>23</u>
2	23 <u>24</u>
3 - 4	25 <u>26</u>
5 - 12	27 <u>28</u>

Increasing the number of sections after the start of the school year shall only occur in unusual circumstances and upon the recommendation of the Superintendent and building principal.

The nature of the instructional program and the organizational patterns of the District provide for various types of flexible grouping which are possible under the above Upper Target designations. Therefore, the size of the instructional groups will vary according to the need and purpose of specific learning activities.

Flexibility in group size is a major factor in the elementary and middle school team teaching organization. Assigning students to various sized groups (small groups of 5 or 10 students, average size groups of 25 students and large groups of 50 or more students) according to the purpose of the instruction and the needs of the students is essential to conducting meaningful instruction within the framework of the team program.

Regrouping of students by achievement level occasionally creates specific classes which may exceed the Upper Target designations. This may also occur as a result of team scheduling at the middle school or to provide for the inclusion of students with disabilities who are eligible for specially designed instruction in regular classes.

The administration will identify these classes and recommend support or staffing as may be needed to provide for the instructional needs of the students on a case-by-case basis so that the appropriate placement of students is not compromised.

In grades K-6, the Upper Target shall be used as a staffing guideline for language arts classes. In grades 7-12, the Upper Target shall be used as a staffing guideline for all core academic subjects. Variations above and below the Upper Target are permitted based on student academic needs, budgeted staffing allocations, facilities limitations, and the number of student course requests for specific courses.

This Policy does not apply to non-core academic subjects.

SUSPENDED

Adopted: September 11, 1978
Revised: November 24, 1992
Revised: December 5, 1994
Revised: January 26, 1998
Revised: November 15, 2004
Suspended: May 30, 2012
Revised: June 15, 2015
Suspended: June 11, 2018

Staffing the Educational Program (Class Size)

The district philosophy commits the Tredyffrin/Easttown School District to challenge and assist students in becoming constructive members of society with the focus of the educational program on the growth of the individual student in order to permit the development of his/her maximum potential, the acquisition of skills in a way that stimulates curiosity and fosters creativity and the development of self-discipline.

In implementing this philosophy, the district's curriculum and related instructional program is dedicated to differentiated teaching with a strong emphasis on diagnosing the learning achievement and needs of each student.

Regular Classroom Instruction

The average student:teacher target ratio for regular classroom instruction is 20 students per classroom teacher in kindergarten and first grade, 23 students per classroom teacher in grades two and three, and 25 students per classroom teacher at all other levels in the elementary schools, middle schools and senior high school. The actual average student:teacher ratio and actual class sizes may be expected to vary from the stated target ratio depending on enrollments, instructional considerations, administrative constraints, and economic impact.

Ranges for each target ratio shall serve as a guideline in allocating staff. Although exceptions below or above these ranges may occur due to specific circumstances, the administration will generally allot staff as follows:

<u>Grade Level</u>	<u>Class Size Range</u>	<u>Target Student:Teacher Ratio</u>
K - 1	18 - 22	20:1
2 - 4	21 - 25	23:1
5 - 12	23 - 27	25:1

As decisions are made about staff allocations for regular classroom instruction on a school-by-school and grade-level or department basis, the administration will attempt to assure that staffing ratios do not fall too far below or above the stated ranges. Although exceptions will exist, fifteen students will normally be considered a lower class size limit and 30 students will be considered an upper class size limit.

Assuring Instructional Flexibility

The nature of the instructional program and the organizational patterns of the district provide for various types of flexible grouping. Therefore, the size of the instructional groups will vary according to the need and purpose of specific learning activities. Classes of 60 or more students may be scheduled for lecture-type courses. Laboratory-type classes in science, industrial arts and home economics courses may require a class size of 24 or fewer students.

~~Flexibility in group size is a major factor in the elementary and middle school team teaching organization. Assigning students to various sized groups (small groups of 5 or 10 students, average size groups of 25 students and large groups of 50 or more students) according to the purpose of the instruction and the needs of the students is essential to conducting meaningful instruction within the framework of the team program.~~

RESCIND

SUSPENDED

Adopted: September 11, 1978
Revised: September 1995
Revised: December 1998
Suspended: June 11, 2018

Federal Fiscal Compliance - Procurement

This document is intended to integrate standard District purchasing procedures with additional requirements applicable to procurements that are subject to the federal Uniform Grant Guidance regulations and/or U.S. Department of Agriculture (USDA) regulations governing school food service programs. The District maintains the following purchasing procedures, in accordance with federal and state laws, regulations and Board policy.

Responsibility for Purchasing

The Board has outlined standard district purchasing responsibility, methods of purchasing, price quotations and bid requirements in Board Policy 3323 and the accompanying Administrative Regulation.

Purchase Methods

When a request for purchase of equipment, supplies or services has been submitted and approved as outlined below, the procurement method to be used will be determined based on the total cost of the purchase as further outlined below. This procedure outlines how the cost thresholds for determining when the quote or formal bidding procedures that are required by state law as reflected in Board Policy 3323 and the accompanying Administrative Regulation must be modified when making purchases for federally funded purposes to which the Uniform Grant Guidance or USDA regulations apply, so as to comply with both state and federal requirements. At each point where requirements for food service-related procurement under USDA regulations differ, a note will refer to the Food Service Program Notes at the end of this procedure. Final determination of which purchasing procedures are to be applied is delegated to the Business Manager or designee under the authority of the Board.

Standard Procurement Documents and Purchase Request Process

The District shall use purchase orders and/or requisitions for purchase requests in accordance with the applicable purchase method.

The District shall use paper and/or electronic purchasing records, which are pre-numbered and accessible to designated purchasing staff in the District office.

Purchase requests by an employee must be submitted to the building administrator or immediate supervisor. Purchase of all budgeted items or items approved by an administrator or supervisor must be initiated by use of a purchase order or requisition submitted to the Business Manager or designee.

Purchase orders and requisitions shall contain information including, but not limited to:

1. Description of the services to be performed or goods to be delivered.
2. Location of where services will be performed or goods will be delivered

3. Appropriate dates of service or delivery.

Documentation on purchase orders and requisitions shall be maintained in accordance with the District's Records Management Policy and records retention schedule. (Policy/AR 8210)

Contracts shall be reviewed by the Business Manager, Superintendent, and/or District solicitor prior to submission to the Board for approval.

Contracts to which the Uniform Grant Guidance apply shall contain the clauses specified in Appendix II to 2 CFR Part 200 (Contract Provisions for Non-Federal Entity Contracts Under Federal Awards), when applicable.

[See Food Service Program Notes below for specific clauses required by USDA regulations to be included in cost reimbursable procurement contracts.]

Micro-Purchases Not Requiring Quotes or Bidding (up to \$10,000)

For purposes of this Administrative Regulation, **micro-purchase** means a purchase of equipment, supplies or services for use in federally funded programs using simplified acquisition procedures, the aggregate amount of which does not exceed a base amount of \$10,000. The micro-purchase dollar threshold is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register shall apply if other than \$10,000. (48 CFR Subpart 2.1)

Note: The micro-purchase maximum for federal purposes is lower than the amount below which the School Code allows purchase for nonfederal purposes to be made without obtaining at least three (3) written or telephonic quotes or using formal competitive bidding.

The micro-purchase method is used in order to expedite the completion of its lowest dollar small purchase transactions and minimize the associated administrative burden and cost. Procurement by micro-purchase is the acquisition of equipment, supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold.

To the extent practicable, the District distributes micro-purchases equitably among qualified suppliers when the same or materially interchangeable products are identified and such suppliers offer effectively equivalent rates, prices and other terms. The Business Manager or designee will be responsible to determine the equitable distribution of micro-purchases.

Micro-purchases may be awarded without soliciting competitive quotations if the District considers the price to be reasonable. The District will maintain evidence of this reasonableness in the records of all micro-purchases. **Reasonable** means that sound business practices were followed and the purchase is comparable to market prices for the geographic area. Such determinations of reasonableness may include comparison of the

price to previous purchases of the same item or comparison of the price of items similar to the item being purchased.

Even if the cost of a purchase qualifies it as a micro-purchase, bidding or small purchase procedures may be used optionally when those procedures may result in cost savings.

Small Purchase Procedures (between \$10,000 and ~~\$20,600~~\$21,000)

For purposes of this administrative regulation, **small purchase procedures** are those relatively simple and informal procurement methods for securing equipment, services, or supplies that cost more than the amount qualifying as a micro-purchase and do not cost ~~\$20,600~~\$21,000 or more. Small purchase procedures cannot be used for purchases of equipment or supplies or for construction, repair or maintenance services costing ~~\$20,600~~\$21,000 or more because the School Code requires formal competitive bidding at that level of cost.

The base amount at which bidding is required under state law is adjusted for inflation annually, and the amount most recently established and published in the Pennsylvania Bulletin shall apply if other than ~~\$20,600~~\$21,000. (24 P.S. Sec. 120)

Because state law does not require bidding for the purchase of services other than construction, maintenance or repairs on school facilities regardless of total cost, small purchase procedures, including a request for proposal (RFP) procedure, may be used for procurement of such other services except when the estimated total cost will be at or over the federal threshold at which formal competitive bidding is required (\$250,000).

[See Food Service Program Notes below for exemption from bidding for purchases of perishable food items costing less than \$250,000.]

If small purchase procedures are used, written or telephonic price or rate quotations are obtained from at least three (3) qualified sources and records of quotes are maintained as provided in Policy/AR 3323.

Formal Competitive Bidding (~~\$20,600~~\$21,000 or more)

Publicly Solicited Sealed Competitive Bids:

For purchases of equipment or supplies, or of services for construction, maintenance or repairs of school facilities, sealed competitive bids are publicly solicited and awarded to the lowest responsive and responsible bidder as provided in Policy/AR 3323 when the total cost is estimated to be ~~\$20,600~~\$21,000 or more.

Note: The amount at which formal competitive bidding is required by federal regulations is much higher than the base amount at which the School Code requires competitive bidding. Therefore, the lower base amount specified by the School Code, as annually adjusted, is used to determine when bidding will be used for purchases of equipment or supplies, or for obtaining services for construction, maintenance or repairs on school facilities. (24 P.S. Sec. 120)

State law does not require bidding for the purchase of services other than construction, maintenance or repairs on school facilities regardless of total cost. For procurement of such other services for federally funded purposes to which the Uniform Grant Guidance applies, formal competitive bidding will be used when the estimated total cost will be at or over the federal threshold of \$250,000.

The federal competitive bidding dollar threshold is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register shall apply if other than \$250,000. (48 CFR Subpart 2.1)

Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of. Any or all bids may be rejected if there is a sound documented reason.

[See Food Service Program Notes below for reference to state requirements regarding contracts with food service management companies and contractors of pre-plated meals.]

Competitive Proposals

State law does not require public school entities to solicit competitive bids for services other than construction, repairs or maintenance of school facilities, for which competitive bidding is required if the cost will be a base amount of ~~\$20,600~~\$21,000 or more. State law allows competitive proposals relating to work on facilities in lieu of bidding only in the context of guaranteed energy savings contracts.

Federal regulations allow the use of competitive proposals as an alternative when formal bidding would otherwise be required only to procure architectural and engineering services. Other types of services for federally funded purposes to which the Uniform Grant Guidance applies, professional or otherwise, must be procured using competitive bidding when the cost would meet or exceed the federal threshold for competitive bidding (\$250,000).

In the case of services other than for construction, repairs or maintenance of school facilities costing less than that threshold, the District may use small purchase procedures or micro-purchase procedures as applicable based on total cost. A request for proposal (RFP) process can also meet or exceed the small purchase competition requirements under state law and Policy/AR 3323 for the acquisition of services other than for construction, repairs or maintenance of school facilities, and can be used if the total cost will be less than \$250,000.

When permitted, the technique of competitive proposals is normally conducted with more than one (1) source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. Competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The

District shall comply with other applicable state and federal law and regulations, Board policy and administrative regulations regarding purchasing; the District may consult with the District solicitor in determining the required process for purchasing through competitive proposals when necessary.

If this method is used, the following requirements apply:

1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical.
2. Proposals must be solicited from an adequate number of qualified sources.
3. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

Competitive proposals shall be evaluated by the Business Manager or designee based on factors including but not limited to: cost, experience of contractor, availability, personnel qualifications, financial stability, minority business, women's business enterprise, or labor surplus area firm status, project management expertise, and understanding of District needs.

Evaluations shall be completed in a timely manner, documented and shall be reviewed by the Business Manager or designee.

Contract/Price Analysis:

The District performs a cost or price analysis in connection with every procurement action in excess of ~~\$120,000~~250,000, including contract modifications. (2 CFR Sec. 200.323(a)).

A **cost analysis** generally means evaluating the separate cost elements that make up the total price, while a **price analysis** means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the Business Manager or designee must come to an independent estimate prior to receiving bids or proposals. (2 CFR Sec. 200.323(a)). As part of the analysis, established business practices will be enacted which may include evaluation of similar prior procurements and a review process.

When performing a cost analysis, the Business Manager or designee negotiates profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work. (2 CFR Sec. 200.323(b)).

Noncompetitive Proposals (Sole Sourcing)

Procurement by noncompetitive proposals means procurement through solicitation of a proposal from only one (1) source and may be used only when one or more of the following circumstances apply:

1. The item is available only from a single source.
2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation. An **emergency** exists whenever the time required for the Board to act in accordance with regular procedures would endanger life or property or threaten continuance of existing school classes.
3. The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District.
4. After solicitation of a number of sources, the District determines the competition is inadequate.

In addition to standard procurement policy and procedures, the District will document the grounds for using the noncompetitive method in lieu of an otherwise required competitive method of procurement, which may include written confirmation from the contractor as the sole source of the item. Documentation must be submitted to and maintained by the Business Office.

All noncompetitive proposals will ultimately be approved by the Board. The District may utilize legal advice from the solicitor regarding noncompetitive proposals.

A cost or price analysis will be performed for noncompetitive proposals when the price exceeds \$250,000.

Purchase Cards

The District approves the use of procurement cards for permissible purchases by designated employees to improve the efficiency of purchasing activities, reduce processing expenses, improve controls for small-dollar purchases, and streamline contractor payment.

Procurement cards may be used for purchases under federal programs.

Full and Open Competition

All procurement transactions must be conducted in a manner providing full and open competition consistent with 2 CFR Sec. 200.319. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

1. Placing unreasonable requirements on firms in order for them to qualify to do business.

2. Requiring unnecessary experience and excessive bonding.
3. Noncompetitive pricing practices between firms or between affiliated companies.
4. Noncompetitive contracts to consultants that are on retainer contracts.
5. Organizational conflicts of interest.
6. Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement.
7. Any arbitrary action in the procurement process.

EDGAR further requires the following to ensure adequate competition.

Minority Businesses, Women’s Business Enterprises, Labor Surplus Area Firms

The District must take necessary affirmative steps to assure that minority businesses, women’s’ business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include: (2 CFR Sec. 200.321)

1. Placing qualified small and minority business and women’s business enterprises on solicitation lists.
2. Assuring that small and minority businesses, and women’s business enterprises are solicited whenever they are potential sources.
3. Dividing total purchasing requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business and women’s business enterprises.
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses and women’s business enterprises.
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
6. Requiring the prime contractor, if subcontracts are let, to take the affirmative steps listed above.

Geographical Preferences Prohibited

The District must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. When contracting for architectural and engineering (A/E) services, geographic location may be a selection

criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

Prequalified Lists

The District must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the District must not preclude potential bidders from qualifying during the solicitation period.

Solicitation Language

The District must ensure that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

Avoiding Acquisition of Unnecessary or Duplicative Items

The District must avoid the acquisition of unnecessary or duplicative items. Additionally, consideration must be given to consolidating or breaking out procurements to obtain a more economical purchase; and, where appropriate, an analysis must be made of leases versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

These considerations are given as part of the process to determine the allowability of each purchase made with federal funds. Such considerations are accessible in the administrative regulation attached to Policy 3231– Allowability of Costs.

Use of Intergovernmental Agreements and Cooperative Purchasing

To foster greater economy and efficiency, the District enters into state and local intergovernmental agreements where appropriate for cooperative purchasing or use of common or shared goods and services, as permitted by the Intergovernmental Cooperation Act and the Commonwealth Procurement Code. (53 Pa. C.S. Ch. 23; 62 Pa. C.S. Ch. 19)

When procuring supplies or services for federally funded purposes to which the Uniform Grant Guidance applies, the District shall verify that the organization conducting the procurement pursuant to such agreements complies with the applicable requirements and standards of the Uniform Grant Guidance as outlined in this procedure.

Use of Federal Excess and Surplus Property

The District considers the use of federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

Debarment and Suspension

The District awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

The District may not subcontract with or award subgrants to any person or company who is debarred or suspended. For all contracts over \$25,000 the District verifies that the contractor with whom the District intends to do business is not excluded or disqualified. (2 CFR Part 200, Appendix II, and 2 CFR Sec. 180.220 and 180.300).

All successful contractors must provide written certification that they have not been suspended or debarred from federal projects. The Director of Business Affairs will be responsible for verification. Such verification may include accessing the online federal System for Award Management (SAM) to determine whether any relevant party is subject to any suspension or debarment restrictions.

Maintenance of Procurement Records

The District must maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.

Maintenance of records of procurement will be governed by Board Policy 8210 Records Management and established Administrative Regulations. (Pol. 8210)

Time and Materials Contracts

The District may use a time and materials type contract only: (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. **Time and materials type contract** means a contract whose cost to the District is the sum of: the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the District must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Settlements of Issues Arising Out of Procurements

The District alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the District of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

Protest Procedures to Resolve Dispute

The District maintains protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency. Protest procedures will be acted on in accordance with current state law and regulations, established District administrative regulations and the advice of the District solicitor.

Food Service Program Notes:

Exemption from Bidding for Perishable Food Items -

The School Code exempts purchases of perishable food items from bidding requirements. Bidding for perishable food items is required only if the cost would be at or over the federal threshold at which formal competitive bidding is required (\$250,000). Small purchase procedures may be used for purchases below \$250,000, or micro-purchase procedures for purchases below \$10,000. Use of bidding should be considered as an option if it is feasible and likely to result in cost savings. (24 P.S. Sec. 504(d))

Geographic Preferences -

The District is permitted to apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products. When a geographic preference is applied, the District has discretion to determine the local area to which the geographic preference option will be applied.

Unprocessed locally grown or locally raised agricultural products means only those agricultural products that retain their inherent character. The effects of the following food handling and preservation techniques shall not be considered as changing an agricultural product into a product of a different kind or character: cooling; refrigerating; freezing; size adjustment made by peeling, slicing, dicing, cutting, chopping, shucking, and grinding; forming ground products into patties without any additives or fillers;

drying/dehydration; washing; packaging (such as placing eggs in cartons), vacuum packing and bagging (such as placing vegetables in bags or combining two (2) or more types of vegetables or fruits in a single package); the addition of ascorbic acid or other preservatives to prevent oxidation of produce; butchering livestock and poultry; cleaning fish; and the pasteurization of milk. (7 CFR Sec. 210.21, 215.14a, 220.16)

Buy American -

The District shall purchase, to the maximum extent practicable, domestic commodities or products for food service purposes. The term **domestic commodity or product** means: (7 CFR Sec. 210.21, 220.16)

1. An agricultural commodity that is produced in the United States; and
2. A food product that is processed in the United States substantially using agricultural commodities that are produced in the United States.

Mandatory Contract Clauses -

The following provisions shall be included in all cost reimbursable contracts for food services purchases, including contracts with cost reimbursable provisions, and in solicitation documents prepared to obtain offers for such contracts: (7 CFR Sec. 210.21, 215.14a, 220.16)

1. Allowable costs will be paid from the nonprofit school food service account to the contractor net of all discounts, rebates and other applicable credits accruing to or received by the contractor or any assignee under the contract, to the extent those credits are allocable to the allowable portion of the costs billed to the school food authority;
2. (a) The contractor must separately identify for each cost submitted for payment to the school food authority the amount of that cost that is allowable (can be paid from the nonprofit school food service account) and the amount that is unallowable (cannot be paid from the nonprofit school food service account); or

(b) The contractor must exclude all unallowable costs from its billing documents and certify that only allowable costs are submitted for payment and records have been established that maintain the visibility of unallowable costs, including directly associated costs in a manner suitable for contract cost determination and verification;
3. The contractor's determination of its allowable costs must be made in compliance with the applicable departmental and program regulations and Office of Management and Budget cost circulars;

4. The contractor must identify the amount of each discount, rebate and other applicable credit on bills and invoices presented to the school food authority for payment and individually identify the amount as a discount, rebate, or in the case of other applicable credits, the nature of the credit. If approved by the state agency, the school food authority may permit the contractor to report this information on a less frequent basis than monthly, but no less frequently than annually;
5. The contractor must identify the method by which it will report discounts, rebates and other applicable credits allocable to the contract that are not reported prior to conclusion of the contract; and
6. The contractor must maintain documentation of costs and discounts, rebates and other applicable credits, and must furnish such documentation upon request to the school food authority, the state agency, or the department.

Contracts with Food Service Management Companies -

Procedures for selecting and contracting with a food service management company (FSMC) shall comply with guidance provided by the Pennsylvania Department of Education, Division of Food and Nutrition, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts. (7 CFR Sec. 210.16, 210.19, 210.21, 215.14a, 220.16)

Pre-Plated Meals -

Procedures for selecting and contracting with contractors of pre-plated meals shall comply with guidance provided by the Pennsylvania Department of Education, Division of Food and Nutrition, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts. (7 CFR Sec. 210.16, 210.19, 210.21, 220.16)

*Procurement**Business*

Note: All dollar thresholds referenced below are subject to adjustment on an annual basis in accordance with the percentage changes of the Consumer Price Index for All Urban Consumers, as determined by the Department of Labor and Industry, and annually published in the Pennsylvania Bulletin. To the extent that any dollar threshold outlined in this Administrative Regulation is in conflict with that most recently announced by the Pennsylvania Department of Labor and Industry, the threshold announced by the Pennsylvania Department of Labor and Industry shall control.

Soliciting Prices (Bids and Quotations) – Furniture, Equipment, Supplies and Appliances

All purchases of and contracts for furniture, equipment, supplies and appliances for the use in schools costing ~~\$20,600~~\$21,000 or more shall be based on competitive bids, unless exempt by statute.

When not based on competitive bids, furniture, equipment, supplies and appliances to be purchased by the District, unless exempt by statute, costing ~~\$11,100~~\$11,300 or more, but less than ~~\$20,600~~\$21,000 may be let on written or telephonic price quotations. Price quotations from at least three (3) qualified and responsible vendors shall be requested. If it is not practicable to obtain three (3) price quotations, a memo must be kept on file for three (3) years showing that fewer than three (3) qualified contractors exist in the market area within which it is practicable to obtain quotations. The memo shall contain, at a minimum, the following: (1) date of quotation; (2) name of vendor and vendor's representative; (3) the items which were the subject of the quotation; and (4) price of the items.

Where competitive bidding is required, the Business Manager or designee shall arrange for the advertisement of the bid requests once a week for three (3) weeks in not less than two (2) newspapers of general circulation, as required by law.

The following items are exempt from the above provisions: maps, music, globes, charts, educational films, filmstrips, prepared transparencies and slides, pre-recorded magnetic tapes and disc recordings, textbooks, games, toys, prepared kits, flannel board materials, flash cards, models, projectuals and teacher demonstration devices necessary for school use.

Soliciting Prices (Bids and Quotations) – Construction, Reconstruction, Repairs, Maintenance or Work on School Buildings/Property

All contracts for construction, reconstruction, repairs, maintenance or work on any school building or property, including the introduction of plumbing, heating and ventilating, or lighting systems, costing ~~\$20,600~~\$21,000 or more shall be done under separate contracts

to be entered into with the lowest responsible bidder, upon proper terms, after due public notice asking for competitive bids, unless exempt by statute.

In the event that an emergency occurs causing a school plant or any part thereof to become unusable where proceeding with the repairs/replacement would otherwise require public competitive bidding, competitive bids for such repairs or replacement may instead be solicited from at least three responsible bidders, and, upon the approval of any of these bids by the Board, the District may proceed at once to make the necessary repairs or replacements in accordance with the terms of the approved bid(s). The Business Manager or designee shall notify the Secretary of Education that an emergency has occurred and that a bid has been selected under the emergency process permitted by law.

When not based on competitive bids, all contracts for construction, reconstruction, repairs, maintenance or work on any school building or property, including the introduction of plumbing, heating and ventilating, or lighting systems, having a cost or value of ~~\$11,100~~\$11,300 or more, but less than ~~\$20,600~~\$21,000 may be let on written or telephonic price quotations, unless exempt by statute. If it is not practical to obtain three (3) price quotations, a memo must be kept on file for three (3) years showing that fewer than three (3) qualified contractors exist in the market area within which it is practicable to obtain quotations. The memo shall contain, at a minimum, the following: (1) date of quotation; (2) name of contractor and contractor's representative; (3) the construction, reconstruction, repair, maintenance or work which was the subject of the quotation; and (4) price. Where competitive bidding is required, the Business Manager or designee shall arrange for the advertisement of the bid requests once a week for three (3) weeks in not less than two (2) newspapers of general circulation, as required by law.

Any construction, reconstruction, repairs, or work of any nature where the entire cost or value, including labor and material, is less than ~~\$11,100~~\$11,300 may be performed by the District's own staff. Additionally, the District's maintenance or other staff may perform maintenance work on behalf of the District, irrespective of the cost or value of such work.

Award of Contracts

When competitive bidding is required by law, the award of open-market orders or contracts shall be to the lowest responsible, qualified bidder, kind, quality, and material being equal, with consideration being given, to the extent permitted by law, to the qualities of the article to be supplied, their conformity with the specifications, their suitability to the requirements of the educational system, the delivery terms, and the past performance of vendors.

Bid Specifications

Bid specifications shall be prepared by the Business Manager or designee.

Bid specifications shall provide for alternates wherever possible.

The Business Manager shall combine like items of supply and material whenever it is feasible and permissible under statute and shall not split purchases to avoid requirements for bidding.

Cooperative Purchasing

The Business Manager or designee may negotiate appropriate cooperative purchase agreements with other political subdivisions, in accordance with law and Board Policy.

Cooperative purchases require approval by the Board and the participating contracting body(s) which may specify:

1. Categories of equipment or supplies to be purchased.
2. Manner of advertising for bids and awarding contracts.
3. Method of payment by each participating party.
4. Other matters deemed necessary to carry out the purposes of the agreement.

All such agreements must conform to relevant provisions of the School Code.

Travel Reimbursement

The District will pay a standard rate per mile for official District travel by private automobile based on the actual driving distance by the most direct route. The standard mileage allowance, defined by the IRS, is in lieu of all actual automobile expenses such as fuel, towing charges, repairs, replacements, tires, depreciation, insurance, etc. Effective January 1, ~~2019~~2020, the maximum mileage rate reimbursement allowed by the IRS is ~~.58~~.575 cents per mile. This mileage allowance is subject to annual adjustment by the IRS. To the extent that the most recent per mile allowance issued by the IRS is in conflict with the allowance outlined in this Administrative Regulation, the most recent mileage allowance issued by the IRS shall control.

All claims for mileage reimbursement must be supported by an itemized listing of miles traveled. The itemized list shall indicate the date of travel and the authorized purpose of the travel.

In addition to the standard mileage allowance, necessary and reasonable charges for automobile-related expenses, such as tolls and parking fees, are reimbursable if supported by an itemized receipt. Traffic tickets, parking tickets, and other fines will not be reimbursed.

For mileage in and around the District, an employee must complete a Monthly Mileage Report, copies of which are available on the District internet.

For mileage and other expense reimbursement requests related to a conference, an employee must complete a Conference Expense Report, copies of which are available on the District intranet. Once completed, the report should be submitted to the employee's immediate supervisor, who shall forward a verified copy to the Business Manager.

Expense Reimbursement Guidelines – Conferences

The document attached to this Administrative Regulation as **Attachment 1** outlines the applicable guidelines and procedures governing the reimbursement of expenses related to conference attendance.

Additional Expense Reimbursement Guidelines

Only expenses submitted to the Business Office within 60 days from the date on which the expenses were incurred will be considered for reimbursement.

The District will only reimburse expenses related to official District business, and will not reimburse personal expenses. No reimbursement will be made for alcoholic beverages.

The Business Manager has the final authority to disallow expenses which, in his/her opinion, are unreasonable or unnecessary.

{02016017 } Adopted: June 11, 2007

Revised: February 1, 2018

Revised: March 4, 2019

Tredyffrin/Easttown School District

CONFERENCE GUIDELINES

The following information is prepared as a guide for staff members attending a conference as a representative of the Tredyffrin/Easttown School District.

Reporting Procedures

The enclosed forms are to be completed and forwarded to the building principal/supervisor within one week following the conference:

1. Conference Summary
This report may be copied for Board members in the format submitted. When more than one person attends the same conference, each attendee must submit a report.
2. Expense Report
All expenses, except mileage, must be substantiated with receipts. If receipts are not available, the form on the reverse side of the Expense Report must be completed and may be notarized when presented in person in the Office of the Superintendent. When more than one person attends the same conference, each attendee must submit an Expense Report.

If there are not expenses, the employee still needs to submit an Expense Report indicating "NO EXPENSES".

3. If for some reason you do not attend a conference which has been approved by the Board
 - Indicate that fact on both the Conference Summary (salmon) and the Expense Report (yellow);
 - Sign both forms;
 - Submit completed forms to Staff Development Office, and;
 - Return advance check to Accounts Payable immediately.
4. Staff member will not be approved to attend future conferences until all past conference expenses have been reconciled.

Reimbursement

All expenses must be approved by Board action prior to the conference. An advance check will be forwarded to the participant following such action at an official meeting of the Board and not earlier than 60 days prior to the scheduled conference. Conference expenses are divided into two categories. Expenses eligible for advance reimbursement include plane or train tickets, conference fees, and one night's lodging deposit. Expenses eligible for reimbursement after the conference include mileage reimbursement, meals, lodging and other expenditures. To receive an advance check, the conference advance (excluding cost eligible for reimbursement after the conference) must be greater than \$200.

All expenses submitted for reimbursement shall be reasonable and moderate in nature and supported with official receipts. Reasonable expenses are defined as those which an employee would incur if he/she were traveling or working at his/her own expense, excluding "those of a purely personal nature".

Reimbursement shall cover the full cost of meals which are officially scheduled as a function of a convention, conference, workshop, seminar, or similar activity. The allowance for meals at other times, including tax and gratuities, shall be:

- \$50 per day (including breakfast, lunch and dinner)
- \$10 for breakfast
- \$15 for lunch
- \$25 for dinner

Transportation shall be arranged in a manner that is most economical for the District. Car pools shall be used by two or more staff members attending the same conference. Personal car mileage shall be reimbursed at the current allowance rate established by the IRS. If air travel is necessary, it must be economy class.

Expenses reimbursed by the School District when in accordance with the above guidelines include:

- Conference fees
- Meals plus tips when included on receipt
- Lodging
- Transportation (excluding car rental)

Expenses NOT reimbursed by the School District include:

- Membership dues
- Personal expenses (insurance, snacks and other meals, personal telephone calls, alcoholic beverages)
- Car rentals

*Enrollment and Registration Requirements and Verification of Student Residency***Purpose**

The Board recognizes its obligation to enroll school age students eligible to attend District schools, in accordance with applicable law.

Definitions

School age shall be defined as the period from the earliest admission age for the District's kindergarten program until graduation from high school or the end of the school term in which a student reaches the age of twenty-one (21) years, whichever occurs first.

District of residence shall be defined as the school district in which a student's parents/guardians reside.

Residency Eligibility

A school age child is entitled to attend the public schools of the child's district of residence. Unless specifically permitted by Board Policy or federal or state law, only those students who are residents of the District may attend District schools. All other persons ("non-resident students") are prohibited from attending District schools.

When a child's parents reside in different school districts due to separation, divorce or other reason, the child may attend school in the district of residence of the parent with whom the child lives for a majority of the time, unless a court order or court approved custody agreement specifies otherwise. If a parent enrolling a student is relying on a court order or custody agreement as the basis for enrollment, school staff will require the parent to provide a copy of the order or agreement.

If the parents have joint custody and time is evenly divided, the parents may choose which of the two school districts the child will enroll for the school year.

If the child is an emancipated minor, the district of residence is the one in which the child is then living.

Enrollment Procedures

School age resident students and eligible non-resident students, as outlined in Board Policy and Administrative Regulation 5116, shall be entitled to attend District schools.

The District shall not enroll a student until the parent/guardian has submitted acceptable proof of the student's age, residence, immunizations and a completed Parent Registration Statement, as required by law and regulations.

The District shall administer a Home Language Survey to all students enrolling in District schools for the first time.

The District shall normally enroll a school age, eligible student the next business day, but no later than five (5) business days after application. The District has no obligation to enroll a child until the parent, guardian or other person having control or charge of the student making the application has supplied the District with the documents required as a prerequisite to enrollment.

The District shall immediately enroll identified homeless students as required by law, even if the student or parent/guardian is unable to produce the required documents.

The District shall not inquire about the immigration status of a student as part of the enrollment process.

Consequences of Attendance in Violation of Policy

Parents/guardians of students who become non-resident students after having formerly been residents must disenroll their children or risk being held liable for tuition and other consequences unless the student otherwise qualifies to attend District schools under another Board Policy or applicable law.

The Board may remove from school attendance a non-resident student in accordance with the due process requirements of applicable law. Parents, guardians and others who facilitate violation of this Policy or the accompanying Administrative Regulation may also be reported to law enforcement and assessed tuition.

Prior to accepting a student for enrollment, the Administration will require proof of residency and other information as set forth in the accompanying Administrative Regulation.

The Board authorizes the Administration, at any time, to require verification of continued residency from parents, guardians or other adults with whom District students are residing. The process of verifying continued residency may be performed (1) on either a District-wide basis or by an entire elementary, middle or high school level; or (2) where the District reasonably suspects that a student may not be legally residing in the District.

Cross reference: Policy No. 5116 Non-resident Students – Enrollment Eligibility
Policy No. 5455 Homeless Students

Adopted: February 28, 2005
Revised: August 24, 2009
Revised: May 27, 2015
Revised: May 21, 2018

Enrollment and Registration Requirements and Verification of Residency

Registration Requirements:

Except for a homeless student, when a student of school age is presented to any District school for enrollment, school staff will require the following documentation before enrolling the student and permitting him/her to attend school:

1. Proof of the student's age - acceptable documentation includes one (1) of the following:
 - a. Birth certificate.
 - b. Notarized copy of birth certificate.
 - c. Baptismal certificate.
 - d. Copy of the record of baptism, notarized or duly certified and showing date of birth.
 - e. Notarized statement from the parents/guardians or relative indicating date of birth.
 - f. Valid passport.
 - g. Prior school record indicating date of birth.

2. Immunizations required by law - acceptable documentation includes:
 - a. Student's immunization record.

 - b. Written statement from prior school district or a medical office that the required immunizations have been administered, or that a required series is being administered.

Verbal assurances from prior school district or a medical office that required immunizations have been completed, with records to follow.

3. Proof of residency - acceptable documentation includes one (1) of the following from List A and one (1) of the following from List B, provided the address is clearly indicated in or on the document and provided that the document is validly issued and genuine as to the resident presenting the document:

List A

- a. Deed
- b. Lease
- c. Property tax bill
- d. Notarized multiple occupancy form

List B

- a. Current utility bill
 - b. Current credit card bill
 - c. Bank statement
 - d. PENNDOT identification or driver's license
 - e. PENNDOT vehicle registration
 - f. Copy of a state/federal program enrollment
 - g. Copy of paycheck stub with name and address of employer as well as employee
 - h. Residency affidavits
4. Parent Registration Statement - a sworn statement attesting to whether the student has been or is suspended or expelled for offenses involving drugs or alcohol, weapons, or infliction of injury or violence on school property, as required by law.
5. Home Language Survey - for all students enrolling in a school for the first time.

Documents That May Be Requested but Not as A Condition of Enrollment

School staff may ask for any of the following information, in addition to the required documentation, but will not require it as a condition of enrollment and will not delay a student's enrollment or attendance until the document(s) is provided:

1. Picture identification.
2. Health or physical examination records.
3. Academic records.
4. Attendance records.
5. Individualized Education Program.
6. Special education records.
7. Completed physical examination.
8. Completed Registration Form.

Documents That May Not Be Requested

School staff may not request any of the following information to verify enrollment or residency:

1. Social security number.
2. Reason for a student's placement if not living with natural parent.

3. Visa of student or parent.
4. Agency records.
5. Court order or records relating to a dependency proceeding, except in limited circumstances that occur when a custody order, agreement or dependency is being relied upon as the basis for enrollment.
6. Student's immigration status

Special Enrollment Considerations

District staff will consider what residency verification is reasonable in light of a family's situation and should be flexible.

Twins and higher order multiple siblings will be enrolled in the same manner as other students. Classroom placement of twins and higher order siblings will include parental input to the extent required by law.

The District cannot deny or delay a student's enrollment based on the information contained in a disciplinary record or sworn statement. However, the District can provide alternative education services during the period of expulsion for a student currently expelled for a weapons offense. If a student has been expelled from the previous district for reasons other than a weapons offense, the District will review the student's prior performance and school record to determine the services and supports that will be provided upon enrollment in the District.

Students and families with limited English proficiency will be provided translation and interpretation services to the extent needed for them to understand the enrollment process and promptly enroll the student.

Requests for Student Records

Upon enrollment of a student, school staff will contact the student's prior school for a copy of the student's educational records. The prior district, if within Pennsylvania, is required by law to forward the records within ten (10) business days of the date of request.

When a student transfers from a Pennsylvania school entity, school staff will contact the sending school for a certified copy of the student's disciplinary record. The prior district is required by law to forward the certified copy within ten (10) days from receipt of the request.

When a student enrolls in any school, public or private, who previously attended school in another district in Pennsylvania, the district or school wherein the child is newly enrolled shall request and the district or school where the child previously attended shall surrender the health record of the child.

School staff will enroll a student no later than five (5) business days, regardless of receipt of student records from the prior school entity.

Students Enrolling Without Prior School Records

If a student is presented for enrollment without prior school records or if a private school withholds an enrolling student's records, the building principal may seek and accept information for a student placement that appears reliable as proof of successfully completed coursework, such as report cards and sworn affidavits of previous school teachers.

If reliable information cannot be obtained, the building principal, in consultation with the appropriate teacher(s), will promptly evaluate the student and determine the appropriate grade and/or courses for that student. The evaluation will consist of an interview and demonstration of the degree to which the student has achieved the academic standards established by the Board for District students.

Change of Address

When a student or parent/guardian notifies the District of a change of address within the District's boundaries, the parent/guardian will be required to provide new proof of residency within the District, as outlined above, and may need to complete other enrollment/registration requirements.

Students Living with Resident Adult Other Than Parent

When a student lives with a District resident who is supporting the student without personal compensation (gratis), the student can enroll in a District school if the resident makes application and provides the required documentation.

In addition to the required documents, school staff will require the resident to provide one (1) of the following:

1. Legal documentation to show dependency or guardianship which may include a custody or dependency order; or
2. Sworn and notarized statement indicating that the signer is a District resident and is supporting the student without receiving personal compensation, the student is living with him/her continuously and not just for the school year, and the resident accepts all personal obligations relative to school requirements.

School staff may also require additional information to substantiate the sworn statement under (2) above before enrolling the student in District schools. Notwithstanding any procedure to the contrary outlined in other Board Policy or Administrative Regulations, if it is found that the information contained in the sworn statement is false, the child may be removed from school after notice of an opportunity to appeal the removal in accordance with the following procedure:

1. The appeal must be submitted to the Superintendent within five (5) school days of the notice of removal from school
2. The Superintendent or designee shall provide a written report including a statement of the basis for the removal.
3. The Superintendent or designee shall prepare a similar written report if Board involvement becomes necessary to resolve the issue.

A resident's receipt of payments, such as Supplemental Security Income (SSI), Transitional Assistance for Needy Families (TANF), pre-adoptive support, child support, maintenance on public or private health insurance, support from the military or military personnel or other payments for or on account of the student will not be considered personal compensation or gain.

School staff will not require the natural parent(s) or former guardian(s) to provide information.

The District reserves the right to periodically confirm the status of students attending District schools based on being supported gratis by a resident adult. This confirmation may include periodic visits to the home where the student is residing when conflicting information is provided or discovered regarding the eligibility status of a student.

Foster Students

Non-resident students placed in foster care in the District are entitled to the same educational privileges as students residing in the District and all protections outlined under applicable law. Non-resident exceptional students placed in foster care are entitled to receive an appropriate program of special education. When a student is placed in foster care, or when a foster care student's placement changes, and the District is determined to be the student's school or origin, the District shall provide transportation to the foster care student in accordance with the Memorandum of Understanding and Transportation Plan in effect between the District and the Chester County Office of Children, Youth and Families, unless a court order or applicable law dictates otherwise.

In addition to the required documents, school staff may request a letter from the appropriate agency verifying that the student is residing with a foster parent or is in a pre-adoptive or adoptive home. School staff cannot request a court order or agency records.

Students Living in Institutions

If the District hosts a children's detention home, drug and alcohol treatment center or similar facility, the District is required to provide an education, and special education when appropriate, to non-resident students placed in the institution.

Students placed in a children's institution have the right to attend District schools if appropriate for the student, upon submission of required documents

Children of Military Personnel

When a student is a child of a Pennsylvania resident who is deployed by the military and the student is living for that time with relatives or family friends residing in the District, the student is entitled to attend District schools, upon submission of required documents pursuant to Section 13-1302 of the Public School Code.

School staff will presume the District resident is supporting the student gratis, without personal compensation or gain.

Students Returning from Delinquency Placements

When a student returns to the District from a delinquency placement, school staff cannot automatically place the student in an alternative education program just because they had been adjudicated delinquent.

A student returning from a delinquency placement is entitled to an informal hearing prior to being placed in an alternative education program in accordance with 22 Pa. Code §12.8 (c).

The purpose of the hearing is to determine if the student is currently fit to return to the regular classroom or if s/he meets the definition of a disruptive student. Factors the District will consider include: (1) if the incident causing the adjudication occurred at school or a school-sponsored event; (2) student's behavior in the placement; (3) recommendations of teachers and adults, such as the juvenile probation officers, who have worked with the student.

While the District shall offer to hold the informal hearing prior to placement in the program, if the student's presence in the regular classroom poses a danger to persons or property or provides a disruption of the academic process, immediate placement in the alternative program may occur with the informal hearing to follow as soon as practicable.

Address Confidentiality Program (ACP)

A family can enroll a student using an Address Confidentiality Program (ACP) that lists a post office box as their address.

School staff will accept this post office box as the legal address and will not require additional information about the residence. All other required documents must be submitted for enrollment.

School records from the former school will be forwarded through the Address Confidentiality Program (ACP).

The ACP can be contacted at 1-800-563-6399 regarding questions about the family's eligibility for enrollment.

Enrollment Complaints

When a dispute arises regarding enrollment of a student, the individual attempting to enroll the student may file a complaint by mail, e-mail or telephone with the Superintendent or designee. The individual or the District may send written follow-up to the Department of Education, School Services Office

Periodic Verification of Continued Residency

The District will conduct a cyclical, District-wide re-enrollment, every four (4) years. During the re-enrollment process, parents/guardians or other adults with whom District students are residing will be required to submit renewed proof of residency within the District. Removal proceedings may be brought against any student for whom the District does not receive continued proof of residency in the District. Any removal proceedings will take place in accordance with the procedures outlined in Board Policy and Administrative Regulation 5116.

Nothing in this section shall preclude the District from requiring verification of continued residency from parents, guardians or other adults with whom District students are residing on a more frequent basis where the District reasonably suspects that a student may not be legally residing in the District.

The Superintendent or designee will review the requirements of this section of the Administrative Regulation following each cyclical, District-wide re-enrollment and make any appropriate revisions based upon the outcome and effectiveness of the most recent cyclical, District-wide re-enrollment process.

Adopted: February 28, 2005

Revised: July 1, 2009

Revised: August 2010

Revised: April 27, 2011

Reviewed: May 21, 2015

Revised: May 3, 2018