

Policy Committee Agenda
Thursday, February 23, 2017 7:00 p.m.
Room 200, T/E Administration Offices

- 1. Approval of Minutes of the January 19, 2017 Policy Committee Meeting**
- 2. Public Comment**
- 3. Review of Policies for 2nd Reading**
 - Policy and Regulation 4344: Electronic Communication between Employees and Students
 - Policy and Regulation 5461: Maintaining Appropriate Boundaries with Students
 - Policy and Regulation 4035: Attire and Appearance
- 4. Information**
 - None
- 5. Follow Up from Previous Policy Committee Meeting**
 - Policy and Regulation 6220: Charter Schools
- 6. Policies and Regulations for Review and Discussion**
 - Policy and Regulation 4200: Absences and Leaves Due to Illness, Injury and Disability
 - Policy and Regulation 4850: Holidays – Hourly Employees
- 7. Future Meetings**

Additional meetings are scheduled for Thursday, March 16, 2017, 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.

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continue with a cyclical review of Board Policies and Regulations in determining if they should be revised, updated or repealed.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, January 19, 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: None

T/E School District Representatives: Rich Gusick, Ken Roos, Mark Cataldi

Community Members: None.

Approval of Minutes: The minutes of the December 15, 2016 meeting were approved.

Public Comment

None.

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 January 23, 2017.

Policy and Regulation 4520: Tutoring for a Fee

Revisions to the existing Policy and newly drafted Regulation include language to emphasize that teachers and other instructional staff are prohibited from tutoring their own current students for a fee. Teachers and other instruction staff who tutor for a fee may not do so in the school building and may not use District resources, such as their assigned computer or classroom materials. Solicitation for tutoring for a fee may not occur on District property or through any District means of communication.

Information

None

Follow Up from Previous Policy Committee Meeting

None

Policies and Regulations for Review and Discussion

Policy and Regulation 4344: Electronic Communication between Employees and Students

This Policy was recommended to be repealed and the Regulation to be rescinded as the content is being subsumed in the new Policy and Regulation 5461: Maintaining Appropriate Boundaries with Students. The Policy will be sent to the Board of School Directors for a first reading at their meeting on January 23, 2017.

Policy and Regulation 5461: Maintaining Appropriate Boundaries with Students

This new Policy and Regulation applies to District Adults which includes employees, volunteers, student teachers, and independent contractors. The Policy and Regulation address a range of behaviors that includes unlawful or improper interactions with students. All District Adults shall be expected to maintain professional, moral and ethical relationships with District students that are conducive to an effective, safe learning environment. Expectations of behavior and prohibited conduct are outlined, including the content from Policy and Regulation 4344: Electronic Communication between Employees and Students. The Policy will be sent to the Board of School Directors for a first reading at their meeting on January 23, 2017.

Policy and Regulation 4035: Attire and Appearance

Revisions to the existing Policy include the new title of Dress and Appearance. The new Regulation provides guidelines to appropriate dress and appearance for employees and specifies restrictions to the promotion of religion and political advocacy. The Policy will be sent to the Board of School Directors for a first reading at their meeting on January 23, 2017.

The following Policies and Regulations were discussed as part of an ongoing cyclical review

Policy 6112: School Day

This Policy was last revised in 1994. The committee reviewed the Policy and no changes were recommended.

Policy and Regulation 6153: Classroom Field Trips

This Policy was last revised in 1998 and the Regulation was last revised in 2006. The Policy and Regulation will be brought back to the committee after a legal review.

Policy 6220: Charter Schools

This Policy was last revised in 1999. The Policy will be brought back to the committee after a legal review.

Other

The 2017 Policy Committee Goals were revised as indicated below.

Future Meetings

Additional meetings are scheduled for Thursday, February 23, 2017, Thursday, March 16, 2017, 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 8:44 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.

Electronic Communications between Employees and Students

All electronic communications conducted by an employee with a student must relate to educational or extra-curricular programs or activities. Authorized methods of electronic communication are the following:

1. District-provided email;
2. District-sponsored web site (including school and teacher web pages);
3. Telephones (not including texting, unless otherwise permitted under number 4 below); and
4. Other electronic communication methods that are authorized by the administration in support of educational or extra-curricular programs or activities.

School District employees are prohibited from using any electronic communication methods with a student for purposes not related to educational or extra-curricular programs or activities, except as specifically authorized in Administrative Regulation.

*Electronic Communications between Employees and Students**Usage*

All electronic communications occurring at any time by employees to students are to be completely professional.

Employees are prohibited from using any electronic communication methods with students for purposes not related to educational or extra-curricular programs or activities except in the event that an employee and a student are immediate family members or close relatives as provided by the following examples:

- Employee is the parent of a District student.
- Employee is the aunt or uncle of a District student.
- Employee is the grandparent of a District student.

Examples of permitted use related to educational or extra-curricular programs or activities are:

- Coaches or activity advisors sending group messages to team members or other participants by text, personal email, Twitter or other method pertinent to event cancellations, postponements or location changes.
- Overnight trip chaperones sending group messages to trip attendees by text, personal email, online social networking service, or other method to coordinate meeting places or schedules while on the trip.

Text messages may be a form of electronic communication that is especially valuable in certain contexts when the possibility of immediate and/or urgent contact with students by employees is desirable. Such contexts include but are not limited to the following:

- Employee coaches who need the ability to quickly reach student athletes, team members, etc.
- Employee advisors of extra-curricular programs or activities who need the ability to quickly reach student participants.
- Employees chaperoning District field trips who need the ability to monitor the locations of students.

If an employee plans to electronically communicate with students through the use of text messages, he or she must obtain permission to do so from his/her building principal. Also, if permission is received, the employee must not only provide students' parents with written notification of the intent to use text messaging but must also obtain written parental permission to do so.

Improper and/or inappropriate electronic communication between employees and students is prohibited, regardless of whether the employee or the student initiates the communication. Improper and/or inappropriate electronic communication includes but is not limited to any type of message that may be viewed as:

- Derogatory;
- Sexual, lewd, pornographic, or obscene in content;
- Offensive through the use of profanity;
- Threatening or harassing;
- Discriminatory;
- Facilitation of illegal activities;
- Having the purpose to assist personal, commercial or for-profit ends;
- Expression of political viewpoints;
- Unauthorized or illegal distribution, reproduction, or use of copyrighted materials;
- Fraternalization or otherwise crossing the line between professional and personal boundaries; or
- Suggestive in nature.

Reporting

Any electronic communication made by an employee to a student or that is received by an employee from a student using a means other than one provided by or authorized by the District shall be reported by the employee to his/her building principal or his/her designee.

Employees must report to their building principal or his/her designee, any student-initiated electronic communication that may be construed as improper and/or inappropriate. Such reports shall be made immediately or at the employee's first available opportunity.

Records of any reported electronic communications as described herein shall be maintained by the employee's direct supervisor in accordance with the District's record retention schedule.

Violations

Failure to comply with Policy 4344 and this Regulation may constitute cause for disciplinary action consistent with any applicable collective bargaining agreement, up to and including termination from employment. Should an employee's failure to comply also violate state or federal law, the Superintendent or his/her designee shall report such violation to the proper authorities.

Any suspected violation of Policy 4344 and this Regulation shall be immediately investigated by the employee's building principal or his/her designee. The

investigation shall include dates, the name of the person reporting the allegation, and the specific allegation made.

The building principal or his/her designee shall meet with the employee to document his/her response to the allegation.

All information from the investigation shall be documented and provided to the Director of Personnel and/or the Superintendent if deemed necessary.

Investigation records shall be maintained by the Director of Personnel in accordance with the District's record retention schedule.

Notification

The Director of Personnel shall ensure that at the beginning of each school year and upon hiring, all employees shall be informed of the provisions of Policy 4344 and this Regulation.

Tredyffrin/Easttown School District
Attachment A

TREDYFFRIN/EASTTOWN SCHOOL DISTRICT
Employee/Student Electronic Communication Reporting Form

Reporting Employee: _____
School: _____
Date of Report: _____

INCIDENT:

Who initiated the electronic communication? _____ Employee _____ Student

Date of Communication: _____ Time of Communication: _____

Method of Communication:

- _____ District-Provided E-Mail
- _____ District-Sponsored Web Site (including school and teacher web pages)
- _____ Telephone
- _____ Text Message
- _____ Other: Specify _____

Specify E-Mail Address, Phone Number, Web Site, or Other Electronic Method Used by Employee/Student for Electronic Communication:

Employee(s) Name(s) Involved in Electronic Communication if Other Than Reporting Employee:

Student(s) Name(s) Involved in Electronic Communication: Include School if Different From Reporter's School. (Add attachment if necessary.)

Content/Details of Electronic Communication:

*Maintaining Appropriate Boundaries With Students*Definition

“District Adults” means all District employees, volunteers, student teachers, and independent contractors, including the employees of independent contractors who interact with students or are present on school grounds. The term District Adults as used in this Policy, does not include District students who serve as a volunteer or on a compensated basis.

~~This policy applies to District employees, volunteers, student teachers, and independent contractors and the employees of independent contractors who interact with students or are present on school grounds (collectively referred to throughout this Policy as “District Adults”). District Adults does not include District students who serve as a volunteer or on a compensated basis.~~

Authority

All District Adults shall be expected to maintain professional, moral and ethical relationships with District students that are conducive to an effective, safe learning environment. This policy addresses a range of behaviors that includes ~~_not only obviously_~~ unlawful or improper interactions with students, ~~andbut~~ also precursor misconduct and other boundary-blurring behaviors that can lead to more egregious behavior. In this context, precursor misconduct ~~includesmeans~~ the targeting of a ~~childstudent~~ by an adult through various modes of communication with the intention of promoting or engaging in sexual activity with the student.~~meeting the child to have unlawful or otherwise improper sexual activity.~~

District Adults shall be informed of conduct that is prohibited and the disciplinary actions that may be applied for violation of Board policies, administrative regulations, rules and procedures.

This policy applies to conduct committed on or off school property and extends beyond the workday. However, this policy is not intended to interfere with appropriate pre-existing personal relationships between District Adults and students and their families that exist independently of the District or to interfere with participation in civic, religious or other outside organizations that include District students.

Delegation of Responsibility

The Superintendent shall establish administrative regulations to implement this Policy defining what constitutes prohibited conduct relating to, among other things:

1. Romantic or sexual relationships,
2. Prohibited social interactions, and
3. Prohibited electronic communications.

The Superintendent or designee shall ~~annually~~ inform students, parents/guardians, and all

District Adults regarding the contents of this Board policy through employee and student handbooks, posting on the District website, and by other appropriate methods.

The building principal or designee shall be available to answer questions about behaviors or activities that may violate professional boundaries as defined in this policy.

Electronic Communications between ~~Employees~~ District Adults and Students

All electronic communications conducted by a District Adults n employee who are not volunteers, with a student must relate to educational or extra-curricular programs or activities. Authorized methods of electronic communication are the following:

1. District-provided email;
2. District-sponsored web site (including school and teacher web pages);
3. Telephones (not including texting, unless otherwise permitted under number 4 below); and
4. Other electronic communication methods that are authorized by the administration in support of educational or extra-curricular programs or activities.

School District employees are prohibited from using any electronic communication methods with a student for purposes not related to educational or extra-curricular programs or activities, except as specifically authorized in Administrative Regulation.

The accompanying administrative regulation shall establish guidelines for District Adults who are volunteers.

References:

Board Policy and Administrative Regulation No. 5436 “Reporting Suspected Child Abuse”,

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

State Board of Education Regulations — 22 PA Code Sec. 10.2, 10.21, 10.22 Educator Discipline Act — 24 P.S. Sec. 2070.1a et seq.

Pennsylvania's Code of Professional Practice and Conduct for Educators — 22 PA Code Sec. 235.1 et seq.

Child Protective Services Law — 23 Pa. C.S.A. Sec. 6301 et seq.

Maintaining Appropriate Boundaries With Students

Definitions

“District Adults” means all District employees, volunteers, student teachers, and independent contractors, including the employees of independent contractors who interact with students or are present on school grounds. The term District Adults as used in this Regulation, does not include District students who serve as a volunteer or on a compensated basis.

“Legitimate educational reasons” include matters or communications related to teaching, counseling, athletics, extracurricular activities, treatment of a student's physical injury or other medical needs, school administration or other purposes within the scope of the District Adult's job duties.

Prohibited Conduct

Romantic or Sexual ~~Interactions~~ Relationships

District Adults shall be prohibited from ~~dating, seeking the romantic affections of, or~~ entering into or attempting to form ~~romantic or sexual interactions~~ romantic or sexual relationship with any student enrolled in the District, regardless of the student's age. Students of any age are not legally capable of consenting to romantic or sexual interactions with District Adults as defined in this regulation.

Prohibited romantic or sexual interactions involving students includes, but ~~is~~ are not limited to:

1. dating,
2. seeking the romantic affections of, or entering into or attempting to form a romantic or sexual relationship,
- ~~1.3.~~ Sexual physical contact,
- ~~2.4.~~ Romantic flirtation, propositions, or sexual remarks,
- ~~3.5.~~ Sexualized dialogue,
- ~~4.6.~~ Restricting a student's freedom of movement in a sexually intimidating or provocative manner, and
- ~~5.7.~~ Displaying or transmitting sexual objects, pictures, or depictions.

Social Interactions

In order to maintain professional boundaries, District Adults shall ensure that their interactions with students are appropriate.

The ~~section of this regulation includes following~~ are examples of conduct that could or may violate professional boundaries. In the context of these examples, the following definitions apply:

“personal” means of or concerning one’s private life, relationships and emotions, rather than matters connected with one’s public or professional career.

“legitimate educational reason” is inclusive of co-curricular or extracurricular activities and means justified entirely by professional interest, not personal or private interest. Such determinations are made on a case-by-case basis.

Examples of Conduct that Could or May Violate Professional Boundaries include, but are not limited to:

1. Disclosing personal, sexual, employment concerns or other private matters to one or more students. Exchanging notes, emails or other communications of a personal nature with a student a legitimate educational reason.;
2. Giving personal gifts, cards or letters to a student without a legitimate educational reason.;
3. Singling out a particular student or students for personal attention or friendship beyond the ordinary professional District Adult-student relationship.;
4. Taking a student out of class without a legitimate educational reason.;
- ~~5.~~ Being alone with a student behind closed doors without a legitimate educational reason.;
- ~~5.6.~~ Initiating or extending contact with a student beyond the school day or outside of class times without a legitimate educational reason.;
- ~~6.7.~~ Inviting a student to the District Adult's home without express authorization from the employee’s supervisor and the student’s parent/guardian.;
- ~~7.8.~~ Going to a student's home without express authorization from the employee’s supervisor, unless invited by the parent.;
- ~~8.9.~~ Taking a student on outings without prior notification to and approval from both the parent/guardian and the building principal.;
- ~~9.10.~~ Giving a student a ride alone in a vehicle in a nonemergency situation without

prior notification to and approval from both the parent/guardian and the building principal or supervisor. If circumstances are such that the parent/guardian is not available to request approval and a student has no other option to be transported, then the District Adult may provide a student a ride after notifying and receiving approval from the building principal or supervisor and notifying the parent/guardian after the fact:-

~~10.11.~~ 11.11. Furnishing alcohol, illegal drugs or tobacco to a student or being present where any student is consuming these substances:- and

~~11.12.~~ 11.12. Engaging in harassing or discriminatory conduct prohibited by other District policies or by state or federal law and regulations.

Electronic Communications

For purposes of this regulation, “electronic communication” shall mean a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant or pager. Electronic communications include, but are not limited to, emails, instant messages and communications made by means of an Internet website, including social media and other networking websites.

As with other forms of communication, when communicating electronically, District Adults shall maintain professional boundaries with students.

Electronic communication with students shall be for legitimate educational reasons only.

When available, all employees, including extra-duty employees such as coaches and activity sponsors, shall use District-provided email or other District-provided communication devices when communicating electronically with students. The use of District-provided email or other District provided communication devices shall be in accordance with District policies and procedures.

District employees are prohibited from using personal email, text messaging, instant messaging, and social-networking accounts, websites, and any other applications for communicating with parents and students that are not specifically authorized. District Adults shall not follow or accept requests for current students to be friends or connections on personal social networking sites and shall not create any networking site for communication with students other than those provided by the District for this purpose, without the prior written approval of the building principal. ~~An Some~~ examples of allowable communications in this context includes where the adult is a family relative of the student.

Improper and/or inappropriate electronic communication between employees and students is prohibited, regardless of whether the employee or the student initiates the communication. Improper and/or inappropriate electronic communication includes but is not limited to any type of message that may be viewed as:

- Derogatory;
- Sexual, lewd, pornographic, or obscene in content;
- Offensive through the use of profanity;
- Threatening or harassing;
- Discriminatory;
- Facilitation of illegal activities;
- Having the purpose to assist personal causes or for-profit ends;
- Expression of political viewpoints;
- Unauthorized or illegal distribution, reproduction, or use of copyrighted materials;
- Fraternization or otherwise crossing the line between professional and personal boundaries; and/or
- Suggestive in nature.

Group Messaging for Sports and Other Activities

Regarding the use of electronic or digital messages (including text messages), ~~the Board realizes~~ this may be a form of electronic communication that is especially valuable in certain contexts when the possibility of immediate and/or urgent contact with students by employees is desirable. Such contexts include but are not limited to the following:

- Employee coaches who need the ability to quickly reach student athletes, team members, ~~etc., quickly~~
- Employee advisors of extra-curricular programs or activities who need the ability to reach student participants in a short time frame, ~~and~~
- Employees chaperoning District field trips who need the ability to monitor the locations of students.

If an employee plans to communicate electronically with students through the use of text messages, the employee must obtain permission to do so from his/her building principal using the form attached as Attachment A. Also, if permission is received, the employee must not only provide students' parents with written notification of the intent to use text messaging but must also obtain written parental permission to do so.

All electronic communications from coaches and advisors to team or club members shall be sent in a single communication to all participating team or club members, except for communications concerning an individual student's medical or academic privacy matters, in which case the communications will be copied to the building principal. In the case of sports teams under the direction of the Athletic Director, such medical or academic communications shall also be copied to the Athletic Director.

Exceptions

An emergency situation or a legitimate educational reason may justify deviation from professional boundaries set out in this regulation. The District Adult shall be prepared to articulate the reason

for any deviation from the requirements of this regulation and must demonstrate that s/he has maintained an appropriate relationship with the student.

Under no circumstance will an educational or other reason justify deviation from the "Romantic and Sexual ~~Interactions~~Relationships" section of this regulation.

There will be circumstances where personal relationships develop between a District Adult and a student's family, e.g. when their children become friends. This regulation is not intended to interfere with such relationships or to limit activities that are normally consistent with such relationships. District Adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity.

It is understood that many District Adults are involved in various other roles in the community through non-District-related civic, religious, athletic, scouting or other organizations and programs whose participants may include District students. Such community involvement is commendable, and this regulation is not intended to interfere with or restrict a District Adult's ability to serve in those roles. However, District Adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity with regard to all youth with whom they interact in the course of their community involvement.

Reporting Inappropriate or Suspicious Conduct

Any person, including a student, who has concerns about or is uncomfortable with a relationship or interaction between a District Adult and a student, shall immediately notify the Superintendent, principal or other administrator.

All District employees, independent contractors and volunteers who have reasonable cause to suspect that a child is the victim of child abuse, shall immediately report the suspected abuse, in accordance with ~~applicable law, regulations and the~~ Board policy referenced below.

An educator who knows of any action, inaction or conduct which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act shall report such misconduct in accordance with the Board policy referenced below.~~to the Pennsylvania Department of Education on the required form, and shall report such misconduct to the Superintendent and his/her immediate supervisor, within fifteen (15) days of discovery of such misconduct.~~

If the Superintendent or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Child Protective Services Law, the Educator Discipline Act or the Safe Schools Act, the Superintendent or designee shall make a report, in accordance with the Board policy referenced below.~~with applicable law, regulations and Board policy.~~

It is a violation of this regulation to retaliate against any person for reporting any action pursuant to this regulation or for participating as a witness in any related investigation or hearing.

Investigation

Allegations of inappropriate conduct shall be promptly investigated in accordance with the procedures utilized for complaints of prohibited harassment of students as referenced below.

It is understood that some reports made pursuant to this regulation will be based on rumors or misunderstandings; the mere fact that the reported District Adult is cleared of any wrongdoing shall not result in disciplinary action against the reporter or any witnesses. If as the result of an investigation any individual, including the reported District Adult, the reporter, or a witness is found to have intentionally provided false information in making the report or during the investigation or hearings related to the report, or if any individual intentionally obstructs the investigation or hearings, this may be addressed as a violation of this regulation and other applicable laws, regulations and District policies. Obstruction includes but is not limited to violation of "no contact" orders given to the reported District Adult, attempting to alter or influence witness testimony, and destruction of or hiding evidence.

Disciplinary Action

A District employee who violates this regulation may be subject to disciplinary action, up to and including termination, in accordance with all applicable District disciplinary policies and procedures.

A volunteer, student teacher, or independent contractor or an employee of an independent contractor who violates this regulation may be prohibited from working or serving in District schools for a defined period of time or permanently, as determined by the Superintendent or designee.

The District shall ~~make provide training with respect to the provisions of this regulation to~~ current and new District employees, volunteers and student teachers ~~subject to aware of the~~ content of this regulation.

The District, at its sole discretion, may require independent contractors and their employees who interact with students or are present on school grounds to receive training on this regulation and related procedures.

References:

Board Policy No. 4150 "Insurance Protection - Employees Using Their Own Automobiles"

Administrative Regulation No. 5420 "Unlawful Harassment by and of Students"

Board Policy and Administrative Regulation No. 5436 "Reporting Suspected Child Abuse"

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

State Board of Education Regulations — 22 PA Code Sec. 10.2, 10.21, 10.22 Educator Discipline Act — 24 P.S. Sec. 2070.1a et seq.

Pennsylvania's Code of Professional Practice and Conduct for Educators — 22 PA Code Sec. 235.1 et seq.

Child Protective Services Law — 23 Pa. C.S.A. Sec. 6301 et seq.

Attire Dress and Appearance

It is the Policy of the District that the ~~d~~Dress, ~~-and~~ appearance and good personal hygiene of employees ~~with respect to dress and grooming~~ are is important for maintaining a positive learning and working environment. ~~Good personal hygiene and appropriate dress foster respect, prevent unnecessary distraction, promote a positive image of the District and promote positive role models for students and staff.~~

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 in terms of displaying evocative printed words or images and/or through some other obvious and unquestionable 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

Because partisan political activities, other than for students, are prohibited on District property, 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, 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.

Charter Schools

The Board shall evaluate applications submitted for charter schools based on the criteria established by law and any additional criteria as determined by the Board as set forth in the accompanying Superintendent’s Administrative Procedure. The Board, in addition to granting or denying charters, retains the authority to revoke or terminate a charter in accordance with law. The accompanying Administrative Regulation delineates the process for charter school application and maintenance.

Preamble

~~In order to provide students, parents, and community members an opportunity to establish alternate educational experiences to those offered by the District, the Board of School Directors of Tredyffrin/Easttown School District shall evaluate applications submitted for charter schools located within the District, and for Regional Charter Schools in accordance with the requirements of Act 22 of 1997 and those established by the Board.~~

~~The District will cooperate with individuals and groups submitting proposals and applications for charter schools. Each charter school application shall demonstrate compliance with the requirements of the Charter School Law and any additional requirements established by the Board.~~

Definitions (24 P.S. 17-1703-A)

- ~~1. “District” means the Tredyffrin/Easttown School District.~~
- ~~2. “Appeal Board” means the State Charter School Appeal Board established by the Charter School Law.~~
- ~~3. “Charter School” means an independent public school established and operated under a charter from the local board of school directors and in which students are enrolled or which students attend. A Charter School must be organized as a public, nonprofit corporation. Charters may not be granted to any for-profit entity.~~
- ~~4. “Department” means the Department of Education for the Commonwealth of Pennsylvania.~~
- ~~5. “Local Board of School Directors” or “Board” means the board of school directors of a school district in which a proposed or approved Charter School is located. The Board of School Directors of the Tredyffrin/Easttown School District will be referred to as the “Board” in this statement of Policy.~~
- ~~6. “Regional Charter School” means an independent public school established and operated under a charter from more than one local board of school directors. A Regional Charter School must be organized as a public, nonprofit corporation.~~
- ~~7. “School Entity” means a school district, an intermediate unit, joint school, or area vocational-technical school.~~

- ~~8. "Secretary" means the State Secretary of Education of the Commonwealth of Pennsylvania.~~
- ~~9. "Superintendent" means the Superintendent of the Tredyffrin/Easttown School District.~~
- ~~10. "Board of Trustees" means the board of trustees of a proposed or approved Charter School or Regional Charter School.~~

Procedure for Review of a Charter School Application

- ~~1. Individuals or groups desiring to submit an application shall do so on the application form attached to this Policy (Attachment #1). Application forms are available in the Office of the Superintendent.~~
- ~~2. The original and nine copies of the application are to be submitted to the Office of the Superintendent of Schools on or before November 15 of the year prior to the September initiation of the Charter School. The date of submission will be documented, and letter addressed to the applicant(s) will acknowledge receipt of the proposal. The date of submission will initiate the time period in which the District review must be completed. This review must result in Board action on the proposal within a time period of not less than forty five (45) days and not more than seventy five (75) days after the first public hearing on the Charter School application.~~
- ~~3. The Superintendent shall forward copies of the Charter School application to the members of the Board. Announcement of the receipt of the application will occur at the next scheduled meeting of the Board and be documented as a matter of record.~~
- ~~4. Upon receipt of the application at the next regular business meeting, the Board shall pass a resolution setting the first hearing date, establishing the procedures for the conduct of the hearing, and authorizing the administrative review as described in #5 (below) of this section.~~
- ~~5. The Superintendent will appoint a technical review team which shall include the Superintendent or designee, Solicitor, Controller, a Board member, a representative of the T/E Education Association, and other members of the professional staff which may include central staff, building principals and/or teachers. The technical review team will be responsible for review of specific areas of the application as follows:
 - ~~a. The Solicitor will review the application to determine compliance with provisions of Act 22 and all other applicable statutory and/or regulatory requirements.~~
 - ~~b. The controller will direct a review of the application to determine the adequacy of provisions for budget, finance and insurance. The adequacy of the facilities identified in the application will be reviewed as well as compliance with any applicable township procedures.~~
 - ~~c. The Director of Curriculum will direct a review of the application and an analysis of support services that the District will be obligated to commit to the Charter~~~~

~~School. This analysis will include provisions for transportation, health, psychological, special education, and other services. The analysis will include an estimated projection of the cost or value of these services.~~

- ~~d. The Director of Curriculum will direct a review of the educational program described in the Charter School application. The review will consider matters, which include but are not limited to, the school calendar, length of instructional day, provisions for student assessment and the educational mission, goals, and objections of the proposed program of instruction.~~
- ~~6. The Board will request additional information from the applicant if it finds the application incomplete or if additional information will assist in its determination. Failure on the Board's part to request such information does not, however, constitute a waiver of the board's right to reject an application due to significant or substantial omissions of required information.~~
- ~~7. This review will be compiled on the Tredyffrin/Easttown School District Charter School Application Review Form (Attachment #2). After reasonable notice, the Board will schedule and conduct at least one (1) public hearing within forty five (45) days of the receipt of the Charter School application. The public hearing will require that the applicant(s) make a formal presentation to provide an overview and general orientation of the major elements of the proposed Charter School as well as review all major requirements of Act 22. Members of the Board and members of the District administration and staff will be provided the opportunity to question the applicant(s) about issues of interest and concern and about the operation of the proposed Charter School. The hearing will afford members of the general public the opportunity to offer testimony and comment on the Charter School application.~~
- ~~8. The Board Education Committee will formulate a recommendation for Board action on the Charter School application based upon information received in the public hearing, the results of the technical review and as a qualitative review based upon criteria which include, but are not limited to~~
 - ~~a. Demonstrated and sustainable support for the Charter School by teachers, parents, other community members and students.~~
 - ~~b. Capability of the Charter School to offer a comprehensive learning experience for all prospective students.~~
 - ~~c. Capacity of the Charter School to offer increased learning opportunities by all, innovative teaching methods, new opportunities for teachers and expanded choices for parents and students.~~
 - ~~d. Potential for the Charter School to serve as a model for the public schools.~~
 - ~~e. Whether there are sufficient signatures of parents or other interested individuals attesting to a commitment to enroll their children in the proposed Charter School.~~

- ~~f.—Whether or not the educational program proposed by the Charter School is consistent with good educational theory and will actually benefit students who participate in the program.~~
 - ~~g.—Whether or not the financial plan for the Charter School would promote financial viability of the organization and is feasible to be implemented.~~
 - ~~h.—A financial plan of at least five years must be submitted along with an estimate of the minimum number of students needed for the school to be financially viable.~~
 - ~~i.—The existence of a demographic study which shows the need for the school and the estimated number of students who would attend.~~
 - ~~j.—The extent to which the proposed facilities of the applicant would provide a safe and appropriate place for learning.~~
- ~~9.—The Board will take action on the Charter School application in not less than forty-five (45) days and not more than seventy five (75) days after the first public hearing on the Charter School application. A Charter School application shall be approved or denied by a majority vote of all Board members at a public meeting, in accordance with the provisions of the Sunshine Act.~~
- ~~10.—Written notice of the decision of the Board shall be sent to the applicant, Department of Education and the Appeal Board, including reasons for denial and a clear description of application deficiencies if the application is denied. The Board shall consider denied applications that are revised and resubmitted at the first Board meeting occurring at least 45 days after receipt of the revised application by the Board. The Board may, at its discretion, schedule additional hearings to consider the revised application. This communication will be conveyed to all parties involved by the Board Secretary.~~

Term and Form of Charter

- ~~1.—Upon approval of an application to establish a Charter School, the Board and the Board of Trustees of a Charter School shall develop a written charter, which will be signed by the Board and the Board of Trustees. The charter shall be for a term of not less than three years or more than five. Upon satisfactory confirmation that the Charter School is conforming to the charter, the Board may renew the charter for subsequent terms of five years.~~
- ~~2.—The written charter shall include conditions required by law or otherwise agreed to by the Board and the Board of Trustees including provisions that:
 - ~~a.—The Board of Trustees shall comply with all conditions of the charter, the Charter School Law and the provisions of the Act of March 10, 1949 (P.L. 30, No. 14) as amended and known as the Pennsylvania School Code which apply to charter schools.~~~~

- ~~b. The Charter School and the Board of Trustees shall comply with other applicable state laws and regulations, including pertinent sections of 22 Pa. Code set forth in the Charter School Law.~~
- ~~e. The Charter School and the Board of Trustees shall acquire adequate liability and risk insurance coverage, which names the District as an additional insured. Minimum coverage shall be established in the charter.~~
- ~~d. The Board of Trustees and the Charter School shall be solely liable for any and all damages and costs of any kind resulting from legal challenges involving the operation and/or other actions of the Board of Trustees, the Charter School and its employees.~~
- ~~e. The Board shall have the right to annually assess whether the Charter School is meeting the goals of its charter. This condition shall require the Charter School to submit an annual report to the Board not later than August 1 of each year in the form prescribed by the Secretary. The Board shall have ongoing access to the records and facilities of the Charter School to ensure that the Charter School is in compliance with the charter, and the requirements of the Charter School Law.~~
- ~~f. The Board of Trustees and the Charter School shall not discriminate in employment practices or admissions based on disability, race, creed, color, gender, national origin, religion, ancestry or the need for special education services.~~
- ~~g. Define agreements, if any, between the Board and the Board of Trustees concerning services to be provided by the District to the Charter School and concerning participation by Charter School students in District extracurricular activities.~~
- ~~h. Any other terms or conditions deemed necessary by the Board or other terms and conditions agreed to by the Board of Trustees.~~

Oversight, Review, Renewal or Revocation of Charter

- ~~1. The Board, in addition to granting or denying charter, retains the authority to revoke or terminate a charter in accordance with the provisions of Act 22.~~
- ~~2. The Charter School shall submit a copy of its annual report to the Secretary of Education and Secretary to the Board of School Directors in accordance with 24 PS 1728 A(B).~~
- ~~3. The Board will annually establish a visiting committee to assess whether a Charter School is complying with the terms and conditions of its charter and meeting the goals of its charter. The visiting committee may request additional information to supplement the required annual report.~~

- ~~4. The visiting committee shall have ongoing access to the records and facilities of the Charter School in order to ensure that the Charter School is in compliance with its charter, Board Policy, and applicable laws.~~
- ~~5. The chairperson of the visiting committee shall accept, record, and investigate any complaints about the conduct of the Charter School.~~
- ~~6. A Charter School shall submit monthly enrollment figures and financial reports to the District in a format defined by the Superintendent.~~
- ~~7. Prior to granting a charter renewal, the Board will conduct a comprehensive review of the Charter School.~~
- ~~8. The Board may choose to revoke or not to review a charter based on any of the following reasons:
 - ~~a. One or more material violations of the written charter.~~
 - ~~b. Failure to meet the requirements for Student Performance set forth in 22 Pa. § 5.1 et. Seq. or the written charter or subsequent regulations promulgated to supplement or replace Chapter 5.~~
 - ~~c. Failure to meet generally accepted standards of fiscal management or audit requirements.~~
 - ~~d. Violations of any provisions in the Charter School Law.~~
 - ~~e. Violations of any provisions of state or federal law from which the Charter School has not been exempted, including any statute or regulation governing children with disabilities.~~
 - ~~f. The Charter School has been convicted of fraud.~~~~

~~Any notice of revocation or of non-renewal of a charter given by the Board will state the grounds for such action with reasonable specificity. The Board shall conduct a public hearing concerning such revocation or non-renewal in accordance with the Charter School Law. In cases where the health or safety of the students and/or staff is at risk, the Board may take immediate action to revoke a charter.~~

Miscellaneous Provisions

- ~~1. The Board may approve a leave of absence for a period up to five years for an employee of the District to work in a Charter School located in the District or in a Regional Charter School in which the District is a participant.~~
- ~~2. Any temporary professional employee or professional employee granted a leave of absence to teach in a Charter School by the District has the right to return to a comparable position for which this person is properly certified. The District shall not be obligated to accept the return of an employee on leave to teach in a Charter School unless the request to return is made no later than March 30 and the return is effective~~

- ~~at the beginning of the next school year. No temporary professional employee or professional employee who leaves employment at a Charter School shall be reinstated until the District is in receipt of a current criminal history report and an official clearance statement regarding child injury or abuse from the Department of Public Welfare. A temporary professional employee on leave from the District to teach in a Charter School shall be required to complete three consecutive years of satisfactory service within the District to be eligible for tenure.~~
- ~~3. At its sole expense, the Charter School shall provide teachers on leave from the District the same health care benefits the District would have provided in the absence of the leave. District health benefits shall be reinstated when the teacher returns from leave.~~
 - ~~4. If the Charter School closes during the course of an academic year, the District may assign returning students to any school for the balance of that academic year at its sole discretion.~~
 - ~~5. The District may include Charter School staff members in staff development programs when so requested by the Charter School on a case by case basis. The Charter School shall pay pro rata costs for participating Charter School staff. In the event that a limited number of openings in such programs are available for Charter School staff, preference shall be given to Charter School staff on leave from the District.~~
 - ~~6. Students of the Charter School who reside in the District and who meet all District eligibility requirements may participate in District athletics and club activities if the Charter School does not offer the same athletic or club activity.~~
 - ~~7. A Charter School and the District may arrange for the District, at its discretion, to provide certain services to the Charter School including, but not limited to, custodial services, maintenance services, payroll and benefits services, food services, etc. Such arrangements will be set out in the charter or in contracts mutually agreed to by the Board and the Board of Trustees.~~
 - ~~8. The District will provide student transportation for students enrolled in a Charter School or a Regional Charter School consistent with the Charter School Law.~~

~~See: Application Form Attached~~

~~— Deadline Chart Attached~~

FORMAT FOR CHARTER SCHOOL APPLICATION

Use the following format to prepare materials in support of an application for approval of a charter school. Use as much space as required and cover the material in sufficient depth to allow the Board of School Directors to make an informed decision on the application. Appendices should be limited to bulky documents and copies of official documents presented as evidence of compliance. Please provide an original and nine (9) copies of the information requested below.

Section I. Applicant

1. Name of the proposed charter school.
2. Name the applicant, giving complete mailing address, phone, and fax numbers.
3. If the applicant is an organization sponsor, define the organization and state its corporate purposes.
4. Identify the grade levels to be served.
5. Identify the school district(s) from which students will be drawn and from which approval of the application is being sought.

Section II. Governance and Administrative Structure

1. Describe how the charter school will be governed.
2. Describe how members of the Board of Trustees will be named or elected.
3. Describe how parents and community members will be involved in the governance of the school.
4. Name the person and state the qualifications of the person designated to run the school.
5. Describe how the administrative responsibilities for running the school will be carried out and who will be responsible for each aspect.

Section III. Mission, Goals and Assessment Procedures

1. Clearly define the vision, mission, and purpose of the charter school.
2. State whether the charter school is sectarian or non-sectarian, profit or non-profit.
3. Describe how the charter school will provide expanded educational opportunities within the T/E school system.
4. Define the educational standards for the school, for each benchmark level of the school (grades 3, 6, 8 and 12).
5. Demonstrate how the curriculum/educational program for the charter school will improve student learning; increase learning opportunities for all student; encourage the use of innovative and different teaching methods; provide bias free instruction—all as compared with the curriculum/educational program of the T/E Schools.
6. Describe how the educational program, through support and planning, will provide comprehensive learning experiences to students.

- ~~7. Describe the curriculum that will be offered to students and how curricular materials will be selected.~~
- ~~8. Describe how the charter school will provide parents and students with expanded choices in the types of educational opportunities available within the public school system.~~
- ~~9. Describe the ways, and extent to which, the charter school will serve as a model for other public schools in the T/E School District.~~
- ~~10. Demonstrate the charter school's ability to meet measurable academic standards.~~
- ~~11. Describe the charter school's system for student assessment.~~
- ~~12. State the charter school's agreement to submit an annual report to the T/E School District describing the extent to which the school is meeting its goal(s).~~

Section IV. Admission Policy and Criteria

- ~~1. Demonstrate that the admissions Policy and criteria comply with the admissions requirements listed in the charter school legislation for Pennsylvania, for ADA, for Family Educational Rights and Privacy Act, and for IDEA.~~
- ~~2. Demonstrate that the charter school will meet the needs of students with disabilities, bilingual and at risk students.~~
- ~~3. Demonstrate that the charter school will target low-achieving students and provide equal access for all students.~~
- ~~4. State the charter school's agreement to have the Chester county Intermediate Unit conduct all special education identification and placement.~~
- ~~5. Project the impact of the charter school on student demographics in the public schools.~~

Section V. Student Discipline Policy and Expulsion Criteria

- ~~1. Define the procedures to be used for suspension and expulsion of students.~~
- ~~2. Define the discipline policies and procedures of the charter school.~~
- ~~3. State the charter school's commitment to enroll students for a one-year period.~~

Section VI. Community Support

- ~~1. Demonstrate sustainable support for the charter school plan among teachers, parents, students, and other community members.~~
- ~~2. Present the signatures of parents attesting to their commitment to enroll their children in the proposed charter school, and show evidence there is no bias in the enrollment.~~
- ~~3. Describe how the charter school will ensure ongoing parental involvement.~~
- ~~4. Demonstrate that parents and community organizations have been involved in the planning process of the charter school.~~

Section VII. Fiscal Operations

1. ~~Provide a five-year financial plan, including provision for annual auditing of the charter school's fiscal operations by a certified public accounting firm.~~
2. ~~Demonstrate that the five-year financial plan follows the guidelines for budget development of the Commonwealth of Pennsylvania.~~
3. ~~Identify the minimum number of students needed for the charter school to remain financially viable.~~
4. ~~Specify the length and conditions of the teacher contract (include copy as an appendix).~~
5. ~~Give best estimates (based on student enrollment projections) or transportation costs to be covered by the T/E School District.~~
6. ~~Project the fiscal impact of the charter school on the T/E School District.~~

Section VIII. Compliant Procedure

1. ~~Define the procedure for reviewing parent complaints regarding the operation of the charter school.~~

Section IX. Facilities

1. ~~Identify and describe the facility(ies) to be used to house the charter school.~~
2. ~~Specify the ownership and leasing arrangement of the physical plant.~~
3. ~~Document receipt of municipal certification (append copy[ies]) for use of the facility as a charter school.~~

Section X. School Calendar

1. ~~Specify the proposed school calendar, length of the school day, and length of the school year.~~

Section XI. Faculty

1. ~~Demonstrate that the educational program creates new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.~~
2. ~~Define the proposed staff development plan for the charter school.~~
3. ~~Indicate the number of certified and non-certified staff, and list their qualifications.~~
4. ~~Define the charter school's employee performance appraisal system.~~

Section XII. Extracurricular Activity

- ~~1. List the extracurricular activities for students provided by the charter school.~~
- ~~2. Summarize any request(s) with the School District (include copy in an appendix) for student participation in extracurricular activities within the District for activities the charter school does not provide.~~

Section XIII. Staff Clearance

- ~~1. Document compliance with the State requirement that the charter school conduct a criminal history record check (append certification of criminal history clearance) on all staff and volunteers who will have contact with students.~~
- ~~2. Document that the charter school has secured an official clearance statement (append clearance statement) regarding child injury or abuse from the Department of Public Welfare.~~

Section XIV. Liability, Insurance and Risk Management

- ~~1. Summarize provisions for health, workers compensation, retirement, automobile liability, general liability, property, trustee and employee liability, performance surety, tort liability and errors and omissions insurance and demonstrate that levels of coverage are consistent with those of the T/E School District. (Append copies of the policies.)~~
- ~~2. State the charter school's commitment to comply with all Federal, State, and local regulations and statutes pertaining to health, safety, civil rights, insurance, and education of the students.~~
- ~~3. State the charter school's commitment to provide a free, appropriate public education for all students.~~
- ~~4. State the charter school's commitment to comply with the drug awareness, weapons, and sexual harassment policies of the T/E School District.~~

Charter School Application Process Timeline

<u>Maximum Time Allowed</u>		<u>Activities</u>
November 15	Deadline to submit application for following academic year	<p>Superintendent acknowledge receipt of application in writing</p> <p>Superintendent forward copies of application to Board members</p> <p>Board action acknowledging receipt of application and initiating review process</p> <p>Conduct technical review in accordance with Policy</p>
December 30	Deadline for the Board to hold at least one public hearing	(45 days after receipt of application)
March 15	Deadline for final decision to grant or deny application	<p>(At least another 45 days, but not more than 75 days, must transpire between first public hearing and final decision by majority vote of all Board members)</p> <p>Reasons and clear description of deficiencies if denied</p> <p>Written notice of Board decision to applicant, State Board, and Appeal Board (if denied)</p> <p>Preparation of charter</p>

Within 45 days of submission if revise and resubmit application	Board may schedule additional hearings, but must consider revised and resubmitted application at first Board meeting occurring at least 45 days after receipt	Board must provide notice of consideration of revised application under Sunshine Act
Within 60 days of denial	Deadline for applicant to obtain necessary signatures and presenting petition to county court of common pleas	Applicant must obtain signatures from 2% of district residents or 1,000 residents over age 18 whichever is less
No later than 30 days after notice of sufficiency from court of common pleas	Deadline for Appeals Board to meet and review certified record of application	
No later than 60 days after review	Deadline for Appeals Board to issue written decision affirming or denying appeal	
Within 10 days of notice of reversal of decision	Board required to grant application and sign written charter	If Board fails to do so, charter deemed to be approved and will be signed by Chair of Appeals Board
July 1	Charter school permitted to file its application as appeal to Appeal Board if school district fails to hold required hearings within time allowed or denies application	
August/September	Charter school opens	

Charter Schools

I. Definitions (24 P.S. 17-1703-A)

1. "District" means Tredyffrin/Easttown School District.
2. "Appeal Board" means the State Charter School Appeal Board established by the Charter School Law.
3. "Charter School" means an independent public school established and operated under a charter from the local board of school directors and in which students are enrolled or which students attend. A Charter School must be organized as a public, nonprofit corporation. Charters may not be granted to any for-profit entity.
4. "Department" means the Department of Education for the Commonwealth of Pennsylvania.
5. "Local Board of School Directors" or "Board" means the board of school directors of a school district in which a proposed or approved Charter School is located. The Board of School Directors of Tredyffrin/Easttown School District will be referred to as the "Board" in the Board Policy Statement and Superintendent's Administrative Procedure
6. "Regional Charter School" means an independent public school established and operated under a charter from more than one local board of school directors. A Regional Charter School must be organized as a public, nonprofit corporation.
7. "School Entity" means a school district, an intermediate unit, joint school, or area vocational-technical school.
8. "Secretary" means the State Secretary of Education of the Commonwealth of Pennsylvania.
9. "Superintendent" means the Superintendent of Tredyffrin/Easttown School District.
10. "Board of Trustees" means the board of trustees of a proposed or approved Charter School or Regional Charter School.

II. Procedure for Review of a Charter School Application

11. Individuals or groups desiring to submit an application shall do so following the format prepared by the Superintendent and approved by the Board. Copies of the

policy are available in the Office of the Superintendent. The Board-approved Format for Charter School Application is attached to this Superintendent's Administrative Procedure as Attachment A.

12. The original and nine complete copies of the application (including a table of contents and appendices) and a PDF version on disk or sent electronically are to be submitted to the Office of the Superintendent of Schools on or before November 15 of the year prior to the September initiation of the Charter School. The date of submission will be documented and receipt of the proposal will be acknowledged by letter or e-mail addressed to the applicant(s). The date of submission will initiate the time period in which the District review must be completed. This review must result in Board action on the proposal within a time period of not less than forty-six (46) days and no more than one hundred twenty (120) days after submission.
13. The Superintendent shall forward copies of the Charter School Application to the members of the Board. Announcement of the receipt of the application will occur at the next scheduled meeting of the Board and be documented as a matter or record.
14. Upon receipt of the application, the Board, at the next regular business meeting, shall pass a resolution setting the first hearing date, establishing the procedures for the conduct of the hearing, and authorizing the administrative review as described in #5 (below) of this section.
15. The Superintendent will appoint a technical review team (Board Charter Education Committee) which shall include the Superintendent or designee, Solicitor (or attorney with Solicitor's Office), Business Manager, a Board Member, a representative of the Tredyffrin/Easttown Education Association, and other members of the professional staff, which may include central staff, building principals, and/or teachers. The technical review team will be responsible for review of specific areas of the application as follows:
 - a. The Solicitor will review the application to determine compliance with provisions of the Public School Code of 1949, as amended, and all other applicable statutory and/or regulatory requirements.
 - b. The Business Manager will direct a review of the application to determine the adequacy of provisions for budget, finance, and insurance. The adequacy of the facilities identified in the application will be reviewed as well as compliance with any applicable Tredyffrin Township and Easttown Township procedures.
 - c. The Superintendent or Superintendent's designee will direct a review of the application and an analysis of support services that the District will be obligated to commit to the Charter School. This analysis will include provisions for transportation, health, psychological, special education, and other services. The analysis will include an estimated projection of the cost or value of these services.

- d. The Superintendent or Superintendent's designee will direct a review of the educational program described in the Charter School Application. The review will consider matters which include, but are not limited to, the school calendar; length of instructional day; provisions for student assessment; and the educational mission, goals, and objectives of the proposed program of instruction as well as compliance with state and federal laws and regulations.
16. The Board will request additional information from the applicant if it finds the application incomplete or if additional information will assist in its determination.
17. This review will be compiled by the technical review team (and not the applicant) on Tredyffrin/Easttown School District's Charter School Application Review Form prepared by the Superintendent and approved by the Board. The Board-approved Format for Charter School Application Review Form is attached to this Superintendent's Administrative Procedure as Attachment B. After reasonable notice, the Board will schedule and conduct at least one (1) public hearing within forty-five (45) days of the receipt of the Charter School Application. The public hearing will require that the applicant(s) make a formal presentation to provide an overview and general orientation of the major elements of the proposed Charter School as well as review all major requirements of the Public School Code of 1949, as amended. Members of the Board and the Board Charter Education Committee will be provided the opportunity to question the applicant(s) about issues of interest and concern and about the operation of the proposed Charter School. The hearing will afford members of the general public the opportunity to offer testimony and comment on the Charter School application. A tape or video recorded record will be made. All public hearings shall be stenographically transcribed by a disinterested court stenographer at the expense of the Board.
18. The Board Charter Education Committee will formulate a recommendation for Board action on the Charter School Application based upon information received in the public hearing, the results of the technical review and a qualitative review based upon criteria which include, but are not limited to:

- a. Demonstrated and sustainable support for the Charter School by teachers, parents, other community members and students
 - b. Capability of the Charter School to offer a comprehensive learning experience for all prospective students
 - c. Capacity of the Charter School to offer increased learning opportunities for all, innovative teaching methods, new opportunities for teachers and expanded choices for parents and students
 - d. Potential for the Charter School to serve as a model for the public schools
 - e. Whether there is sufficient evidence of commitment by both (1) Tredyffrin Township and Easttown Township residents and (2) other interested individuals to enroll their children in the proposed Charter School
 - f. The existence of a demographic study, which shows the need for the school and the estimated number of students who would attend
 - g. Whether or not the educational program proposed by the Charter School is consistent with good educational theory and will actually benefit students who participate in the program
 - h. A financial plan of at least five (5) years must be submitted along with an estimate of the minimum number of students needed for the school to be financially viable
 - i. Whether or not the financial plan for the Charter School would promote financial viability of the organization and is feasible to be implemented
 - j. The extent to which the proposed facilities of the applicant would provide a safe and appropriate place for learning.
19. The Board will take action on the Charter School application not less than forty- five days (45) and not more than seventy-five (75) days after the first public hearing on the application. A Charter School Application shall be approved or denied by a majority vote of all Board members at a public meeting, in accordance with the provisions of the Sunshine Act.
20. Written notice of the decision of the Board shall be sent to the applicant, Pennsylvania Department of Education, and the Appeal Board. If applicable, the reasons for denial and a clear description of application deficiencies will be provided. The Board shall evaluate denied applications that are revised and resubmitted. This communication will be conveyed to all parties involved by the Secretary to the Board of School Directors.

III. Term and Form of Charter

21. Upon approval of an application to establish a Charter School, the Board and the Board of Trustees of a Charter School shall develop a written charter, which will be signed by the Board and the Board of Trustees. The charter shall be for a term of not less than three (3) years nor more than five (5) years. Upon satisfactory confirmation that the Charter School is conforming to the charter, the Board may renew the charter for subsequent terms of five (5) years.
22. The written charter shall include conditions required by law or otherwise agreed to by the Board and the Board of Trustees including provisions that:
 - a. The Board of Trustees shall comply with all conditions of the charter, the Charter School Law, and the provisions of the Act of March 10, 1949 (P.L. 30, No. 14) as amended and known as the Pennsylvania School Code which apply to charter schools.
 - b. The Charter School and the Board of Trustees shall comply with other applicable state laws and regulations, including pertinent sections of 22 Pa. Code set forth in the Charter School Law.
 - c. The Charter School and the Board of Trustees shall acquire adequate liability and risk insurance coverage equal to or higher than the District limits of insurance, which names the District as an additional named insured. Coverage must be placed with a responsible carrier with at least a minimum Best Rating of A- and minimum financial category of VII as determined by AM Best at the time of the charter takes effect.
 - d. The Board of Trustees and the Charter School shall be solely liable for any and all damages and costs of any kind resulting from legal challenges involving the operation and/or other actions of the Board of Trustees, the Charter School, and its employees.
 - e. The Board shall have the right to annually assess whether the Charter School is meeting the goals of its charter. This condition shall require the Charter School to submit an annual report to the Board not later than August 1 of each year in the form prescribed by the Secretary. The Board shall have ongoing access to the records and facilities of the Charter School to ensure that the Charter School is in compliance with the charter and the requirements of the Charter School Law.
 - f. The Board of Trustees and the Charter School shall not discriminate in employment practices, admissions or operations based on disability, race, creed, color, gender, age, national origin/ethnicity, veteran status, religion, ancestry, sexual orientation, gender identity/expression, or the need for special education services.

- g. Define agreements, if any, between the Board and the Board of Trustees concerning services to be provided by the District to the Charter School and concerning participation by Charter School students in District extracurricular activities.
- h. Define any other terms or conditions deemed necessary by the Board or other terms and conditions agreed to by the Board of Trustees.

IV. Oversight, Review, Renewal, or Revocation of Charter

- 23. The Board, in addition to granting or denying charter, retains the authority to revoke or terminate a charter in accordance with the provisions of the Public School Code of 1949, as amended.
- 24. The Charter School shall submit a copy of its annual report to the Secretary of Education and to the Board of School Directors in accordance with 24 PS Sec. 1728-A(b).
- 25. The Board will annually establish a visiting committee to assess whether a Charter School is complying with the terms and conditions of its charter and meeting the goals of its charter. The visiting committee may request additional information to supplement the required annual report.
- 26. The visiting committee shall have ongoing access to the records and facilities of the Charter School in order to ensure that the Charter School is in compliance with its charter, Board Policy, and applicable laws.
- 27. The chairperson of the visiting committee shall accept, record, and investigate any complaints about the conduct of the Charter School.
- 28. A Charter School shall submit monthly enrollment figures and financial reports to the District in a format defined by the Superintendent.
- 29. Prior to granting a charter renewal, the Board will conduct a comprehensive review of the Charter School. Any changes to the original charter must be brought forth to the District within (30) days.
- 30. The Board may choose to revoke or not to renew a charter based on any of the following reasons:
 - a. One or more material violations of the written charter.
 - b. Failure to meet the requirements for Student Performance set forth in State Board of Education regulations and/or the written charter.

- c. Failure to meet generally accepted standards of fiscal management or audit requirements.
 - d. Violations of any provisions in the Charter School Law.
 - e. Violations of any provisions of state or federal law from which the Charter School has not been exempted, including any statute or regulation governing children with disabilities.
 - f. (1) The Charter School has committed fraud as determined by the Pennsylvania Department of Education or law enforcement authorities, (2) any director or officer of the Charter School has been criminally convicted of or plead guilty to fraud or found civilly liable for fraud in his/her involvement with the Charter School or (3) any director or officer of the Charter School has been criminally convicted of or plead guilty to fraud or found civilly liable for fraud outside of his/her involvement with the Charter School, but is a director/officer at the time of the renewal.
31. Any notice of revocation or of non-renewal of a charter given by the Board will state the grounds for such action with reasonable specificity. The Board shall conduct a public hearing concerning such revocation or non-renewal in accordance with the Charter School Law. In cases where the health or safety of the students and/or staff is at risk, the Board may take immediate action to revoke a charter.

V. Miscellaneous Provisions

32. The Board may approve a leave of absence for a period of up to five (5) years for an employee of the District to work in a charter school located in the District or in a regional charter school in which the District is a participant.
33. Any temporary professional employee or professional employee granted a leave of absence to teach in a Charter School by the District has the right to return to a comparable position for which this person is properly certified. The District shall not be obligated to accept the return of an employee on leave to teach in a Charter School unless the request to return is made no later than March 30 and the return is effective at the beginning of the next school year. No temporary professional employee or professional employee who leaves employment at a Charter School shall be reinstated until the District is in receipt of a current criminal history report and an official clearance statement regarding child injury or abuse from the Department of Public Welfare. A temporary professional employee on leave from the District to teach in a Charter School shall be required to complete three (3) consecutive years of satisfactory service to be eligible for tenure.

34. At its sole expense, the Charter School shall provide teachers on leave from the District the same health care benefits the District would have provided in the absence of the leave. District health benefits shall be reinstated when the teacher returns from leave.
35. If the Charter School closes during the course of an academic year, the District may assign returning students to any District school for the balance of that academic year at its sole discretion.
36. The District may include Charter School staff members in staff development programs when so requested by the Charter School on a case-by-case basis. The Charter School shall pay pro rata costs for participating Charter School staff. In the event that a limited number of openings in such programs are available for Charter School staff, preference shall be given to Charter School staff on leave from the District.
37. Students of the Charter School who reside in the District and who meet all District eligibility requirements may participate in District athletics and club activities if the Charter School does not offer the same athletic or club activity.
38. A Charter School and the District may arrange for the District, at its discretion, to provide certain services to the Charter School at the expense of the Charter School including, but not limited to, curriculum services, in-service training, custodial services, maintenance services, payroll and benefits services, and food services. Such arrangements will be set out in the charter or in contracts mutually agreed to by the Board and the Board of Trustees.
39. The District will provide student transportation for students enrolled in a Charter School or a Regional Charter School consistent with the Charter School Law.

Attachment A- FORMAT FOR CHARTER SCHOOL APPLICATION

Use the following format to prepare materials in support of an application for approval of a charter school. Use as much space as required and cover the material in sufficient depth to allow the Board of School Directors to make an informed decision on the application. Appendices should be limited to bulky documents and copies of official documents presented as evidence of compliance. Please provide an original and nine (9) copies of the information requested below.

Section I. Applicant

1. Name of the proposed charter school.
2. Name of the applicant(s), giving complete mailing address, email, website, phone, and fax numbers.
3. If the applicant is a profit or non-profit organization, define the organization and state its corporate purposes.
4. Does the applicant(s) and/or a member of the applicant's immediate family (spouse, parent, child, grandparent, grandchild, or sibling) have a financial interest* in or with a commercial organization that is or will be related to, affiliated with, or otherwise affected by the proposed charter school and/or the school's educational responsibilities?

*Financial interest means anything of monetary or economic value, including but not limited to, salary or other payments or services (*e.g.*, consulting fees or honoraria); equity interests (*e.g.*, stocks, stock options or other ownership interests); intellectual property rights (*e.g.*, patents, copyrights and royalties from such rights); and gifts.

- a. If you answered yes to the question above, please provide the following information:
 - Name of commercial organization(s);
 - The applicant's role with the firm and title, if any;
 - Financial interests: Describe all financial interests and identify those for which the percent of equity interest is greater than 5%;
 - Describe areas of (potential) conflict or (potential) perceived conflict between the commercial organization(s) and the applicant.

5. Identify and describe the inspiration, motivation, and/or incentive for the creation of the proposed charter school.
6. Identify the grade levels to be served.
7. Identify the school district(s) from which students will be drawn and from which approval of the application is being sought.

Section II. Governance and Administrative Structure

1. Describe how the charter school will be governed.
2. Describe how members of the Board of Trustees will be named or elected.
3. Describe how parents and community members will be involved in the governance of the school.
4. Name the person and state the qualifications of the person designated to run the school.
5. Describe how the administrative responsibilities for running the school will be carried out and who will be responsible for each aspect.

Section III. Mission, Goals, and Assessment Procedures

1. Clearly define the vision, mission, and purpose of the charter school.
2. State whether the charter school is sectarian or non-sectarian, profit or non-profit.
3. Describe how the charter school will provide expanded educational opportunities within the Tredyffrin/Easttown School District.
4. Define the educational standards for the school, for each benchmark level of the school (grades 3, 6, 8 and 12).
5. Demonstrate how the curriculum/educational program for the charter school will improve student learning; increase learning opportunities for all students; encourage the use of innovative and different teaching methods; provide bias free instruction -- all as compared with the curriculum/educational program of the Tredyffrin/Easttown Schools.
6. Describe how the educational program, through support and planning, will provide comprehensive learning experiences to all students.
7. Describe the curriculum that will be offered to all students and how curricular materials will be selected.

8. Describe how the charter school will provide parents and all students with expanded choices in the types of educational opportunities available within the public school system.
9. Describe the ways, and extent to which, the charter school will serve as a model for other public schools in the Tredyffrin/Easttown School District.
10. Demonstrate the charter school's ability to meet measurable academic standards.
11. Describe the charter school's system for student assessment.
12. State the charter school's agreement to submit an annual report to the Tredyffrin/Easttown School District describing the extent to which the school is meeting its goal(s).

Section IV. Admission Policy and Criteria

1. Demonstrate that the admissions policy and criteria comply with the admissions requirements listed in the charter school legislation for Pennsylvania, for ADA, for Family Educational Rights and Privacy Act, and for IDEA.
2. Demonstrate that the charter school will meet the needs of students with disabilities, bilingual, and at-risk students.
3. Demonstrate that the charter school will target low-achieving students and provide equal access for all students.
4. State the charter school's agreement to have the Chester County Intermediate Unit conduct all special education identification and placement.
5. Project the impact of the charter school on student demographics in the public schools.

Section V. Student Discipline Policy and Expulsion Criteria

1. Define the procedures to be used for suspension and expulsion of students.
2. Define the discipline policies and procedures of the charter school.
3. State the charter school's commitment to enroll students for a one-year period. Section

VI. Community Support

1. Demonstrate sustainable support for the charter school plan among teachers, parents/guardians, students, and other community members.
2. Present the signatures of parents/guardians attesting to their commitment to enroll their children in the proposed charter school, and show evidence there is no bias in the enrollment.

3. Describe how the charter school will ensure ongoing parental/guardian involvement and engagement.
4. Demonstrate that parents/guardians and community organizations have been involved in the planning process of the charter school.

Section VII. Fiscal Operations

1. Provide a five-year financial plan, including provision for annual auditing of the charter school's fiscal operations by a certified public accounting firm.
2. Demonstrate that the five-year financial plan follows the guidelines for budget development of the Commonwealth of Pennsylvania.
3. Identify the minimum number of students needed for the charter school to remain financially viable.
4. Specify the length and conditions of all employee contracts or agreements (include copies as an appendix).
5. Provide best estimates (based on student enrollment projections) of transportation costs to be covered by the Tredyffrin/Easttown School District.
6. Project the fiscal impact of the charter school on the Tredyffrin/Easttown School District and Tredyffrin Township and Easttown Township.

Section VIII. Complaint Procedure

1. Define the procedure for reviewing parent/guardian complaints regarding the operation of the charter school.

Section IX. Facilities

1. Identify and describe the facility(ies) to be used to house the charter school. Indicate whether applicant has any interest – financial or otherwise – in the identified facility.
2. Specify the ownership and leasing arrangement of the physical plant.
3. Document receipt of municipal certification (append copy[ies]) for use of the facility as a charter school.

Section X. School Calendar

1. Specify the proposed school calendar, length of the school day, and length of the school year (include a copy of the school calendar as an appendix).

Section XI. Faculty

1. Demonstrate that the educational program creates new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.
2. Define the proposed staff development plan for the charter school.
3. Indicate the number of certified and non-certified staff, and list their qualifications.
4. Define the charter school's employee performance appraisal system.

Section XII. Extracurricular Activity

1. List the extracurricular activities for students provided by the charter school.
2. Summarize any request(s) with the District (include copy in an appendix) for student participation in extracurricular activities within the District for activities the charter school does not provide.

Section XIII. Staff Clearance

1. Document compliance with the State requirement that the charter school conduct a criminal history record check (append certification of criminal history clearance) on all staff and volunteers who will have contact with students.
2. Document that the charter school has secured an official clearance statement (append clearance statement) regarding child injury or abuse from the Department of Public Welfare.

Section XIV. Liability, Insurance and Risk Management

1. Summarize provisions for health, workers compensation, retirement, automobile liability, general liability, property, trustee and employee liability, performance surety, tort liability, and errors and omissions insurance and demonstrate that levels of coverage are consistent with those of the Tredyffrin/Easttown School District. (Append copies of the policies.)
2. State the charter school's commitment to comply with all Federal, State, and local regulations and statutes pertaining to health, safety, civil rights, insurance, and education of the students.
3. State the charter school's commitment to provide a free, appropriate public education for all students.
4. State the charter school's commitment to comply with the drug awareness, weapons, and sexual harassment policies of the Tredyffrin/Easttown School District.

TREDYFFRIN/EASTTOWN SCHOOL DISTRICT
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Charter School Application Review Form

Reviewer Name: _____ Date: _____

Reviewer Signature: _____

Applicant Name: _____

This review sheet contains the criteria used to review and assess the merit of proposals for charter schools.

Rating System:	
3	Sufficient under standards established by Charter School Law
2	Legally deficient under standards established by Charter School Law
1	Seriously deficient under standards established by Charter School Law
0	Not addressed by applicant

Application Criteria by Section	Rating	Comments
<u>Section I</u> Description of Applicant		
1. The identification of the charter applicant, name of the proposed charter school, and the grade or age levels served by the school and other items as set forth in Section I of the Format for Application.		
<u>Section II</u> Governance and Administrative Structure		
1. How will the charter school be governed?		
2. How will members of the Board of Trustees be appointed or elected?		
3. How stable is the Board of Trustees?		
4. How will parents/guardians and community members be involved with the governance of the school?		
5. Is a person designated to run the charter school?		
6. How will the administrative work of the charter school be accomplished?		

7. How much will the charter school have to rely on outside consultants in its administrative operations and		
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how will this impact the operations of the charter school?		
	Rating	Comments
<u>Section III</u> Mission, Goals & Assessment Procedures of the Charter School		
1. What is the vision, mission, and purpose of the charter school?		
2. Is the charter school completely non-sectarian?		
3. Is the charter school completely non-profit?		
4. Does the charter school provide expanded educational opportunities to those currently available in the Township?		
5. What are the educational standards of the charter school? For each benchmark level (grade 3, 6, 8, and 12)?		
6. Does the curriculum for the educational program of the charter school demonstrate the ability to improve student learning? Increase learning opportunities for all students? Encourage the use of innovative and different teaching methods? Provide bias free instruction?		
7. Does the educational program, through support and planning, provide comprehensive learning experiences to students?		
8. How specific is the plan to differentiate instruction?		
9. What curriculum will be offered to students and how will curricular materials be selected?		
10. What is the extent to which the proposed charter school will serve as a model for other public schools in the Tredyffrin/Easttown School District or		
11. How qualified are the applicants to actually implement the proposed methodologies of instruction?		
12. How experienced are the applicants in educating the proposed student population?		
13. Does the charter school demonstrate the ability to hold students accountable to meet measurable academic standards?		
14. Does the charter school have an adequate and legally compliant system for student assessment?		
15. Does the charter school have an adequate agreement to submit an annual report to the Tredyffrin/Easttown School District describing the extent to which the school is meeting its goal(s)?		

	Rating	Comments
<u>Section IV</u>		
Admissions Policy and Criteria		
1. What is the target population of the charter school and how does the charter school propose to recruit this population?		
2. Does the admissions policy and criteria comply with the admissions requirements listed in the charter school legislation for Pennsylvania? ADA? Family Educational Rights and Privacy Act? IDEA? ESEA? Etc.		
3. Does the charter school demonstrate it will meet the needs of students with disabilities, ESL and at-risk students?		
4. How will the charter school target low-achieving students and provide equal access for all students?		
5. Does the charter school have an agreement to have the Chester County Intermediate Unit conduct special education identification and placement?		
6. What is the impact of the charter school on student demographics in the public schools?		
<u>Section V</u>		
Student Discipline Policy and Expulsion Criteria		
1. What procedures will be used for the suspension and expulsion of students?		
2. What are the discipline policies and procedures of the charter school?		
3. What is the charter school's commitment to enroll students for a one -year period?		
<u>Section VI</u>		
Community Support		
1. Is there demonstrated, sustainable support for the charter school plan by teachers, parents/guardians, other community members, and students, as evidenced at the public hearing? Does the charter school have a reasonable likelihood of operating according to its plan over the period of the charter?		
2. Are there signatures of parents/guardians attesting to a commitment to enroll their children in the proposed charter school, and is there evidence of enrollment by race?		
3. How have community groups been involved in the charter school planning process?		
4. How will the charter school ensure ongoing parental involvement and engagement?		

5. Is there evidence that parents/guardians and community organizations have been involved in the planning process of the charter school?		
	Rating	Comments
<u>Section VII</u> Fiscal Operations		
1. Is there a five-year financial plan for the charter school, and are provisions in place for auditing the school by a certified public accounting firm?		
2. Does the five-year financial plan follow the guidelines for budget development of the Commonwealth of Pennsylvania?		
3. Does the budget narrative state the minimum number of students needed for the school to remain financially viable? Is the number realistic based on the information presented by the charter school?		
4. Does the charter school specify the length of its contract?		
5. Are best estimates (based on student enrollment projections) of transportation costs specified in the application and in the budget?		
6. Does application adequately project the fiscal impact of the charter school on the Tredyffrin/Easttown School District and Tredyffrin Township and Easttown Township?		
<u>Section VIII</u> Complaint Procedure		
1. Are procedures established for the review of complaints by parents regarding the operation of the charter school?		
<u>Section IX</u> Facilities		
1. Is there an adequate description of the facility (ies) to be used by the charter school?		
2. Are the ownership and leasing arrangements of the physical plant specified?		
3. Is the property zoned for the intended use as a charter school? If not, has the charter school demonstrated that it has sufficient plans to have a facility capable of housing the school in Tredyffrin Township and Easttown Township?		
<u>Section X</u> School Calendar		
1. Is the proposed school calendar, length of the school day, and the school year in compliance with state law?		

	Rating	Comments
<u>Section XI</u>		
Faculty		
1. Does the educational program create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site?		
2. What is the proposed faculty and paraprofessional staff development plan for the charter school?		
3. Is there evidence of the number of certified and non-certified staff and the qualifications of any non-certified staff?		
4. Does the charter school have an adequate and legally sufficient employee appraisal system?		
<u>Section XII</u>		
Extracurricular Activity		
1. Are there extracurricular activities for students provided by the charter school?		
2. Are there agreements with the School District for student participation in extracurricular activities within the District for activities which the charter school does not provide?		
<u>Section XIII</u>		
Staff Clearance		
1. How will criminal history record checks be conducted on all staff and volunteers who will have contact with students?		
2. Has an official clearance statement regarding child injury or abuse from the Department of Public Welfare been secured?		
<u>Section XIV</u>		
Liability, Insurance and Risk Management		
1. Are there provisions for health, workers compensation, retirement, automobile liability, general liability, property, trustee, and employee liability, performance surety, tort liability, and errors and omissions insurance at sufficient levels?		
2. Does the charter school, agree to comply with all federal, state, and local regulations and statutes pertaining to the health, safety, civil rights, insurance, and education of the children?		
3. Is there significant potential for violation of the 1st and 14th Amendments of the Constitution of the United States?		

4. Does the applicant agree to provide a free and appropriate public education for all students?		
	Rating	Comments
5. Does the charter school demonstrate commitment to comply with the drug awareness, weapons, and sexual harassment policies of the Tredyffrin/Easttown School		

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

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. 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.

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

*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 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, 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;
- 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).

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 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

Holidays shall be granted to all non-instructional full-time and part-time employees with pay, consistent with negotiated agreements.

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 - Hourly Employees

To qualify for holiday pay, 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. 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 whose primary workplace is the District's central administration building, 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 ~~ESC employees~~.