

Policy Committee Agenda
Thursday, April 20, 2017 7:00 p.m.
Room 200, T/E Administration Offices

- 1. Approval of Minutes of the March 16, 2017 Policy Committee Meeting**
- 2. Public Comment**
- 3. Review of Policies for 2nd Reading**
 - Policy and Regulation 4200: Absences and Leaves Due to Illness, Injury and Disability
 - Policy and Regulation 4850: Holidays – Hourly Employees
 - Policy and Regulation 4822: Calculation of Overtime Compensation
- 4. Information**
 - None
- 5. Follow Up from Previous Policy Committee Meeting**
 - Policy and Regulation 5311: Eligibility for Participation in School Related Activities
 - Regulation 6147 Recognition of Athletic Clubs
- 6. Policies and Regulations for Review and Discussion**
 - Policy and Regulation 6146: Student Athletics
 - Policy and Regulation 4520: Tutoring for a Fee
 - Policy and Regulation 4035: Attire and Appearance

7. Future Meetings

Additional meetings are scheduled for Thursday, May 18, 2017. All meetings are held at the Tredyffrin/Easttown Administration Offices, 940 West Valley Road, Suite 1700, in Room 200 at 7:00 p.m.

2017 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continue with a cyclical review of Board Policies and Regulations in determining if they should be revised, updated or repealed.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
Thursday, March 16, 2017
T/E Administrative Offices, Room 200
7:00 p.m.**

Board Committee Members: Kevin Buraks, Chair; Todd Kantorczyk, Kate Murphy, Ed Sweeney
Other Board Members: Doug Carlson, Virginia Lastner, Michele Burger
T/E School District Representatives: Rich Gusick, Ken Roos, Mark Cataldi, Kevin Pechin, Jeanne Pocalyko

Community Members: Doug Anestad, Brendan Arnott, Jeanie Ulicny, Laura Mills, Nicole Scherer, Heather Ward

Approval of Minutes: The minutes of the February 23, 2017 meeting were approved.

Public Comment

Nicole Scherer commented on Policy 7040 Use of District Facilities.

Laura Mills commented on Policy 7040 Use of District Facilities.

Doug Anestad commented on Policy 6220 Charter Schools.

Brendan Arnott commented on Policy and Regulation 5311: Eligibility for Participation in School-Related Activities and Regulation 6147: Recognition of Athletic Clubs.

Doug Anestad commented on Policy and Regulation 5311: Eligibility for Participation in School-Related Activities and Regulation 6147: Recognition of Athletic Clubs.

Jeanie Ulicny commented on Policy and Regulation 5311: Eligibility for Participation in School-Related Activities and Regulation 6147: Recognition of Athletic Clubs.

Doug Anestad commented on Policy and Regulation 4850: Holidays – Hourly Employees.

Review of Policies for 2nd Reading

After review and discussion, it was recommended that the following Policy be sent to the Board of School Directors for a second reading at their meeting on March 27, 2017.

Policy 6220: Charter Schools

This Policy was last revised in 1999. Revisions to the Policy include moving the content related to procedures for the evaluation of a charter school application, term and form of a charter, oversight, review, renewal, or revocation of a charter, as well as the application itself into the accompanying Regulation. Applications submitted for charter schools will be evaluated by the Board based on the criteria established by law and any additional criteria as determined by the Board as set forth in the Regulation. The Board, in addition to granting or denying charters, retains the authority to revoke or terminate a charter in accordance with law. The Regulation delineates the process for charter school application and maintenance.

Information

None

Follow Up from Previous Policy Committee Meeting

Policy and Regulation 4200: Absences and Leaves Due to Illness, Injury and Disability

This Policy and Regulation establishes that the District pays an employee for each full or partial day of absence due to illness, injury or disability to the extent required by law and by contractual agreements. Revisions were made, for clarification, to the section in the Policy on sick leave for employees not

covered by group or individual contracts. No change in the total amount of accrued paid sick leave entitlement was made. Additional wording was added to the Regulation in the event that an employee did not submit to or furnish a required medical certification while out on leave. While on paid leave, employee's insurance coverage is maintained and vacation and sick leave accrue. The Policy will be sent to the Board of School Directors for a first reading at their meeting on March 27, 2017.

Policy and Regulation 4850: Holidays – Hourly Employees

Revisions to the Policy and Regulation include the new title of “Holidays – Non-Instructional Employees Who Are Not Members of a Collective Bargaining Unit.” Non-instructional employees who are not members of a collective bargaining unit are entitled to paid holidays. Holidays are designated by the District. To qualify for pay for a holiday designated by the District, an employee must work the day before the holiday and the day after the holiday, unless on an excused paid absence. The section in the Regulation on overtime for District Office employees was moved to the new Policy and Regulation 4822: Calculation of Overtime Compensation. The Policy will be sent to the Board of School Directors for a first reading at their meeting on March 27, 2017.

Policies and Regulations for Review and Discussion

Policy and Regulation 4822: Calculation of Overtime Compensation

Language from Policy and Regulation 4850: Holidays – Hourly Employees was relocated to this new Policy and Regulation, which specifies that only actual hours worked count in computing the 40-hour week for overtime computation. Approved sick, holidays, vacation, and/or paid personal days count as actual hours worked in such computation. This provision is necessary in light of the "flex time" schedule made available only to employees whose primary workplace is the District's central administration building. The Policy will be sent to the Board of School Directors for a first reading at their meeting on March 27, 2017.

The following Policies and Regulations were discussed and will be brought back to the committee after gathering additional information and further review.

Policy and Regulation 5311: Eligibility for Participation in School-Related Activities and Regulation 6147: Recognition of Athletic Clubs.

Policy 5311 was suspended at the February 27, 2017 meeting of the Board of Directors to the extent that it restricts a private school student from participating in District recognized club sports, excluding sports that are already offered at the private school the student is attending. An overview of club sports at Conestoga was presented at the Policy Committee meeting including history, participation, and available reimbursement of costs. Additional information from each of the club sports and their governing bodies, as well as insurance coverage will be collected and shared at a future meeting.

Other

Policy and Regulation 5461: Maintaining Appropriate Boundaries with Students

This Policy and Regulation was adopted at the February 27, 2017 meeting of the Board of Directors. For clarification purposes, two non-substantive changes to the Policy and Regulation were approved by Policy Committee. The word “pre-existing” was removed from the Policy in reference to not interfering with appropriate personal relationships between District Adults and students and their families that exist independently of the District. The word “inappropriate” was added to the Regulation in reference to disclosing personal, sexual, employment concerns or other private matters to one or more students. Policy 9330: Formulation of New and Revision of Existing Board Policies allows for non-substantive changes, as long as the Board is publicly notified during the next regular Board meeting or through dissemination of the minutes of the Policy Committee to the full Board.

Policy and Regulation 4035: Attire and Appearance

The Policy and Regulation will be reviewed for further clarification related to restrictions on the promotion of religion.

Future Meetings

Additional meetings are scheduled for Thursday, April 20, 2017 and Thursday, May 18, 2017. 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 9:55 PM.

2017 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.

Absences and Leaves Due to Illness, Injury and Disability

Whenever an employee is prevented by illness, injury or disability from performing customary duties, the District shall pay the employee for each full or partial day of absence, to the extent required by law and by contractual agreements. Each employee shall notify the District when unable to report to work.

Special Provision for Employees Not Covered By Group or Individual Contracts

Sick Leave

Employees shall accrue paid sick leave entitlement at the rate of one (1) of his or her normal working days for each month the employee is scheduled to work, effective July 1 of each year.

Part-time employees shall accrue paid sick leave entitlement proportionately based upon their normal hours per day that employee is scheduled to work, effective July 1 of each year.

Sick days for new employees shall be prorated through the end of the school year based upon hours or months worked. For employees not covered by contract, sick leave will be accrued as indicated:

Full-time Employees

~~Ten-month Employees—Ten (10) days~~

~~Twelve-month Employees—Twelve (12) days~~

Part-time Employees

~~For part-time employees, sick time will be computed as follows:~~

~~Ten-month Employees—Ten (10) days times the full-time equivalency of the part-time employee~~

~~Twelve-month Employees—Twelve (12) days times the full-time equivalency of the part-time employee~~

Unused Sick Leave

Unused sick leave days are accumulated from year to year, absent an approved Board resolution to the contrary.

Provisions Applicable to All Employees

Limitations on Length of Leave

If the absence of an employee because of illness or injury exceeds the number of accumulated sick days available to that employee, then in such event, the return of an employee from such leave of absence after the exhaustion of accumulated sick days available to that employee shall be at the sole discretion of the Board, subject only to the limitations of any applicable law, including but not limited to the Americans With Disabilities Act (ADA), the Family Medical Leave Act and the Pennsylvania Workers Compensation Act, and any applicable employment agreement. For purposes of leave recommended pursuant to the ADA, the Board will apply the criteria set forth in the accompanying Administrative Regulation.

Long Term Disability

An eligible employee may, at his or her sole discretion, initiate an application for long term disability benefits after the appropriate waiting period.

Medical Certification

At any time during the course of any leave under this Policy, the Superintendent or designee may require the employee to furnish a certificate from a physician detailing the employee's physical or mental condition, as appropriate under the circumstances, or require such employee to undergo a medical examination by a physician(s) designated by the District. If the employee fails to furnish a required certification, fails to submit to a required examination, or a After such examination of the employee, if the physician designated by the District determines that the employee is physically fit to return to the same or substantially equivalent position, and that employee does not do so after written notice from the District to the employee to return on a certain day, then that employee shall be deemed to have forfeited all rights to employment with the District.

Misuse of Sick Leave

Misuse of leave shall be considered a serious infraction subject to disciplinary action consistent with any applicable collective bargaining agreement.

The Superintendent shall establish regulations to implement this policy.

Adopted: January 24, 1994

Revised: May 23, 1994

Reviewed: January 24, 2000

Revised: February 28, 2005

Reviewed: May 9, 2006

Revised: August 26, 2013

Revised: October 26, 2015

First Reading: March 27, 2017

*Absences and Leaves Due to Illness, Injury and Disability**~~Deductions and Suspensions for Cause~~*

~~The employer may suspend without pay for one day any employee who reports to work in an unfit condition or who neglects to notify the employer of inability to report to work. The employer may deduct the appropriate wages from an employee if that employee is found to be absent from assigned duties during working hours or when the employee is tardy or absent without an adequate explanation, said deductions to be computed by the Business Office based on the hourly rate of the employee.~~

Leaves Due to Illness, Injury and Disability

There may be occasions in which an employee requests the use of accrued paid leave, or unpaid leave, as a form of reasonable accommodation when necessitated by the employee's disability. In such instances, the District shall grant leave in accordance with the requirements of the Americans With Disabilities Act (ADA). The District will permit an employee with a disability to exhaust accrued paid leave first and then provide unpaid leave as long as the leave is reasonable and does not cause an undue hardship upon the District.

Except as explicitly set forth herein and/or as required by law, entitlement to leave as a reasonable accommodation under the ADA shall not extend or expand any other employee benefits provided by the District.

Undue Hardship

For purposes of ~~Policy 4200~~, the requirements established by the ADA, whether leave granted as a reasonable accommodation would be an undue hardship to the District is based on a fact-intensive, individualized assessment of current circumstances. An undue hardship exists if a specific reasonable accommodation would cause a significant difficulty or expense to the District. The determination of undue hardship shall be based on several factors, including:

- The nature and cost of the accommodation needed. In this context, undue hardship is determined based on the net cost to the District. Whether the cost of a reasonable accommodation imposes an undue hardship depends on school and District resources, not on the employee's salary, position, or status (e.g., full-time vs. part-time, salary vs. hourly wage).;
- The overall financial resources of the school making the reasonable accommodation, including the number of employees at the school and the effect on expenses and resources of the school;
- The overall financial resources, size, number of employees, and type and location of facilities of the District;

- The impact of the accommodation on the District, including the structure and functions of the District, geographic location of the school, and the administrative and fiscal relationship of the school making the accommodation to the District;
- The impact of the accommodation on the operations of the school.

~~Undue hardship is determined based on the net cost to the District. Whether the cost of a reasonable accommodation imposes an undue hardship depends on school and District resources, not on the employee's salary, position, or status (e.g., full-time vs. part-time, salary vs. hourly wage). If the District determines that one particular reasonable accommodation will cause undue hardship, but a second type of reasonable accommodation will be effective and will not cause an undue hardship, then the District must provide the second accommodation.~~

Procedure

Leave granted as a reasonable accommodation does not necessarily have to be used all at one time, as modified or part-time schedules may be a reasonable accommodation under certain circumstances. If an employee requests an intermittent or reduced leave schedule for reasons that are foreseeable, the District may, at its discretion, temporarily reassign the employee to another position that will better meet the needs of the District.

While an employee is on leave as a reasonable accommodation, the District will maintain its contributions to the employee's health insurance only if it does so for other employees on a similar leave status (*i.e.*, unpaid leave or on a similar part-time schedule). Insurance coverage is maintained only for employees on paid leave. Vacation and sick days do not accrue during any period of unpaid leave but do accrue during periods of paid leave.

Instead of leave, the District may provide an accommodation that requires an employee to remain on the job, as long as the reasonable accommodation would be effective and eliminate the need for leave, and does not interfere with an employee's ability to address his or her medical needs.

An undue hardship may exist where provision of a reasonable accommodation would be unduly disruptive to other employees' ability to work. If the result of granting leave (or modifying one employee's hours) is to prevent other employees from doing their jobs, then the significant disruption to the operations of the school or District constitutes an undue hardship.

If an employee's lack of a fixed return date causes an undue hardship, then the District may deny the leave. In certain circumstances, undue hardship may derive from disruption to the operations of the school or District because the employer can neither plan for the employee's return nor permanently fill the position. If an employee cannot provide a fixed date of return, and the District determines initially that it can grant such leave

without causing undue hardship, the District has the right to require, as part of the interactive process, that the employee provide periodic updates on his or her condition and possible date of return. Upon receiving these updates, the District may reevaluate whether continued leave constitutes an undue hardship.

Except as otherwise provided by law, the District shall restore an employee to the same position upon his or her return to work, unless restoration to the same position presents an undue hardship. If restoring the employee to his or her same position is an undue hardship, the District may reinstate the employee to an equivalent position. If this also constitutes an undue hardship, the District may consider reinstatement to a lesser position.

Reasonable Medical Documentation

The District shall request reasonable medical documentation to support a leave request only if the nature of disability and functional limits are not obvious. Reasonable medical documentation is defined as the documentation that is needed to establish that a person has a disability under the ADA and that the disability necessitates a reasonable accommodation. If the employee fails to provide appropriate documentation, the District may deny the request for leave as a reasonable accommodation.

Holidays - Non-Instructional Employees Who are Not Members of a Collective Bargaining Unit

Holidays will be designated annually by the District. Non-instructional employees who are not members of a collective bargaining unit or covered by another individual or group agreement shall be entitled to compensation for District designated holidays as set forth in the accompanying Administrative Regulation. ~~Holidays shall be granted to all non-instructional full-time and part-time employees with pay, consistent with negotiated agreements.~~

{01400550 }Adopted: April 9, 1979
Revised: October 26, 1981
Revised: October 9, 1986
Revised: May 23, 1994
Reviewed: January 24, 2000
Reviewed: December 12, 2006

Holidays - Holidays - Non-Instructional Employees Who are Not Members of a Collective Bargaining Unit - Hourly Employees

Qualifying employees shall receive payment at their unadjusted hourly rate for holidays for their regularly scheduled hours. To qualify for holiday pay for a holiday designated by the District pursuant to the accompanying Policy ("holiday"), an employee must work the day before the holiday and the day after the holiday, unless on an excused paid absence (personal day, vacation day, illness and/or similar excused paid absence). In implementing this provision, to qualify for holiday pay on a Friday holiday, the employee must work Thursday and Monday; and if the holiday falls on Monday, the employee must work Friday and Tuesday unless the paid absence is excused. If the day before or after the holiday is a day the employee is not scheduled to work or that the District is closed, then the employee must work their next scheduled day that the District is open to qualify for holiday pay.

No single vacation day(s) shall be taken on the days before and after the holiday without administrator/supervisor approval.

~~For the purpose of "overtime" computation for ESC employees, approved holidays, paid personal day(s), paid vacation day(s), illness and/or similar approved paid absences shall be compensated according to the employee's normal. This provision is necessary in light of the "flex time" schedule made available only to ESC employees.~~

Calculation of Overtime Compensation

Calculation of compensation for overtime shall be done in accordance with applicable law and the accompanying Administrative Regulation.

Calculation of Overtime Compensation

Only actual hours worked shall count in computing the 40-hour week for overtime computation. Approved sick, holidays, vacation, and/or paid personal days shall count as actual hours worked in such computation. Sick days shall be considered approved for purposes of this section if submitted to the employee's supervisor at least five (5) working days prior to the requested day and approved by the supervisor. Approval procedures for vacation and personal days are set forth elsewhere in this agreement.

For the purpose of overtime computation for employees whose primary workplace is the District's central administration building, only actual hours worked shall count in computing the 40-hour week for overtime computation; however, approved sick, holidays, vacation, and/or paid personal days shall count as actual hours worked in such computation. Sick days shall be considered approved for purposes of this section if submitted to the employee's supervisor at least five (5) working days prior to the requested day and approved by the supervisor~~approved holidays, paid personal day(s), paid vacation day(s), illness and/or similar approved paid absences shall be compensated according to the employee's normal workday.~~ This provision is necessary in light of the "flex time" schedule made available only to employees whose primary workplace is the District's central administration building.

Eligibility for Participation in School-Related Activities

Participation in the District educational program, including but not limited to curricular activities, athletics (including interscholastic ~~and; intramural intramural and club sport~~), school organizations, student publications, and extracurricular activities, is limited to students who are enrolled in the District on a full-time basis unless participation is mandated by law.

Unless the school they attend fields a team in the club sport in which they wish to participate, District residents who do not attend Conestoga High School may participate in Conestoga High School club sport teams appropriate to their age or grade, whichever applicable, subject to the restrictions in the accompanying Regulation unless mandated by law.

The Superintendent or designee shall be responsible for developing eligibility criteria for all students, including but not limited to, District students, charter school students, private school students and home-schooled students.

Eligibility for Participation in School-Related Activities

District Policy No. 5311 entitled “Eligibility for Participation in School-Related Activities” limits participation in the District’s educational program, curricular activities, athletics, school organizations, student publications, or extracurricular activities, with the exception of Conestoga High School club sports, to students enrolled in the District on a full-time basis unless participation is mandated by law.

Participation in the District’s Educational Program

To the extent required by Section 502 of the School Code, students who reside in the District but who receive their education in a setting other than a public school may participate in District offerings for which they would be eligible if they attended school in the District such as vocational schools, technical schools, and other educational departments.

Participation in the District’s Extracurricular Activities

Students Enrolled in Private Schools

Students enrolled in private schools may not participate in any District extracurricular activities with the following exception and limitations:

Unless the school they attend fields a team in the club sport in which they wish to participate, District residents who do not attend Conestoga High School may participate in Conestoga High School club sports that do not make roster cuts appropriate to their age or grade, whichever applicable. Private school students who wish to participate in Conestoga High School club sports must meet the same eligibility criteria, or its equivalent, as students enrolled in school, meet the try-out criteria, or its equivalent, and comply with all policies, rules and regulations of the governing organization of the activity. No more than two non-Conestoga High School students may be rostered on a club sports team unless mandated by law. The club coach will make the decision as to which players are eligible if more than two non-Conestoga High School students request to be on the team.

As is the case with students regularly attending Conestoga, the staff of the athletic office will contact the head of the private school periodically to determine if the individual student is meeting the academic and attendance eligibility requirements that Conestoga High School students must meet in order to continue participation in the club sport.

Students in Intermediate Unit Placements, Approved Private Schools, Non-Traditional Placements, or other alternative placements

Students in approved private schools, non-traditional placements or other alternative placements who have been placed in these placements by the District are permitted to participate in the extracurricular activities offered by the District as if the students were attending District schools. Such student may also participate in the District’s educational program or in co-curricular experiences if permitted or required by the student’s Individualized Education Program (“IEP”).

Charter Schools

Students in charter schools have a right to participate in the District's extracurricular activities if the charter school does not provide the same extracurricular activity. Charter school students who wish to participate in such activities must meet the same eligibility criteria, or its equivalent, as students enrolled in school, meet the try-out criteria, or its equivalent, and comply with all policies, rules and regulations of the governing organization of the activity. These criteria policies, rules and regulations are contained in the student handbook for the applicable school.

For interscholastic athletics, as is the case with students regularly attending Conestoga, the staff of the athletic office will contact the head of the charter school weekly to determine if the individual student is meeting the academic and attendance eligibility requirements specified by PIAA.

While in school or at school activities, charter school students are responsible to meet the guidelines, as established by Board policy, in the student handbook, and/or in classroom/course/activity procedures. They will be subject to the same disciplinary measures, grading, class, and attendance regulations required of fully enrolled students.

Home Schooled

Home-educated students are permitted to participate in District activities such as clubs, musical ensembles, athletics (such as varsity sports) and theatrical ~~productions~~productions. Where a co-curricular activity requires that a District student take a class for credit, a home-educated student will be given the opportunity to audit the co-curricular class associated with activity. The District assumes no obligation to transport a home-educated student to such a class, unless the activity requires that a District class be taken for credit. Home-educated students who wish to participate in such activities must meet the same eligibility criteria, or its equivalent, as students enrolled in school, meet the try-out criteria, or its equivalent, and comply with all policies rules and regulations of the governing organization of the activity. These criteria policies, rules and regulations are contained in the student handbook for the applicable school. In order to audit a co-curricular class, the student must satisfy the enrollment, residency and other registration requirements of Policy 5001 Enrollment and Registration Requirements and Verification of Student Residency

For interscholastic athletics, as is the case with students regularly attending Conestoga, the staff of the athletic office will contact the parent weekly to determine if the individual student is meeting the academic eligibility requirements specified by PIAA.

While in school or at school activities, home-educated students are responsible to meet the guidelines, as established by Board policy, in the student handbook, and/or in

classroom/course/activity procedures. They will be subject to the same disciplinary measures, grading, class, and attendance regulations required of fully enrolled students.

If the District offers a physical exam or medical test as a condition of participation in the specific activity, then the exam or test will be available to home-educated students. The dates and times of such physicals or tests shall be made available on the District's website or a general circulation publication.

In regard to home-education students identified as needing special education services pursuant to provisions of the Individuals with Disabilities Education Improvement Act, the home education program shall (1) address the specific needs of the exceptional student and (2) be approved by a teacher with a valid certificate from the state to teach special education or a licensed clinical or certified school psychologist. As such, the supervisor of a home education program may request that the District or the intermediate unit provide services that address the specific needs of the exceptional student in the home education program. When the provision of services is agreed to by both the supervisor and the District or intermediate unit, all services shall be provided in the public schools of the District or in a private school licensed to provide such programs and services.

Students on Homebound Instruction

Students on homebound instruction due to a physician's note may be allowed to participate in the District's educational program or in any co-curricular experiences or extracurricular activities provided that the participation is not inconsistent with the medical reasons for the absence from school.

Other Alternative Placements (Residential Treatment Facilities, Partial Hospitalization, Private Residential Rehabilitative Institutions).

These students may participate in academic programs and courses as if they were in private schools to the extent that their medical condition permits them. Unless the District makes the placement, they may not participate in extracurricular activities, unless the placement is of short duration and failure to allow participation could be construed as a violation of Section 504 of the Rehabilitation Act

**ELIGIBILITY FOR PARTICIPATION
IN SCHOOL-RELATED ACTIVITIES ASSUMING STUDENT MEETS STUDENT
ELIGIBILITY REQUIREMENTS APPLICABLE TO IN-DISTRICT STUDENTS**

Location of Enrollment	Extracurricular Activities	Educational Program and Co-curricular experiences	<u>Educational Program</u>
1. Private School	No, <u>except for Conestoga HS club sports</u>	Yes*	<u>Yes*</u>
2. Charter School	Yes #	No	<u>No</u>
3. Home-educated##	Yes	May audit <u>the co-curricular class associated with activity</u> ; Not eligible for credit (unless needed as special education services)	<u>No</u>
4. Homebound	Yes, subject to medical limitations	Yes, subject to medical limitations	<u>Yes, subject to medical limitations</u>
5. Approved Private School or Non-Traditional Placement	Yes	Yes*	<u>Yes*</u>
6. Alternative Placement (Intermediate Unit, RTF, Partial Hospitalization, PRRI)	Yes, subject to medical limitations	Yes, subject to medical limitations	<u>Yes, subject to medical limitations</u>

* To the extent required by Section 502 of the School Code, students who reside in the District but who receive their education in a setting other than a public school may participate in District offerings for which they would be eligible if they attended school in the District such as vocational schools, technical schools, and other educational departments.

Students in charter schools have a right to participate in the District's extracurricular activities if the charter school does not provide the same extracurricular activity. Charter school students who wish to participate in such activities must meet the same eligibility criteria, or its equivalent, as students enrolled in school, meet the try-out criteria, or its equivalent, and comply with all policies, rules and regulations of the governing organization of the activity. These criteria policies, rules and regulations are contained in the student handbook for the applicable school.

Home-educated students are permitted to participate in District activities such as clubs, musical ensembles, athletics (such as varsity sports) and theatrical productions. Where a co-curricular activity requires that a District student take a class for credit, a home-educated student will be given the opportunity to audit the co-curricular class associated with activity. The District assumes no obligation to transport a home-educated student to such a class. Home-educated students who wish to participate in such activities must meet the same eligibility criteria, or its equivalent, as students enrolled in school, meet the try-out criteria, or its equivalent, and comply with all policies rules and regulations of the governing organization of the activity. These criteria policies, rules and regulations are contained in the student handbook for the applicable school.

**ELIGIBILITY FOR PARTICIPATION
IN SCHOOL-RELATED ACTIVITIES**

Location of Enrollment	Extracurricular Activities	Educational Program and Co-curricular experiences
1. Private School	_____ No	_____ Yes*
2. Charter School	_____ Yes *	_____ No
3. Home Schooled	_____ Yes*	No (unless needed as special education services)
4. Homebound	_____ Yes *	_____ Yes *
5. Approved Private School or Non-Traditional Placement	_____ Yes *	_____ Yes *
6. Alternative Placement (Intermediate Unit, RTF, Partial Hospitalization, PRRI)	_____ Yes *	_____ Yes*

~~_____~~ * Limitations Apply

Recognition of Athletic Clubs

Requirements for Recognition of Athletic Clubs

Athletic Clubs seeking school recognition and club status from the Tredyffrin/Easttown School District (T/E) must meet the following requirements:

1. Each club must designate an advisor/coach, who must be approved by the Principal of Conestoga High School, and a club president.
2. T/E reserves the right to designate or remove a particular employee as an advisor/coach to a particular club or to reject a proposed candidate.
3. The club president must be an adult (21 years old or older), but need not be an employee of T/E. The individual must agree to serve as club president without additional compensation from T/E. The advisor/coach may also serve as club president.
4. The club must normally be privately funded for the entire season and not expect financial assistance from T/E.
5. Only students ~~enrolled in T/E~~ who meet academic eligibility requirements as established by the P.I.A.A., ~~and~~ Conestoga High School and other applicable Board policy may participate in the club.
6. Transportation to club functions shall be supplied by the club at club expense and shall be provided only by appropriately insured drivers duly licensed by the Commonwealth of Pennsylvania.
7. The club will be responsible for adoption and implementation of its own rules and regulations governing all aspects of the activity. A copy of those rules must be submitted annually to the Principal of Conestoga High School.
8. The advisor/coach and club president must execute the prescribed Hold Harmless and Indemnification Agreement.
9. Advisors/coaches must provide satisfactory Act 34 and Act 88 clearance.
10. Each club participant shall be required to give evidence to T/E through the club that he or she has medical, dental, and hospitalization insurance coverage.
11. Each club participant shall be required to submit a completed "Physician's Certificate" and "Parents Certificate" in the form required by P.I.A.A., as well as any other medical or emergency information required of participants in

interscholastic athletics. This requirement may be excused, on a club-by-club basis, upon written notice by the Conestoga High School Principal.

12. The club must obtain maximum aggregate limit comprehensive general liability insurance coverage in the amount of \$500,000 per occurrence, which policy shall name T/E as an insured as its interests may appear, and submit annually a certificate evidencing such coverage to T/E's Business Manager.
13. The club must obtain maximum aggregate limit directors and officers insurance coverage in the amount of \$500,000 per occurrence or \$1,000,000 for all claims made during a policy year and submit annually a certificate evidencing such coverage to T/E's Business Manager.
14. The advisor/coach and club president are jointly responsible for the club's compliance with the rules stated above and are responsible for providing all necessary notices or other documentation required above before the activity begins. T/E reserves the right at any time to review club status and to revoke club status for any club that fails to remain in compliance with the rules stated above.
15. School recognition and club status are valid for a maximum of one year and must be renewed annually through submission of an Application for Athletic Club Status at least two months before the expected starting date.

Recognition and club status entitle a club and its Conestoga High School student participants to the following:

1. The school will award varsity letters and/or certificates if Conestoga High School student club participants meet participation requirements of officially sanctioned Conestoga High School athletic teams.
2. The club may use T/E facilities, subject to availability, with the understanding that established interscholastic and intramural programs are given priority. The club is responsible for any damages caused or incurred during the time the club is using T/E facilities or equipment.
3. Participation in the club shall be recognized on a Conestoga High School student participant's transcript if the participant meets the participation requirements of officially sanctioned Conestoga High School athletic teams.

Administrative Procedure for Recognition of Athletic Clubs

1. By August 1 of each year, the Athletic Director is responsible for notifying the school community that beginning with the 1998-1999 school year all athletic clubs seeking renewal of school recognition and club status must submit an Application for Athletic Club Status.

2. A completed Application for Athletic Club Status must include the following:
 - a. A copy of the current club rules and regulations; and
 - b. The Hold Harmless and Indemnification Agreement signed by the Advisor/Coach and the Club President.
3. The Athletic Director is responsible for initial review of the Application for Athletic Club Status for completeness and compliance with the Tredyffrin/Easttown School District Requirements for Recognition of Athletic Clubs, including confirmation that all insurance certificates have been submitted by the club to the Business Manager.
4. Once the Athletic Director has reviewed the application for completeness and compliance, the Athletic Director will forward the Application to the Conestoga High School Principal for final review.
5. The Principal will forward the application to the Superintendent.
6. The Athletic Director is responsible for ensuring yearly compliance on the part of all athletic clubs with the Tredyffrin/Easttown School District Requirements for Recognition of Athletic Clubs. This includes annually, no later than August 1, notifying each president and each advisor/coach of existing clubs of the need to resubmit an Application for Athletic Club Status at least two months before the expected starting date.

Tredyffrin/Easttown School District

Annual Application for Recognition and Athletic Club Status

Directions

Any athletic club seeking recognition and club status from the Tredyffrin/Easttown School District must complete this form and agree to comply with and abide by the attached Tredyffrin/Easttown School District Requirements for Recognition of Athletic Clubs.

Completed applications must be returned at least two months before the expected starting date accompanied by the following:

1. A copy of the current club rules and regulations; and
2. The Hold Harmless and Indemnification Agreement signed by the advisor/coach and the club president.

Information Required

a. Name of Club _____

b. Name of Advisor/Coach _____

c. Name of Club President _____

d. Name of Activity or Sport _____

e. Name of general liability insurance carrier _____

f. Name of directors' and officers' insurance carrier _____

Date

Tredyffrin/Easttown School District
Conestoga High School Athletic Club
Hold Harmless and Indemnification Agreement

_____ Club ("Club") agrees to the following in consideration of its receipt of official club status from the Board of School Directors of Tredyffrin/Easttown School District ("T/E").

1. The Club agrees to indemnify and hold T/E as well as T/E's Directors, agents, and employees harmless of any and all liability arising from or based upon the activities of the Club.
2. Liability includes any loss, damage, expense, causes of actions, lawsuits, claims, or judgments, including attorney's fees, and includes but is not limited to injuries to person or property.
3. The Club shall, at its own cost and expense, defend any and all lawsuits which may be brought against T/E whether that lawsuit is brought against T/E alone or in conjunction with others.
4. The Club shall satisfy, pay, and discharge any and all judgments and fines that may be recovered against T/E in any lawsuit referenced in paragraph 3 above.
5. T/E shall give the Club written notice of any claim or demand or lawsuit.

Intending to be legally bound, the Club agrees to the foregoing.

Club President

Advisor/Coach

Date

Attachment (2) to Regulation 6147

Tredyffrin/Easttown School District
Athletic Club Advisor/Coach Agreement

I, _____, Advisor/Coach for _____

have received and reviewed the Tredyffrin/Easttown School District Requirements for Recognition of Athletic Clubs attached to this application and agree to abide by those requirements.

Advisor/Coach

Commonwealth of Pennsylvania

County of _____

On this the _____ day of _____, before me,

_____, the undersigned officer, personally appeared,

_____ known to me to be the person whose name is

subscribed to this document, and acknowledged that she/he executed the same for the purposes therein contained.

In witness whereof, I hereto set my hand and official seal.

Notary Public

Tredyffrin/Easttown School District
Athletic Club President Agreement

I, _____, Club President for _____

have received and reviewed the Tredyffrin/Easttown School District Requirements for Recognition of Athletic Clubs attached to this application and agree to abide by those requirements.

Club President

Commonwealth of Pennsylvania

County of _____

On this the _____ day of _____, before me,

_____, the undersigned officer, personally appeared,

_____ known to me to be the person whose name is

subscribed to this document, and acknowledged that she/he executed the same for the purposes therein contained.

In witness whereof, I hereto set my hand and official seal.

Notary Public

NOTIFICATION LETTER OF PARTICIPATION
IN CLUB ENGAGED IN POTENTIALLY HAZARDOUS ACTIVITIES
(For use with clubs not formally recognized as Athletic Clubs
under Administrative Regulation 6147)

Dear Parents:

This letter is to notify you that your son/daughter has elected to participate in the following club:

Name of club

Name of Advisor

Phone no. of Advisor

Because of the potentially hazardous nature of the activities in which this club is engaged, the School District requires that you sign and return the attached consent form in order for your child to participate in the club's activities. Parents/guardian must sign this permission form in the presence of a school employee (i.e. secretary, teacher, administrator). The school employee will sign as the witness to your signatures. Please be aware that if your son/daughter currently resides with both parents, each parent must sign the permission form and be witnessed.

If you have any questions regarding the status of this club, please contact the club advisor listed above.

Sincerely,



Amy Meisinger
Assistant Principal

cc: Club Advisor

PERMISSION FORM AND RELEASE
FOR PARTICIPATION IN CLUB ENGAGED IN
POTENTIALLY HAZARDOUS ACTIVITIES

Section I. Parent Permission Form

_____, grade _____, homeroom _____, has my permission to participate in the following club:

NAME OF CLUB

Section II. Release and Indemnity Agreement

In consideration for the Tredyffrin/Easttown School District's permitting my child to participate in the club identified above, I agree:

1. **to release** the Tredyffrin/Easttown School District and its directors, administrators, employees (in particular any advisors identified above who are employees of the Tredyffrin/Easttown School District) from any liability for **personal injury to my child** or **damage to the personal property of my child** unless such is caused by intentional misconduct by the directors or administrators of the Tredyffrin/Easttown School District and to **indemnify and hold harmless** the Tredyffrin/Easttown School District, its directors, administrators and employees for any claims asserted of the nature described in this paragraph; and
2. **to indemnify and hold harmless** Tredyffrin/Easttown School District, and its directors, administrators, employees (in particular any advisors identified above who are employees of the Tredyffrin/Easttown School District) from any and all liability for any claim or damages asserted against them individually, jointly or severally as a result of any **injury to any other person** or damage to that **person's property** resulting from the actions of **my child**.
3. **Liability** includes any loss, damage, expense, causes of actions, lawsuits, claims or judgments, including attorney's fees.

Intending to be legally bound, I agree to the terms and conditions set forth in **Section I (Parent Permission Form)**, **Section II (Release and Indemnity Agreement)** above.

If the child currently resides with both parents, this form must be signed by both.

If my child is over the age of eighteen (18) years, he/she assents to the **Release and Indemnity Agreement** contained in **Section II** above as witnessed by his/her signature.

Witness: _____

Signed: _____
(father)

Address:

Witness: _____

Signed: _____
(mother)

Address:

Witness: _____

Signed: _____
(guardian, if applicable)

Address:

Witness: _____

Signed: _____
(child/over age of 18 only)

*Student Athletics*Definitions

“Interscholastic sports” are those that are funded and fully staffed by the District and compete under Rules and Regulations provided by the Pennsylvania Interscholastic Athletic Association (“PIAA”), or other applicable governing body.

“Intramural sports” are staffed and financially supported by the District, but are not governed by the PIAA.

“Club sports” receive some support from the District whether financial and/or through use of facilities or equipment.

Guidelines

The Board establishes the following guidelines for its athletic program:

1. **Establishment of Program** - Athletics are offered by the District as an integral part of the District’s educational program.
2. **Course Credit** - High School students, with the exception of ninth grade students, may earn physical education credit by participating in an approved athletic activity.
3. **Staffing** - Special effort shall be made to attract and hold a highly qualified, experienced staff which is oriented to the teaching aspects of both the curricular athletic program and the extracurricular program.
4. **Equal Opportunity** - The District will operate athletic programs in compliance with all applicable Federal and State laws, including Title IX of the Educational Amendments of 1972.
5. **Gender Eligibility**- Any issues with respect to eligibility for a specific District team will be determined by the District in a manner that does not limit the ability of that District team to participate in competitions, including playoffs, with other teams of the District’s team’s gender designation.
6. **Management** - Since athletics are a part of the educational program designed to meet the needs of the participants, all activities shall be organized and scheduled strictly for the benefit of the participating students. Every effort shall be made to schedule athletic contests after regular class hours so that students will not have to be excused from class.
7. **Extracurricular Program Offerings** -The specific sports for men and women, and the levels offered in each sport, shall be reviewed by the principal of each building on an annual basis to ensure the overall program meets the requirements of this Policy and assures maximum educational value for the resources expended. The following factors shall be considered in recommending, and by the Board in assessing, the possibility of adding a new sport or adding a new level in an existing sport:

- Contribution to the goals of the District and the athletic program
- Effect on the balance between athletic opportunities for men and women
- Sustained interest by enough students to qualify as a team
- Financial feasibility, including insurance costs
- Availability of qualified coaching staff
- Cost and availability of facilities appropriate to the demands of the sport
- Availability of competition at other schools
- Safety issues and the ability of the school administration to provide adequate supervision of the program

A new sport shall normally be offered either as an intramural or club sport while student interest grows and participation develops. The same factors shall be considered when the elimination of a sport or level is contemplated.

In all these activities, students shall be subject to school and District policies, including regulations of the Central League and PIAA if applicable. All extracurricular interscholastic sports are offered subject to PIAA rules and regulations whether competition is specifically regulated by the PIAA or not.

Adopted: November 24, 1969
Revised: September 10, 1973
Revised: January 24, 1983
Revised: January 27, 1986
Revised: December 5, 1994
Revised: April 28, 1997
Revised: June 16, 1997
Revised: January 26, 1998
Revised: June 1, 1998
Revised: February 23, 2004
Revised: October 27, 2014
Revised: January 3, 2017

Student Athletics

Equal Opportunity

The District will take affirmative action to ensure that a balanced program for men and women is maintained at all times. The following factors shall be considered in assessing the balance of the program:

- the nature and extent of the sports offered and their accommodation of the interests and abilities of men and women both in terms of sports and levels of competition offered
- the provision of equipment and supplies
- the scheduling of games and practice time
- the provisions for travel
- the quality and extent of the coaching provided
- the assignment and compensation of coaches
- the provision of locker room, practice, and competitive facilities
- the nature and extent of publicity

Although equal aggregate expenditures shall not be required, financial resources shall be allocated as necessary to provide facilities, equipment, supervision, supplies, and opportunities for participation and competition which equally accommodate the athletic interests and abilities of both men and women.

The District will follow the guidelines as set forth in Pennsylvania Interscholastic Athletic Association (“PIAA”) By-Law Article XVI with regard to mixed gender participation in athletics in a manner that does not limit the ability of that District team to participate in competitions, including playoffs, with other teams of the District’s team’s gender designation. In general, a student is eligible to participate on sports teams that correspond with the student’s birth gender. Certain exceptions shall be made on a case-by-case basis in accordance with PIAA regulations as long as the eligibility of a student does not exclude the team as a whole from PIAA competition or playoffs with other teams of their gender. PIAA defines a mixed gender team as one consisting of both boys and girls. Mixed gender teams may only participate in post-season playoffs for boys’ teams.

Tutoring for a Fee

In order to allow District students access to the many qualified private tutors who are also District employees, while minimizing the potential for conflict of interest created by teachers and other instructional staff tutoring their own students, the District permits tutoring of District students by District staff pursuant to the guidelines below and in accordance with Pennsylvania’s *Code of Professional Practice and Conduct for Educators*, which provides in part: “The professional educator may not ... exploit a professional relationship for personal gain or advantage.” This policy does not apply to after-school activities sponsored by the District or an elementary school-based parent organization.

Definitions

For purposes of this policy, “teachers and other instructional staff” includes classroom teachers, teachers of special subjects (e.g. music and art), counselors, psychologists, aides, special education teachers, teachers co-teaching with a classroom teacher, and related services providers, including but not limited to, speech therapists, occupational therapists and physical therapists.

“Tutoring” means providing additional, special, or remedial instruction to a student in the employee’s assigned area of certification.

“Current student” means a student on the teacher’s and other instructional staff’s class list or case load or who is otherwise specifically assigned to the teacher and other instructional staff regardless of the time of year.

Tutoring Current Students for a Fee Prohibited

All District students are entitled to reasonable assistance from their teachers without additional cost. Allowing any teacher to charge a fee to their current students for tutoring creates an appearance that the student will have an unfair academic advantage. Therefore, teachers shall refrain from tutoring their current students for a fee either individually or in groups. Teachers may not initiate any type of private business or “tutoring for a fee” relationship with their current students, or those students’ parents/guardians, regardless of when the tutoring may occur. For example, a teacher cannot solicit prospective business from a current student even if the tutoring may occur when the student is no longer in his or her class, such as during the summer.

Other Restrictions on Tutoring

No tutoring or private lessons for which a teacher or other instructional staff receives a fee may be carried on in the school building.

Teachers and other instructional staff may not use District resources such as their assigned computer or classroom materials, including assessments, in connection with a private tutoring business.

No solicitation for tutoring for a fee services may occur on District property or through any District means of communication.

Related References:

22 Pa.Code Section 235 (Code of Professional Practice and Conduct for Educators)

Tutoring for a Fee

Teachers and other instructional staff may not tutor their current students for a fee individually or in groups. This prohibition applies even if the tutoring is in a subject matter different than the subject matter for which the student is receiving instruction from the staff member.

Teachers and other instructional staff who tutor students will do it on their own time and not on the premises of the District. Arrangements regarding costs and scheduling of the sessions will be done by the tutor before or after regular work hours.

Violators of this Administrative Regulation and accompanying Policy will be subject to discipline up to and including discharge.

Dress and Appearance

Dress, appearance and good personal hygiene of employees are important for maintaining a positive learning and working environment.

Employees should present themselves in a physically clean, neat, well-groomed, and professional manner. Employees should dress in a manner that is appropriate for each professional's assignment and that is conducive to the educational environment. The Board recognizes that assignments and activities vary between employees and from day to day requiring employees and persons responsible for enforcing this Policy to use common sense and good judgment as to what is appropriate attire.

The Superintendent or designee shall create and distribute regulations in accordance with this Policy.

*Dress and Appearance*General Guidelines

District employees are expected to be:

- physically clean;
- neat;
- well-groomed; and
- dressed in a manner reflecting their professional assignment.

A District employee's dress or appearance may not cause a substantial or material disruption to the learning environment.

Appropriate Dress

In regard to decisions regarding dress and appearance, employees shall remember that the District is an institution for the education of children. As such, employees are not permitted to wear clothing that:

- bears an emblem or advertisement for products that are inappropriate or illegal for use by children (i.e. cigarettes, alcohol, drugs, etc.);
- encourages inappropriate or illegal activities by children; and/or
- is sexually suggestive, including but not limited to, displaying evocative printed words or images and/or through some other obvious manner.

Promotion of Religion

Within the limits of the law, the District strives to create an environment that fosters free expression of religion. Subject to employees' constitutional right to freedom of religious expression, District employees may not wear in a District school and during the school day, or while otherwise engaged in the performance of the employee's duties, any visible dress, mark, emblem, or insignia that either inherently promotes or is worn with the intention to promote a particular religious order, sect, or denomination. In case of doubt as to whether the wearing of any item promotes religion in this way, the employee should contact the employee's supervisor or the Director of Human Resources.

Political Advocacy

When political expression occurs on District property or at District-sponsored events, the employee's right to expression must be balanced against the District's responsibility to educate students without substantial disruption, the prohibition against using public resources for personal expression, and the concern that the individual will appear to be representing the District on a particular issue.

The District is required to maintain political neutrality. Thus, employees who are acting on behalf of the school, or who are reasonably perceived to be representing the school both while on

duty and during non-working hours, must also maintain political neutrality. Because partisan political activities, other than for students, are prohibited on District property and at District-sponsored events, all District employees are prohibited from wearing any clothing, buttons, signs, or other accessories that advocate for or against a particular political candidate and/or party or political issue on District property and at District-sponsored events while in contact with students, except at locations designated as polling places on Election Day during nonworking time, or as permitted by the organizer of a non-partisan debate, speech or other similar event authorized by the District.

Exceptions

If a District employee feels that an exception to Board Policy and this Administrative Regulation regarding “Dress and Appearance” would enable the employee to carry out assigned duties more effectively, a request should be made to the employee’s immediate supervisor or the Director of Human Resources.