

**Policy Committee Agenda**  
**Thursday, May 18, 2017 7:00 p.m.**  
Room 200, T/E Administration Offices

- 1. Approval of Minutes of the April 20, 2017 Policy Committee Meeting**
- 2. Public Comment**
- 3. Review of Policies for 2<sup>nd</sup> Reading**
  - Policy and Regulation 5311: Eligibility for Participation in School Related Activities
  - Policy and Regulation 4520: Tutoring for a Fee
- 4. Information**
  - None
- 5. Follow Up from Previous Policy Committee Meeting**
  - Policy and Regulation 6146: Student Athletics
- 6. Policies and Regulations for Review and Discussion**
  - Regulation 5113: Procedures for Enforcing School Attendance
  - Policy and Regulation 5402: Student Wellness
  - Regulation 8120: Food and Nutrition Services
  - Regulation 5430: Legal Custody/Guardianship
  - Regulation 5227: Graduation Requirements
- 7. Future Meetings**

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continue with a cyclical review of Board Policies and Regulations in determining if they should be revised, updated or repealed.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, April 20, 2017  
T/E Administrative Offices, Room 200  
7:00 p.m.**

**Board Committee Members:** Kevin Buraks, Chair; Todd Kantorczyk, Ed Sweeney

**Other Board Members:** Doug Carlson, Michele Burger

**T/E School District Representatives:** Rich Gusick, Ken Roos, Mark Cataldi, Kevin Pechin, Jeanne Pocalyko

**Community Members:** Doug Anestad, Brendan Arnott, Scott Carpenter, Heather Ward, Jason Wilder, Jeanie Ulicny, Nicole Scherer, Andy Simpson, Cissy Ming, Nicole Brennan, Demer Holleran, Jennifer Arnott

**Approval of Minutes:** The minutes of the March 16, 2017 meeting were approved.

**Public Comment**

Nicole Brennan commented on Policy and Regulation 5311: Eligibility for Participation in School-Related Activities.

Brendan Arnott commented on Policy and Regulation 5311: Eligibility for Participation in School Related Activities.

Scott Carpenter commented on Policy and Regulation 5311: Eligibility for Participation in School-Related Activities.

Andy Simpson commented on Policy and Regulation 5311: Eligibility for Participation in School-Related Activities.

Doug Anestad commented on Policy and Regulation 5311: Eligibility for Participation in School-Related Activities.

Doug Anestad commented on Regulation 6147: Recognition of Athletic Clubs.

Nicole Scherer commented on Policy and Regulation 4520: Tutoring for a Fee.

Heather Ward commented on Policy and Regulation 4520: Tutoring for a Fee.

Doug Anestad commented on Policy and Regulation 4520: Tutoring for a Fee.

Doug Anestad commented on Policy and Regulation 4035: Attire and Appearance.

Nicole Scherer commented on Policy and Regulation 4035: Attire and Appearance.

**Review of Policies for 2<sup>nd</sup> 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 April 24, 2017.

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

This Policy and Regulation establishes that the District pays an employee for each full or partial day of absence due to illness, injury or disability to the extent required by law and by contractual agreements.

Revisions were made, for clarification, to the section in the Policy on sick leave for employees not covered by group or individual contracts. No change in the total amount of accrued paid sick leave entitlement was made. Additional wording was added to the Regulation in the event that an employee did not submit to or furnish a required medical certification while out on leave. While on paid leave, employee's insurance coverage is maintained and vacation and sick leave accrue.

### **Policy and Regulation 4850: Holidays – Hourly Employees**

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

### **Policy and Regulation 4822: Calculation of Overtime Compensation**

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

### **Information**

None

### **Follow Up from Previous Policy Committee Meeting**

#### **Policy and Regulation 5311: Eligibility for Participation in School-Related Activities and**

This Policy and Regulation were previously discussed at the last two meetings of the committee. Policy 5311 was suspended at the February 27, 2017 meeting of the Board of Directors to the extent that it restricts a private school student from participating in District recognized club sports, excluding sports that are already offered at the private school the student is attending. Community representatives from the club sports organizations shared information about their teams and roster cuts, as well as their governing bodies. The proposed revisions to the Policy and Regulation will allow District students, who previously played on a Conestoga High School club sport team but do not attend Conestoga High School, to participate at the discretion of the club sport, unless the school they attend fields a team in that sport. The Regulation outlines participation eligibility for students enrolled in private schools, Intermediate Unit placements, approved private schools, non-traditional placements, other alternative placements and charter schools, as well as students who are home schooled or on homebound instruction. The Policy will be sent to the Board of School Directors for a first reading at their meeting on April 24, 2017.

### **Regulation 6147: Recognition of Athletic Clubs**

Revisions to the Regulation include the new number of 6146.1, so that it directly connects to the existing Policy and Regulation 6146: Student Athletics. The Regulation specifies the requirements for athletic clubs seeking school recognition and club status. Revisions include the District reserving the right to remove an individual as an advisor/coach and the provision that all recognized athletic clubs must adhere to a District approved athletic manual containing Policies, Regulations, and procedures.

## **Policies and Regulations for Review and Discussion**

### **Policy and Regulation 6146: Student Athletics**

This Policy and Regulation were discussed and will be brought back to the committee after further review.

### **Policy and Regulation 4520: Tutoring for a Fee**

The Policy was last revised in January 2017. New changes reflect a clarification that this Policy does not apply to after-school activities sponsored by the District or an elementary school-based parent organization. Furthermore, tutoring does not include providing group-based art or physical education activities for elementary school students that are approved by the District.

### **Policy and Regulation 4035: Attire and Appearance**

Revisions to the Policy were last made in February 2017, along with the newly created Regulation. The Regulation provides guidelines to appropriate dress and appearance for employees and specifies restrictions to the promotion of religion and political advocacy. Further revisions to the Regulation provide explanation regarding employees and political advocacy. Employees who are acting on behalf of the school, or who are reasonably perceived to be representing the school both while on duty and during non-working hours, must maintain political neutrality. No revisions to the Policy were recommended.

### **Future Meetings**

The remaining scheduled meeting for the 2016-2017 school year will be held on Thursday, May 18, 2017 at the Tredyffrin/Easttown Administration Offices, 940 West Valley Road, Suite 1700, in Room 200 at 7:00 p.m.

### **Adjournment**

The meeting adjourned at 9:12 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.

*Eligibility for Participation in School-Related Activities*

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

At the sole discretion of each club, for District students who previously played on a Conestoga High School club sport team but do not attend Conestoga High School, unless the school they attend fields a team in the club sport in which they wish to participate, said resident District student may participate in such Conestoga High School club sport team appropriate to their age or grade, whichever applicable, subject to the restrictions in the accompanying Regulation unless mandated by law.

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

### *Eligibility for Participation in School-Related Activities*

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

#### Participation in the District’s Educational Program

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

#### Participation in the District’s Extracurricular Activities

##### Students Enrolled in Private Schools

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

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

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

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

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

### Charter Schools

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

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

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

### Home Schooled

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

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

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

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

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

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

#### Students on Homebound Instruction

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

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

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



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

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

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

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

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

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

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

~~\_\_\_\_\_~~ \* Limitations Apply

## *Tutoring for a Fee*

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

### Definitions

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

“Tutoring” means providing additional, special, or remedial instruction to a student in the employee’s assigned area of certification. Tutoring does not include providing group-based art or physical education activities for elementary school students where approved by the District.

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

### Tutoring Current Students for a Fee Prohibited

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

### Other Restrictions on Tutoring

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

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

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

Related References:

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

Adopted: September 8, 1969  
Revised: May 23, 1994  
Reviewed: January 24, 2000  
Revised: January 23, 2017  
First Reading: April 24, 2017

*Tutoring for a Fee*

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

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

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

*Student Athletics*Definitions

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

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

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

Guidelines Guiding Principles

The Board establishes the following ~~guidelines-principles to guide the establishment and implementation of~~ for its athletic program:

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

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

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

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

{01417983 }Adopted: November  
24, 1969 Revised: September  
10, 1973 Revised: January 24,  
1983 Revised: January 27,  
1986 Revised: December 5,  
1994 Revised: April 28, 1997  
Revised: June 16, 1997  
Revised: January 26, 1998  
Revised: June 1, 1998  
Revised: February 23, 2004  
Revised: October 27, 2014  
Revised: January 3, 2017



*Student Athletics*

Equal Opportunity

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

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

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

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

*Procedures for Enforcing School Attendance**Compulsory School Age Definitions*

**Compulsory school age** shall mean the period of a child's life from the time the child's parents elect to have the child enter school, which shall not be later than the age of eight (8) years, until the age of seventeen (17) years. The term shall not include any child who holds a certificate of graduation from a regularly accredited senior high school. ~~refers to the period of a child's life from the time the child enters school as a beginner, which may be no later than eight years of age, until the age of seventeen or graduation from a high school, whichever occurs first.~~

**Truant** shall mean having incurred three (3) or more school days of unexcused absences during the current school year by a child subject to compulsory school attendance.

**Habitually truant** shall mean six (6) or more school days of unexcused absences during the current school year by a child subject to compulsory school attendance.

**Person in parental relation** shall mean (1) a custodial biological or adoptive parent; (2) a noncustodial biological or adoptive parent; (3) guardian of the person of a child; or (4) a person with whom a child lives and who is acting in a parental role of a child.

**School attendance improvement conference** shall mean a conference where the child's absences and reasons for the absences are examined in an effort to improve attendance, with or without additional services. The following individuals shall be invited to the conference: (1) the child; (2) the child's person in parental relation; (3) other individuals identified by the person in parental relation who may be a resource; (4) appropriate school personnel; and (5) recommended service providers.

**School-based or community-based attendance improvement program** shall mean a program designed to improve school attendance by seeking to identify and address the underlying reasons for a child's absences. The term may include an educational assessment in an alternative education program, provided the program does not include a program for disruptive youth. [A1]

*Attendance Officers*

Attendance officers are in charge of enforcing the provisions of the Pennsylvania School Code regarding compulsory attendance for their individual schools. At the elementary school levels, principals shall be the attendance officers for their individual schools. At the middle school and high school levels, assistant principals designated by the principals shall be the attendance officers for their individual schools.

Attendance Officers possess powers and responsibilities including but not limited to:

1. Tracking student attendance.

2. Communicating with parents/guardians regarding truancy.
3. ~~Coordinating, a~~Attending and participating in school-family-school attendance improvement conferences and documenting the outcome of the conference in a written school attendance improvement plan in accordance with the guidelines contained herein. ~~and in formation of student Truancy Elimination Plans pursuant to the District's responses and procedures for unlawful absences.~~
4. Filing truancy citations in the Magisterial District Court when necessary.
5. Attending court procedures related to truancy and presenting truancy cases in court.
6. Requesting the Magisterial District Court to subpoena any school staff member as a witness in order to prove the District's truancy case.
7. Referring habitually truant children to a school-based or community-based attendance improvement program or to the Chester County Office of Children and Youth for services when appropriate and/or ~~necessary pursuant to~~required or permitted by law.
8. Full police power without warrant, and may arrest or apprehend any child who fails to attend school in violation of compulsory attendance.
9. If an arrest or apprehension takes place, the Attendance Officer must promptly notify the parent/guardian and place the child in school.
10. Authority to inspect places where children are employed and inspect employment certificates.

If a discovery is made that any child of compulsory school age is unable to attend school due to the lack of necessary clothing or food, the case must be reported to any suitable relief agency operating in the District or to the proper County board of assistance for investigation and relief.

#### Unlawful Unexcused Absences

All absences shall be treated as unlawful-unexcused until the District receives a written excuse explaining the reason for an absence. Parents/guardians may submit excuses as follows:

- 1) written note signed by a parent/guardian; or
- 2) email from a parent/guardian's email account as designated by the parent/guardian; ~~or,~~
- 3) ~~telefacsimiles.~~

#### Lawful Excused Absences

A student absence is considered ~~lawfully~~ excused under the following circumstances.

1. When the student is prevented from attendance for mental, physical, or other urgent reasons such as:
  - Illness
  - Family Emergency
  - Death of a Family Member
  - Medical or Dental Appointments
  - Authorized School Activities
  - Educational Travel with Prior Approval
  - Pre-approved religious instruction (limit 36 hours per year)
  - Bona Fide Religious Holiday
  - For purposes of receiving tutorial instruction in a field not offered in the District's curricula when the excusal does not interfere with the student's regular program of studies, the qualifications of the tutor or instructor are satisfactory to the Superintendent or his/her designee, and permission for such excusal is sought in writing by the parent/guardian of the child in advance of the commencement of such tutoring.<sup>[A2]</sup>
2. When the student is required to leave school for the purposes of attending court hearings related to their involvement with the county children and youth agency or juvenile probation office.
3. If the student is absent due to participation in a project sponsored by an organization that is eligible to apply for a grant under the Pennsylvania Agricultural Fair Act.
4. If a student is dismissed from school during school hours for health-related reasons by a certified school nurse, registered nurse, licensed practical nurse or a school administrator or designee employed by the District.
- 3.5. For the purpose of obtaining professional health care or therapy service rendered by a licensed practitioner of the healing arts in any state, commonwealth or territory.<sup>[A3]</sup>
- 4.6. If a student whose parent or legal guardian has been called to duty for, is on leave from, or is immediately returned from deployment to a combat zone or combat support posting, with regard to school attendance, tests and extra-curricular or cocurricular activities, at the discretion of the Superintendent or designee, no penalties shall be imposed for absences of up to five (5) days. Teachers shall assist students in making up work caused by such absences.
- 5.7. Where the Superintendent has approved an attendance plan necessitated by rare and extraordinary circumstances. In this context, "rare" means typically no more than 1 or 2 per year District-wide and "extraordinary circumstances" means the student is engaged in a profession or activity at a nationally recognized level.

*Ten Consecutive Absences*

Students who miss ten consecutive school days shall be dropped from the active membership roll unless the school is provided with evidence that the absences are excused ~~is legal~~ or the school is pursuing compulsory attendance prosecution.

~~A maximum of ten days of cumulative lawful absences for illness verified by parental notification may be permitted during a school year. All absences for illness beyond ten cumulative days shall require an excuse from a physician.~~<sup>[A4]</sup>

*Policy Notification*

Parents/guardians shall be given copies of the District’s attendance Policy and Administrative Regulations ~~upon request at the beginning of each school year and at time of enrollment for new students~~. District attendance information, including the Policy, Administrative Regulations, and other documents will be posted on the District’s website.

*School Responses and Procedures for Unlawful-Unexcused Absences*

Parents/guardians and students shall submit the required excuse within three (3) calendar school days of the absence. A maximum of ten days of cumulative lawful absences for illness verified by parental notification may be permitted during a school year. All absences for illness beyond ten cumulative school days shall require an excuse from a physician familiar with the student who may not be the student’s parent/guardian.

~~In the absence of a written excuse within three (3) calendar school days of the absence, When a child is absent from school,~~ the Attendance Officer or designee will send a notice via email to the parents/guardians in the form set forth in Attachment 1. For parents/guardians with no designated email address, Attachment 1 will be mailed to the parent or guardian. The failure of the parent/guardian to provide written excuse within three (3) calendar school days of receipt of this notice will cause the absence to be permanently categorized as “unlawfulunexcused.” ~~and will trigger the procedures set forth below.~~

~~1. First & Second Unlawful Absence~~

~~The Attendance Officer shall send a notice of unlawful absence to the student’s parent/guardian, which includes an attachment of the legal penalties established by law for violation of compulsory attendance requirements describes the consequences of a child violating compulsory school attendance requirements. In addition, the name and telephone number of the school Attendance Officer shall be included so that parents/guardians are able to contact a specific person to request assistance in resolving the child’s truant behaviorabsenteeism. (See Attachment 2)~~

~~2. Second Unlawful Absence~~

~~The Attendance Officer shall send a second notice of unlawful absence to the student's parent/guardian. Once again, the legal penalties established by law for violation of compulsory attendance requirements and the name and telephone number of the school Attendance Officer shall be included. Additionally, another offer of assistance should be made to the parent/guardian. (See Attachment 3)~~

### 32. —Third Unlawful Unexcused Absence

~~Within ten (10) school days of a child of compulsory school age's third unexcused absence, tThe Attendance Officer shall send an Official Notice of Truancy. (See Attachment 32). third notice of unlawful absence by certified mail providing "official notice of child's third illegal absence." Attached to thisIncluded in this notice shall be a description of the consequences if the child becomes habitually truant. This notice may include the offer of a school attendance improvement conference, and shall be in the mode and language of communication preferred by the parent in parental relation to the child. When transmitted to a person who is not the biological or adoptive parent, such notice shall also be provided to the child's biological or adoptive parent if the parent's mailing address is on file with the school and the parent is not precluded from receiving the information by court order. [A5]penalties for violation of compulsory attendance requirements as they pertain to both the student and the parent/guardian, including information that three days after giving such notice, the student or parent/guardian who again violates the compulsory attendance requirements shall be liable without further notice.(See Attachment 43).~~

### Continued Absenteeism

~~If thea child of compulsory school age continues to incur unexcused absences after the issuance of the Official Notice of Truancy, the school shall then schedule a school attendance improvement conference, unless a conference was previously held following the Official Notice of Truancy. (See Attachment 3). The following shall apply with respect to a school attendance improvement conference:~~

- ~~• There is no legal requirement that the child or person in parental relation attend the conference, and the conference shall occur even if the person in parental relation declines to participate or fails to attend the scheduled conference after advance written notice and attempts to communicate via telephone.~~
- ~~• The outcome of the conference shall be documented in a written school attendance improvement plan, on the template provided by the Department of Education for this purpose.~~
- ~~• Further legal action may not be taken to address unexcused absences by the child until after the date for the scheduled school attendance improvement conference has passed.~~

~~The District shall not expel or impose out-of-school suspension, disciplinary reassignment or transfer for truant behavior.~~

~~The Attendance Officer shall coordinate a school/family conference to discuss the cause of the child's truancy and develop a mutually agreed upon Truancy Elimination Plan (TEP) to resolve truant behavior. Issues to be reviewed at the school/family conference include the appropriateness of the child's educational environment, current academic difficulties, physical or behavioral health issues, and family/environment concerns. At the end of the conference all parties should sign a comprehensive TEP that is agreed to by the school Attendance Officer, the child, and the parents and/or family. The plan could include accessing academic and social/health supports from the school and community organizations, an outline of family/parent and student responsibilities, and levels of performance monitoring that include rewards and consequences. (See Attachment 5)~~

*Procedure for Addressing Habitually Truant Children*

When a child is habitually truant and under fifteen (15) [A6] years of age at the time of referral, the school:

- i. Shall refer the child to either (1) a school-based or community-based attendance improvement program or (2) the Chester County Office of Children and Youth for services or possible disposition as a dependent child; and;
- ii. May file a citation in the office of the magisterial district judge having jurisdiction in the region against the person in parental relation who resides in the same household as the child. The venue for the filing of such a citation shall be based on the location of the school in which the child is enrolled or shall be enrolled, unless the child is enrolled in a cyber charter school, in which case the proper venue shall be based on the residence of the child.

When a child is habitually truant and fifteen (15) years of age or older at the time of referral, the school shall either

- i. Refer the child to a school-based or community-based attendance improvement program or service; or;
- ii. File a citation in the office of the magisterial district judge having jurisdiction in the region against the child or the person in parental relation who resides in the same household as the child. The venue for the filing of such a citation shall be based on the location of the school in which the child is enrolled or shall be enrolled, unless the child is enrolled in a cyber charter school, in which case the proper venue shall be based on the residence of the child.

If a child of compulsory school age who is fifteen (15) years of age or older continues to incur additional unexcused absences after being referred to a school-based or community-based attendance improvement program or fails to participate in the such a program as recommended through the school attendance improvement conference, the school may refer the child to the Chester County Office of Children and Youth for possible disposition as a dependent child.



When referring a habitually truant child to the Chester County Office of Children and Youth or filing a citation with the magisterial district judge having jurisdiction over the region, the school shall provide verification that a school attendance improvement conference was held.

No citation may be filed against a child or a person in parental relation with the child who resides in the same household as the child for a subsequent violation of school attendance if any of the following circumstances apply:

- A proceeding is already pending against the child or person in parental relation with the child who resides in the same household as the child and judgment in the first proceeding has not yet been entered, unless a warrant has been issued for failure of the child or person in parental relation to appear before the court and the warrant has not yet been served.
- A referral for services has been made to the Chester County Office of Children and Youth and the agency has not closed the case.
- A petition has been filed alleging the child is dependent due to being habitually truant and the case remains under the jurisdiction of the Juvenile Court.

#### Subsequent Unlawful Absence

~~After agreeing to a TEP, or if there is not agreement on a truancy elimination plan and 3 days have passed since the parent/guardian received the official notice of the child's third illegal absence, if a child is unlawfully absent, at any point within the school year, the Attendance Officer shall send an official notice of unlawful absence to the parents/guardians. The purpose of this correspondence is to inform the child's parent/guardian that the child has violated the TEP or, if there is not a TEP, to inform the child's parent/guardian that the child has again violated the compulsory attendance requirements, and advise the parent/guardian that a citation will immediately be sent to the magisterial district judge by the school's Attendance Officer. To ensure the parent/guardian receives the notice, this notice shall be sent through certified mail. After this step, the school is not obligated to inform parents in writing of absences but it is recommended that the Attendance Officer continue to call the parent/guardian to inform them of additional truant behavior. Also, the Attendance Officer should refer all future incidents of truancy directly to the magisterial district judge having jurisdiction in the region. (See Attachment 6)~~

**~~NOTE: The truancy violation date and the court citation filing date shall not be more than thirty (30) days apart.~~**

#### ~~4. Referral to County Children and Youth Agency~~



~~(a) Children Under 13 Years of Age~~

~~Any child who has not attained the age of 13 who fails to comply with the compulsory attendance requirements and is habitually truant, shall be referred by the school Attendance Officer to the local county children and youth agency for services, which may include addressing family issues that may be responsible for the child's truant behavior, or possible adjudication as a "dependent" child under the Juvenile Act. The referral to the county children and youth agency may be in addition to proceeding against the parent/guardian by sending the citation to the appropriate magisterial district judge or an Attendance Officer may decide to refer a family to the local county children and youth agency instead of sending a citation to the appropriate magisterial district judge. If the parent/guardian provides written consent, a copy of the TEP should be forwarded to the county children and youth agency.~~

~~(b) Children 13 Years of Age and Older~~

~~Any child who has attained the age of 13 who fails to comply with the compulsory attendance requirements and is habitually truant may, in lieu of being prosecuted (as described in Section V below), be referred by the school Attendance Officer to the local county children and youth agency for services, which may include addressing family issues that may be responsible for the child's truant behavior or, possible adjudication as a dependent child under the Juvenile Act.~~

~~(c) Habitually Truant~~

~~The School Code defines habitually truant as absence for more than three (3) school days or their equivalent following the first notice of truancy given after a child's third unlawful absence.~~

~~5. Continued Truancy~~

~~If a child of any age continues to be truant after the above actions have been taken, then school Attendance Officers are encouraged to file citations with the local magisterial district judge citing the child's continued truancy on a weekly basis. It is imperative that the local magisterial district judge be kept informed if truant behavior continues after a plan is in place.~~

~~6. Further Corrective Measures~~

~~Under Title 55 Pa Code, Chapter 3490.223, children who are habitually and without justification truant from school while subject to compulsory school attendance are subject to an assessment to determine if there is a need for general protective services. Children shall not be referred to the county children and youth agency for assessment as possibly needing services until after the school has made a formal effort to involve the family and child in resolving the cause of the truant behavior.~~

*Charter Schools*

~~Charter schools shall inform the District's Director of Individualized Student Services when a student has accrued three or more days of unlawful absences, and the Director will then follow the truancy procedures set forth above.~~

Charter schools, regional charter schools, and cyber charter schools shall establish an attendance policy designed to accurately determine when a child who is enrolled in a charter, regional charter or cyber charter school has an unexcused absence, which may differ from the policy of the school district in which the child resides.

Charter, regional charter and cyber charter schools shall report unexcused absences directly to the Department of Education annually through the Pennsylvania Information Management System (PIMS).

*Exempt from Compulsory Education*

Pennsylvania School Code section 1330 states that a 16 year old student who is regularly engaged in any useful and lawful employment or service during the time the public schools are in session, and who holds an employment certificate issued according to the law is exempt from compulsory attendance. A student who is 16 years of age or older to be exempt from compulsory education must be engaged in useful and lawful employment or service for 40 hours per week or more.

Cross Reference: Board Policy and Administrative Regulation 5117 (Student Travel)

{01429503 }Adopted: September 1973

Revised: August 1995

Revised: July 2009

Revised: October 1, 2009

Revised: May 9, 2011

Revised: August 2012

Attachment 1

(Send ~~if no excuse provided after 3 days from~~ day of absence)

To the Parent(s)/Guardian(s) of:

«first\_name\_of\_student» «last\_name\_of\_student»  
«guardian\_apartment\_complex» «guardian\_apartment\_number»  
«guardian\_lot\_number» «guardian\_street\_name»  
«guardian\_city», «guardian\_state» «guardian\_zip\_code»

**IMMEDIATE ATTENTION REQUIRED**

**RE: Student Absence**

**Name of Student:** «first\_name\_of\_student» «last\_name\_of\_student»

**Grade of Student:** «grade»

**Date of Absence:** «absence\_details\_for\_the\_letter»

~~**Date of Notice:** «run\_date\_of\_the\_attendance\_letter\_calcul»~~

~~This letter is to advise you that Your your child was marked absent from school today absent on the above date. Pursuant to state law Board Policy and Administrative Regulation 5113, all absences must beare categorized as UNLAWFUL-UNEXCUSED until the District receives a written excuse explaining the substantiating a valid reason for an the absence. You may provide this excuse by checking the appropriate excuse below and then returning this form, or you may respond to this email to advise as to the reason for your child's absence. ~~You may also submit the written excuse as follows: written note signed by a parent/guardian sent to the address set forth below telefaesimile signed by a parent/guardian sent to the number set forth below email to the address below~~~~

**For reply:**

**My child was absent on the above date because of:**

- Illness**
- Family Emergency**
- Death of a Family Member**
- Medical or Dental Appointments**
- Authorized School Activities**
- Educational Travel with Prior Approval**
- Pre-approved Religious Instruction (limit 36 hours per year)**
- Bona Fide Religious Holiday**
- Approved Tutorial Instruction**
- Other:**

**Name of Parent/Guardian:**

\_\_\_\_\_

**Signature of Parent/Guardian:**

\_\_\_\_\_

*(Signature not required if emailed from designated email address)*

**Pennsylvania law requires the District to track student attendance and report truancy to designated state and local agencies in accordance with a designated timeline. In order to prevent the initiation of formal truancy proceedings, the District appreciates your prompt attention to this matter. If the district District does not receive a valid response to this notice within three calendar days of the “ :Date of Notice” listed above, this absence will be categorized as UNLAWFUL. Thank you**

**for your prompt attention to this matter. Should you have any questions, please feel free to your child's school attendance officer.**

School Attendance Officers:

School ~~name~~ Name and ~~address~~ Address

~~School fax #~~

School ~~attendance~~ Attendance\_email Email ~~address~~ Address

Attachment 2 First or Second Unlawful Absence

To the Parent(s)/Guardian(s) of:

«first\_name\_of\_student» «last\_name\_of\_student»  
«guardian\_apartment\_complex» «guardian\_apartment\_number»  
«guardian\_lot\_number» «guardian\_street\_name»  
«guardian\_city», «guardian\_state» «guardian\_zip\_code»

Dear «guardian\_title» «first\_name\_of\_guardian», «last\_name\_of\_guardian»,

As you are aware from prior notifications, «first\_name\_of\_student» «last\_name\_of\_student» was absent unlawfully on «absence\_details\_for\_the\_letter». This letter is sent to make you aware that this/these absence(s) has/have been categorized as unlawful because the District has not received a valid written excuse for the absence. If «first\_name\_of\_student» «last\_name\_of\_student» accumulates a total of three or more unlawful absences, he/she will be considered additional days of unlawful absences or the equivalent, the District must notify the magisterial district judge/truant under Pennsylvania law.

Regular attendance at school is an important part of every student's success and is necessary in order to gain the greatest benefit from the educational experience. Students who are frequently absent from school miss direct instruction and regular contact with their teachers. Commonwealth of Pennsylvania law and school policy require regular daily attendance. When absences accumulate, it may ultimately result in academic difficulty for «first\_name\_of\_student» «last\_name\_of\_student». In accordance with Pennsylvania law, the District is legally required to respond to truancy. Should your child become truant, the District will respond in accordance with the procedures detailed in Board Policy and Administrative Regulation 5113 (Procedures for Enforcing School Attendance) and applicable law.

Our District has active student assistance services that are available to you and your family. We share a common goal to ensure that your child reaches his/her full potential. Should you wish to schedule a school attendance improvement conference to discuss your child's absences and the underlying cause/reasons for the absences with the goal of improving your child's school attendance, please feel free to contact me. In addition, any absences of ten cumulative days will require a written excuse that indicates «first\_name\_of\_student» «last\_name\_of\_student» was seen by a doctor or medical practitioner. Enclosed are the penalties for violation of compulsory attendance requirements.

If you have any questions, please call my office at <PHONE> or the guidance office at <PHONE> so that we may work together to ensure «first\_name\_of\_student» «last\_name\_of\_student»'s educational success.

Sincerely,

\_\_\_\_\_  
Assistant Principal/Attendance Officer

**Enclosures:** 24 PA Statute P.S. Sec. 1333.3

~~Section 1333 (Penalties for Violation of Compulsory Attendance Requirements)~~  
~~Section 1338.1- Suspension of Operating Privilege~~  
~~Board Policy & Administrative Regulation 5113 (w/o Attachments)~~

cc: \_\_\_\_\_ Attendance Officer  
\_\_\_\_\_ Guidance Counselor  
\_\_\_\_\_ Attendance Coordinator  
\_\_\_\_\_ Student File

Attachment 3**Second Unlawful Absence**

To the Parent(s)/Guardian(s) of:

«first\_name\_of\_student» «last\_name\_of\_student»  
 «guardian\_apartment\_complex» «guardian\_apartment\_number»  
 «guardian\_lot\_number» «guardian\_street\_name»  
 «guardian\_city», «guardian\_state» «guardian\_zip\_code»

Dear «guardian\_title» «first\_name\_of\_guardian» «last\_name\_of\_guardian»,

This letter is to inform you that «first\_name\_of\_student» «last\_name\_of\_student» was absent unlawfully from school on «absence\_details\_for\_the\_letter». This is the second unlawful absence recorded this year. Attendance requirements are meant to benefit your child's educational experience. I appreciate your cooperation in trying to improve your child's school attendance and in helping «first\_name\_of\_student» «last\_name\_of\_student» complete missed assignments on those occasions when «first\_name\_of\_student» «last\_name\_of\_student» must be absent.

If «first\_name\_of\_student» «last\_name\_of\_student» accumulates two additional days of unlawful absences or the equivalent, the District must notify the magisterial district judge. Commonwealth of Pennsylvania law and school policy require that every child of compulsory school age attend school daily. A child must present a written excuse from the parent/guardian or medical practitioner within three days of an absence or the absence will be counted as illegal. Mental, physical or other urgent reasons are the only lawful excuses for absences. Enclosed are penalties for violation of compulsory attendance requirements.

I strongly encourage you to contact myself, the guidance office or a building administrator to discuss ways to ensure your child's school attendance. Continued unlawful absences could lead to notification of the magisterial district judge, as well as a referral to the County Children and Youth Agency. You may request a school family conference at this time to explore possible solutions to your child's unlawful absences. If you have any questions, please call my office at <PHONE>.

Sincerely,

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 Assistant Principal/Attendance Officer

Enclosure: \_\_\_\_\_ 24 PA Statute  
 \_\_\_\_\_ Section 1333 Penalties for Violation of Compulsory Attendance Requirements  
 \_\_\_\_\_ Section 1338.1 Suspension of Operating Privilege

cc: \_\_\_\_\_ Attendance Officer  
 \_\_\_\_\_ Guidance Counselor  
 \_\_\_\_\_ Attendance Coordinator  
 \_\_\_\_\_ Student File

**Attachment 3-42**

**3<sup>rd</sup> Unlawful-Unexcused Absence**

**VIA CERTIFIED MAIL**

To the Parent(s)/Guardian(s) of:

«first\_name\_of\_student» «last\_name\_of\_student»  
«guardian\_apartment\_complex» «guardian\_apartment\_number»  
«guardian\_lot\_number» «guardian\_street\_name»  
«guardian\_city», «guardian\_state» «guardian\_zip\_code»  
«guardian\_title» «first\_name\_of\_guardian» «last\_name\_of\_guardian»

**OFFICIAL NOTICE OF ~~CHILD'S ILLEGAL ABSENCE~~ TRUANCY**

Dear «guardian\_title» «first\_name\_of\_guardian» «last\_name\_of\_guardian»:

This letter is to officially notify you «first\_name\_of\_student» «last\_name\_of\_student» has been absent from school without a ~~lawful-valid~~ excuse on the following dates:

«absence\_details\_for\_the\_letter»

~~Since your child is of compulsory school age and has accumulated three (3) unexcused absences from school, in accordance with Pennsylvania law, he/she is now considered truant. These absences are unlawful and, therefore, constitute a and in violation of the compulsory attendance provision of the Pennsylvania Public School Code (24 P.S. 13-1327).~~

~~Regular attendance at school is an important part of every student's success and is necessary in order to gain the greatest benefit from the educational experience. Students who are frequently absent from school miss direct instruction and regular contact with their teachers. At this time, you are strongly encouraged to contact me to schedule a school attendance improvement conference to discuss your child's absences and the underlying cause/reasons for the absences with the goal of improving your child's school attendance.~~

~~Please understand that if your child becomes habitually truant as defined in Pennsylvania law, the District is required to refer your child to either a school-based or community-based attendance improvement program or to the Chester County Office of Children and Youth for services or possible disposition as a dependent child. A citation may also be filed against you and/or your child in the office of the local magisterial district judge for prosecution. Consequences stemming from truancy proceedings before the local magisterial district judge can include fines, community service, loss of driving privileges, required completion of a course or program designed to improve school attendance, or jail time. You are therefore notified of your child's repeated unlawful absences and strongly encouraged to ensure that your child receives no subsequent unlawful absences. The series of unexcused absences constitute a summary offense under the Public School Code for which penalties may be imposed against you as parent or guardian. Act 29 of 1995 provides for a \$300 fine and allows the court to impose parent education classes with your daughter or son and community service sentences for parents of a truant child who do not show that they took reasonable steps to ensure the child's school attendance. Act 29 also provides that truant students lose their driver's license for ninety (90) days for the first offense, and six (6) months for the second offense.~~

~~Be advised that the process for development of a Truancy Elimination Plan for your child has now begun, which requires your participation in a school family conference. If your child is unlawfully absent again,~~



~~a proceeding will be initiated against you before a magisterial district judge, and a referral for general protective services made to the county children and youth agency, without further notice from school authorities. Please refer to the enclosed sections in the Pennsylvania School Code for specific penalties for violation of compulsory attendance requirements for both you and your child.~~

~~If you have any questions, please call my office at <PHONE> or the guidance office at <PHONE> so that we may work together to ensure «first\_name\_of\_student» «last\_name\_of\_student»'s educational success~~

Sincerely,

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Assistant Principal/Attendance Officer

**Enclosure:** ~~24 P.S. Sec. 1333.3- (Penalties for Violation of Compulsory Attendance Requirements)  
Board Policy & Administrative Regulation 5113 (w/o Attachments)~~

~~24 PA Statute~~

~~Section 1333—Penalties for Violation of Compulsory Attendance Requirements~~

~~Section 1338.1—Suspension of Operating Privilege~~

cc: Attendance Officer  
Principal  
Guidance Counselor  
Attendance Coordinator  
Mental Health Specialist  
Student File

[TO BE INCLUDED WITH ATTACHMENTS 2, ~~AND 3, AND 4~~]

**24 PA Statute**

**Section 1333- Penalties for Violation of Compulsory School Attendance Requirements**

(a) A person convicted of an offense under this article may be:

(1) sentenced to pay a fine for the benefit of the school that is responsible for the truancy proceedings in an amount not exceeding three hundred dollars (\$300) together with court costs except that, in the case of a second offense, the maximum fine for a person in parental relation may be a higher amount within their ability to pay not exceeding five hundred dollars (\$500) together with court costs and, in the case of a third or subsequent offense, the maximum fine for a person in parental relation may be a higher amount within their ability to pay not exceeding seven hundred and fifty dollars (\$750) together with court costs;

(2) sentenced to perform community service; or

(3) required to complete an appropriate course or program designed to improve school attendance which has been approved by the president judge of the judicial district.

(b) The court may suspend the sentence of a person convicted of an offense and may remit or waive fines and costs if the child attends school in accordance with a plan devised by the court.

(c) A person convicted of an offense under this article shall have a right to appeal de novo to a court of common pleas of the proper county within thirty (30) days of the conviction. After thirty (30) days, the appeal shall proceed similar to other appeals of summary convictions.

(d) No citation may be filed against a child or a person in parental relation with the child who resides in the same household as the child for a subsequent violation of compulsory school attendance if any of the following circumstances apply:

(1) A proceeding is already pending under sections 1333.1 and 1333.2 against the child or a person in parental relation with the child who resides in the same household as the child and judgment in the first proceeding has not yet been entered, unless a warrant has been issued for failure of the child or person in parental relation to appear before the court and the warrant has not yet been served.

(2) A referral for services has been made to the county children and youth agency under this subdivision and the agency has not closed the case.

(3) A petition has been filed alleging the child is dependent due to being habitually truant under 42 Pa.C.S. Ch. 63 (relating to juvenile matters) and the case remains under the jurisdiction of the juvenile court.

(e) Upon a second or subsequent conviction of a child or a person in parental relation with the child who resides in the same household as the child for a violation of the requirements of compulsory school attendance in a court within this Commonwealth within a three-year period, the court shall refer the child for services or possible disposition as a dependent child under 42 Pa.C.S. Ch. 63.

(f) Upon failure of a person to satisfy the penalty imposed by the court under subsection (a), the person in parental relation may be found in contempt of court and, upon conviction, may be sentenced to the county jail for a period not to exceed three (3) days in any one case. The court shall make such a determination based on specific finding that the person in parental relation had reasonable ability to comply with the penalty imposed and that noncompliance was willful. The following shall apply:

(1) In the case of a child, the failure to satisfy a fine or costs imposed under this section shall not be considered a delinquent act.

(2) The president judge of a judicial district may adopt a local policy under 42 Pa.C.S. § 6304 (relating to powers and duties of probation officers) and the Pennsylvania Rules of Juvenile Court Procedure to provide that a juvenile probation officer may receive allegations that the child who fails to satisfy a fine or costs imposed under this section is dependent for the purpose of considering the commencement of proceedings under 42 Pa.C.S. Ch. 63.

(g) (1) If a child is convicted of a violation of the compulsory school attendance requirements of this article, the court may send the Department of Transportation a certified record of the conviction on a form prescribed by the department only if the child fails to comply with a lawful sentence entered for the violation and is not subject to an exception to compulsory attendance under section 1330.

(2) The Department of Transportation shall suspend for ninety (90) days the operating privilege of a child upon receiving a certified record that the child was convicted of a summary offense under the compulsory school attendance requirements of this article. If the Department of Transportation receives a certified record of a second or subsequent conviction of a child pursuant to this section, the department shall suspend the child's operating privilege for six (6) months.

(3) A child whose record is received by the Department of Transportation under this section and who does not have a driver's license shall be ineligible to apply for a driver's license under 75 Pa.C.S. §§ 1505 (relating to learners' permits) and 1507 (relating to application for driver's license or learner's permit by minor) for the time period specified in paragraph (2). If the child is under sixteen (16) years of age when convicted, suspension of operating privileges shall commence in accordance with 75 Pa.C.S. § 1541 (relating to period of disqualification, revocation or suspension of operating privilege) for the time specified in paragraph (2).

(4) A child whose driving privileges have been suspended or whose eligibility for a permit or license is delayed under this section may have that license or eligibility restored by providing the Department of Transportation with a form developed by the Department of Transportation containing the following information in the form of a certified record from the child's school that the child:

(i) has attended school for a period of at least two (2) months after the first conviction or four (4) months after the second conviction without an unexcused absence or unexcused tardy;

(ii) is subject to an exception to compulsory attendance under section 1330; or

(iii) graduates, withdraws from school pursuant to compulsory attendance requirements under section 1327, receives a general education diploma or enlists in the military.

(5) An insurer may not increase premiums, impose a surcharge or rate penalty, make a driver record point assignment for automobile insurance or cancel or refuse to renew an automobile insurance policy on account of a suspension under this section.

(6) Nothing in this section shall prohibit a child who is convicted of a violation of the compulsory school attendance requirements of this article from being eligible for an occupational limited license under 75 Pa.C.S. § 1553 (relating to occupational limited license).

(h) (1) Upon application from a child who has a conviction of a summary offense under section 1333.2, the court shall grant an expungement of the conviction from the child's record if all of the following apply:

(i) The child has earned a high school diploma, a Commonwealth secondary school diploma or another Department of Education-approved equivalent or is subject to an exception to compulsory attendance under section 1330.

(ii) The child has satisfied any sentence imposed by the court with respect to the conviction, including payment of fines and costs.

(2) If the court grants an expungement under paragraph (1), the court shall order the Department of Transportation to expunge all administrative records related to the convictions.

(i) Nothing in this section shall be construed to apply to a parent, guardian or person in parental relation whose child or children are in a home education program under section 1327.1.

(ii) (Reserved)

~~“(a) (1) Every parent, guardian, or person in parental relation, having control or charge of any child or children of compulsory school age, who shall fail to comply with the provisions of this act regarding compulsory attendance, shall on summary conviction thereof, be sentenced to pay a fine, for the benefit of the school district in which such offending person resides, not exceeding three hundred dollars (\$300) and to pay court costs or be sentenced to complete a parenting education program offered and operated by a local school district, medical institution or other community resources, and, in default of the payment of such fine and costs or completion of the parenting program by the person so offending, shall be sentenced to the county jail for a period not exceeding five (5) days. Any person sentenced to pay any such fine may appeal to the court of common pleas of the proper county, upon entering into a recognizance, with one or more proper sureties, in double the amount of penalty and costs. Before any proceedings are instituted against any parent, guardian, or person in parental relation, for failure to comply with the provisions of this act, the district superintendent, Attendance Officer, or secretary of the board of school directors shall give the offending person three (3) days' written notice of such violation. If, after such notice has been given, the provisions of this act regarding compulsory attendance are again violated by the persons so notified, at any time during the term of compulsory attendance, such person, so again offending, shall be liable under the provisions of this section without further notice.~~

~~(2) The child and every parent, guardian or person in parental relation must appear at a hearing established by the district justice. If the parent, guardian or person in parental relation charged~~

~~with a summary offense under this subsection shows that he or she took every reasonable step to insure attendance of the child at school, he or she shall not be convicted of the summary offense.~~

~~(3) Upon a summary conviction, the district justice may suspend, in whole or in part, a sentence in which a parent, guardian or person in parental relation is summoned to pay as required under this section: Provided, That the child no longer is habitually truant from school without jurisdiction.~~

~~(4) In lieu of or in addition to any other sentence imposed under this section, the district justice may order the parent, guardian or person in parental relation to perform community service in the school district in which the offending child resides for a period not to exceed six (6) months.~~

~~(b) (1) If the parent, guardian or person in parental relation is not convicted of a summary offense because he or she took every reasonable step to insure attendance of the child at school, a child of compulsory school age who has attained the age of thirteen (13) years and fails to comply with the provisions of this act regarding compulsory attendance or who is habitually truant from school without justification commits a summary offense and except as provided in clause (4) shall, upon conviction, be sentenced to pay a fine not exceeding three hundred dollars (\$300) for each offense for the benefit of the school district in which such offending child resides or shall be assigned to an adjudication alternative program pursuant to 42 Pa.C.S. § 1520 (relating to adjudicative alternative program).~~

~~(2) For any child who has attained the age of thirteen (13) years who fails to pay the fine under clause (1) or to comply with the adjudication alternative program, the district justice may allege the child to be dependent under 42 Pa.C.S. § 6303(a)(1) (relating to scope of chapter). The failure by the child to pay a fine or comply with the adjudication alternative program shall not constitute a delinquent act under 42 Pa.C.S. Ch.63 (relating to juvenile matters).~~

~~(3) Upon a summary conviction or assignment to an adjudication alternative program, the district justice may suspend, in whole or in part, a sentence or an adjudication alternative program in which a child who has attained the age of thirteen (13) years must pay or comply with the adjudication alternative program: Provided, That the child no longer is habitually truant from school without justification.~~

~~(4) Any child who has not attained the age of thirteen (13) years who fails to comply with the compulsory attendance provisions of this act and is habitually truant shall be referred by the school district for services or possible disposition as a dependent child as defined under 42 Pa.C.S. § 6302 (relating to definitions). Any child who has attained the age of thirteen (13) years who fails to comply with the compulsory attendance provisions of this act and is habitually truant may, in lieu of a prosecution under clause (1), be referred by the school district for services or possible disposition as a dependent child as defined under 42 Pa.C.S. § 6302 (relating to definitions).~~

~~(5) The following words, when used in this subsection, shall have the following meaning, except where the context clearly indicates or requires a different meaning:~~

~~"Community resources" shall mean those agencies and services for children and youth provided by the juvenile court, the county, the Department of Health, the Department of Public Welfare and other public or private institutions.~~

~~"District justice" shall mean such court as the court of common pleas shall direct in counties not having district justices.~~

~~"Habitually truant" shall mean absence for more than three (3) school days or their equivalent following the first notice of truancy given under section 1354. A person may be habitually truant after such notice.~~

~~"Offense" shall mean each citation which goes before a district justice or court of common pleas.~~

~~"Person in parental relation" shall not include any county agency or person acting as an agent of the county agency in the jurisdiction of a dependent child defined under 42 Pa.C.S. § 6302 (relating to definitions).~~

~~(e) If a child is convicted for a violation of this section, the court, including a court not of record, shall send to the Department of Transportation a certified record of the conviction or other disposition on a form prescribed by the department.~~

~~(d) Nothing in this section shall be construed to apply to a parent, guardian or person in parental relation whose child or children are in a home education program under section 1327.1.~~

### ~~Section 1338.1- Suspension of Operating Privilege~~

~~“(a) The Department of Transportation shall suspend for 90 days the operating privilege of any child upon receiving a certified record that the child was convicted of violating section 1333. If the department receives a second or subsequent conviction for a child’s violation of section 1333, the department shall suspend the child’s operating privilege for six months. (b) Any child whose record is received by the department under section 1333(e) and who does not have a driver’s license shall be ineligible to apply for a driver’s license under 75 Pa.C.S. §§ 1505 (relating to learners’ permits) and 1507 (relating to application for driver’s license or learner’s permit by minor) for the time periods specified in subsection (a). If the child is under sixteen (16) years of age when convicted, suspension of operating privileges shall commence in accordance with 75 Pa.C.S. § 1541 (relating to period of revocation or suspension of operating privilege) for the time specified in subsection (a). (c) An insurer may not increase premiums, impose any surcharge or rate penalty or make any driver record point assignment for automobile insurance; nor shall an insurer cancel or refuse to renew an automobile insurance policy on account of suspension under this section.~~

~~**Private Criminal Complaint (AOPC 411) — A current form may be obtained on the Internet at: <http://forms.lp.findlaw.com/form/courtforms/state/pa/pa000003.pdf>**~~

Attachment 5

**Truancy Elimination Plan (TEP)**<sub>[A7]</sub>

**Date:** \_\_\_\_\_

**Goal:** Increase *(Insert Student's Name)* school attendance.

|   |   |  |
|---|---|--|
| <u>Name of Student</u><br><br><u>Date of Birth</u><br><br><u>Gender</u><br><br><u>Grade Level</u> | <b>Address</b><br><br><br><b>Phone Number</b>       | <u>Special Needs</u><br><br><b>Health Concerns</b>             |
| <u>Name of School</u>   | <b>Address</b><br><br><b>Phone Number</b>           | <u>Principal's Name</u><br><br><u>Referring Teacher's Name</u> |
| <u>Name of Parent/Guardian</u>  | <b>Home Address</b><br><br><b>Home Phone Number</b> | <b>Work Address</b><br><br><b>Work Phone Number</b>            |

| <i>Date of Absence</i> | <b>Written Excuse Provided? (Y/N)</b> | <b>Reason(s) for Absence</b> | <b>Action Taken</b><br>(e.g. Parent Letter 1 sent out on 04/01/2006, John Doe called parent, Mrs. Smith to discuss |
|------------------------|---------------------------------------|------------------------------|--|
| 1.                     |                                       |                              |  |
| 2.                     |                                       |                              |  |
| 3.                     |                                       |                              |  |
| 4.                     |                                       |                              |  |

**Assessment**

| Description | Solution(s) | Responsible Party |
|-------------|-------------|-------------------|
| 1.          |             |                   |
| 2.          |             |                   |
| 3.          |             |                   |

**Strengths**

| Description | Relevance to the Plan |
|-------------|-----------------------|
| 1.          |                       |
| 2.          |                       |
| 3.          |                       |

**Solutions**

| Description | Responsible Party(ies) | Completion Date |
|-------------|------------------------|-----------------|
| 1.          |                        |                 |
| 2.          |                        |                 |
| 3.          |                        |                 |

**Consequences for non-compliance**

|    |
|----|
| 1. |
| 2. |
| 3. |

**Benefits for compliance**

|    |
|----|
| 1. |
|----|



|    |
|----|
|    |
| 2. |
| 3. |

~~This TEP was created collaboratively to assist the student in improving attendance, to enlist the support of parent/guardian and to document the school's attempts to provide resources to promote student success.~~

~~Student: \_\_\_\_\_ Date: \_\_\_\_\_~~

~~Parent or Guardian: \_\_\_\_\_ Date: \_\_\_\_\_~~

~~School Official: \_\_\_\_\_ Date: \_\_\_\_\_~~

- ~~cc: student \_\_\_\_\_ (initial upon receipt)~~
- ~~\_\_\_\_\_ parent/guardian \_\_\_\_\_ (initial upon receipt)~~
- ~~\_\_\_\_\_ school personnel \_\_\_\_\_ (initial upon receipt)~~
- ~~\_\_\_\_\_ other \_\_\_\_\_ (initial upon receipt)~~

~~Date for Follow-up Outcomes Meeting:~~

|   |
|---|
| <p><b>Outcomes:</b></p> <p>1.</p> <p>2.</p> <p>3.</p>   |
| <p><b>Next Steps:</b></p> <p>1.</p> <p>2.</p> <p>3.</p> |

~~Student: \_\_\_\_\_ Date: \_\_\_\_\_~~

~~Parent or Guardian: \_\_\_\_\_ Date: \_\_\_\_\_~~

~~School Official: \_\_\_\_\_ Date: \_\_\_\_\_~~

~~In order for agencies outside of the District to assist with this plan, your permission is needed to release the plan to the following:~~

\_\_\_\_\_

**Please sign below:**

**Parent or Guardian:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Attachment 643 After 3<sup>rd</sup> Unlawful Unexcused Absence To Schedule School Attendance Improvement Conference (Unless A Conference Was Previously Held Following Official Notice of Truancy)

To the Parent(s)/Guardian(s) of:

«first\_name\_of\_student» «last\_name\_of\_student»  
«guardian\_apartment\_complex» «guardian\_apartment\_number»  
«guardian\_lot\_number» «guardian\_street\_name»  
«guardian\_city», «guardian\_state» «guardian\_zip\_code»  
«guardian\_title» «first\_name\_of\_guardian» «last\_name\_of\_guardian»

**NOTICE OF SCHOOL ATTENDANCE IMPROVEMENT CONFERENCE REFERRAL TO DISTRICT MAGISTRATE FOR FORMAL TRUANCY PROCEEDINGS**

Dear «guardian\_title» «first\_name\_of\_guardian» «last\_name\_of\_guardian»:

This letter is to officially notify you that «first\_name\_of\_student» «last\_name\_of\_student» has been absent from school without a lawful-valid excuse on the following dates:

«absence\_details\_for\_the\_letter»

These absences are unlawful-unexcused and, therefore because your child is of compulsory school age, constitute a violation of the compulsory attendance provision of the Pennsylvania Public School Code (24 P.S. 13-1327). On \_\_\_\_\_ (DATE), you were advised via an Official Notice of Truancy that your child is now considered truant in accordance with Pennsylvania law. Since your child has incurred at least one additional unexcused absence since the issuance of the Official Notice of Truancy, and since a school attendance improvement conference has not yet been held, this letter is to advise you that such a conference is required to be scheduled by law. The conference is scheduled to take place on \_\_\_\_\_ at \_\_\_\_\_ o'clock and will be located at \_\_\_\_\_. If you have any questions or are unable to attend the conference at the scheduled time and would like to have the conference rescheduled to a more convenient time, please contact me as soon as possible. Additional information regarding school attendance improvement conferences is contained in the enclosed Administrative Regulation 5113 (Procedures for Enforcing School Attendance).

Please understand that if your child continues to be absent from school without a proper excuse, and becomes habitually truant as defined in Pennsylvania law, the District is required to refer your child to either a school-based or community-based attendance improvement program or to the Chester County Office of Children and Youth for services or possible disposition as a dependent child. A citation may also be filed against you and/or your child in the office of the local magisterial district judge for prosecution. Consequences stemming from truancy proceedings before the local magisterial district judge can include fines, community service, loss of driving privileges, required completion of a course or program designed to improve school attendance, or jail time.

Consequently, I regret to inform you that the District has no alternative but to refer this matter to the District Magistrate for formal truancy proceedings.

The series of unexcused absences constitute a summary offense under the Public School Code for which

~~penalties may be imposed against you as parent or guardian. Act 29 of 1995 provides for a \$300 fine and allows the court to impose parent education classes with your daughter or son and community service sentences for parents of a truant child who do not show that they took reasonable steps to ensure the child's school attendance. Act 29 also provides that truant students lose their driver's license for ninety (90) days for the first offense, and six (6) months for the second offense.~~

~~If you have any questions, please call my office at <PHONE> or the guidance office at <PHONE> so that we may work together to ensure «first\_name\_of\_student» «last\_name\_of\_student»'s educational success~~

~~Please contact me if you can provide information about your student's absences or if the information in this letter does not correspond with your understanding of your student's school attendance.~~

Sincerely,

\_\_\_\_\_  
Assistant Principal/Attendance Officer

**Enclosure:**    24 P.S. Sec. 1333.3- (Penalties for Violation of Compulsory Attendance Requirements)  
                  Board Policy & Administrative Regulation 5113 (w/o Attachments)  
24 PA Statute  
\_\_\_\_\_Section 1333—Penalties for Violation of Compulsory Attendance Requirements  
\_\_\_\_\_Section 1338.1—Suspension of Operating Privilege

cc:            Attendance Officer  
               Principal  
               Guidance Counselor  
               Attendance Coordinator  
               Student File  
               Mental Health Specialist

*Student Wellness and Nutrition*

To promote the health and wellbeing of all students, the Board establishes that the District shall provide to students: a comprehensive nutrition program consistent with federal and state requirements; access at reasonable cost to foods and beverages that meet established nutritional guidelines; physical education courses and opportunities for developmentally appropriate physical activity during the school day; curriculum and programs for grades K-12 that are designed to educate students about proper nutrition and lifelong physical activity, in accordance with State Board of Education curriculum regulations and academic standards.

The Superintendent or designee shall be responsible to establish regulations to monitor District schools, programs, and curriculum to ensure compliance with this Board Policy and applicable law, and to incorporate recommendations from the District Wellness Committee established by this Policy.

The Board shall ensure the continued existence of a District Wellness Committee comprised of at least one (1) representative of the following groups: school board, District administration, District food service, District student body, District parents/guardians, District ~~faculty~~physical education teacher, District ~~school nursing services~~, the healthcare community of Tredyffrin and Easttown Townships and the residents of Tredyffrin or Easttown Township who are not members of any of the preceding groups. The purpose of the Wellness Committee is to review Board policies and District regulations, procedures and practices regarding wellness and nutrition and to recommend revisions to the Board and administration regarding these policies, regulations, procedures and practices. Members of the Wellness Committee shall serve at the pleasure of the Board.

*Wellness Policy Implementation*

Each building principal or designee shall report to the Superintendent or designee regarding compliance in his/her school or with ideas for how to improve student wellness initiatives consistent with this Administrative Regulation and the accompanying Board Policy.

Staff members responsible for programs related to student wellness shall report to the Superintendent or designee regarding the status of such programs.

The Superintendent or designee shall annually report to the Board on the District's compliance with law and Policies related to student wellness. The report may include:

- Assessment of school environment regarding student wellness issues.
- Evaluation of food services program.
- Review of all foods and beverages sold in schools for compliance with established nutrition guidelines.
- Listing of activities and programs conducted to promote nutrition and physical activity.
- Recommendations for Policy and/or program revisions.
- Suggestions for improvement in specific areas.
- Feedback received from district staff, students, parents/guardians, community members and Wellness Committee.

An assurance shall be provided annually by the Food and Nutrition Services Supervisor and/or the Business Manager that District guidelines for reimbursable meals are not less restrictive than regulations and guidelines issued for schools in accordance with federal law.

*Wellness Committee*

The Wellness Committee shall serve as an advisory committee regarding student health issues and shall be involved in developing a Student Wellness Policy that complies with law and recommending revisions to the Board for adoption~~responsible for reviewing and suggesting amendments to this Regulation to the District for the enactment of a Student Wellness Policy that complies with law to recommend to the Board for adoption.~~

- The Wellness Committee may examine related research and laws, assess student needs and the current school environment, review existing Board Policies and Administrative Regulations, and raise awareness about student health issues. The Wellness Committee may make Policy recommendations to the Board related to other health issues necessary to

promote student wellness.

- The Wellness Committee may survey parents/guardians and/or students; conduct community forums or focus groups; collaborate with appropriate community agencies and organizations; and engage in similar activities, within the budget established for these purposes.
- The Wellness Committee shall provide periodic reports to the Superintendent or designee regarding the status of its work, as required.

### Wellness Policy Assessment & Communication to the Public

The Superintendent or designee and the established Wellness Committee shall conduct an assessment at least once every three (3) years on the contents and implementation of the Student Wellness Policy and Administrative Regulation as part of a continuous improvement process to strengthen the Policy/Administrative Regulation and ensure implementation. This triennial assessment shall be made available to the public in an accessible and easily understood manner and include:

1. The extent to which each District school is in compliance with law and policies related to school wellness;
2. The extent to which this Policy/AR compares to model wellness policies; and
3. A description of the progress made by the District in attaining the goals of this Policy/AR.

At least once every three (3) years, the District shall update or modify this Policy as needed, based on the results of the most recent triennial assessment and/or as District and community needs and priorities change; wellness goals are met; new health science, information and technologies emerge; and new federal or state guidance or standards are issued.

The District shall annually inform and update the public, including parents/guardians, students and others in the community, about the contents, updates and implementation of this Policy/AR via efficient communication methods. This annual notification shall include information on how to access the Student Wellness Policy; information about the most recent triennial assessment; information on how to participate in the development, implementation and periodic review and update of the Student Wellness Policy/AR; and a means of contacting Wellness Committee leadership.

### Recordkeeping

The District shall retain records documenting compliance with the requirements of the Student Wellness Policy, which shall include:

1. The written Student Wellness Policy.
2. Documentation demonstrating that the District has informed the public, on an annual basis, about the contents of the Student Wellness Policy and any updates to the Policy.

3. Documentation of efforts to review and update the Student Wellness Policy, including who is involved in the review and methods used by the District to inform the public of their ability to participate in the review.
4. Documentation demonstrating the most recent assessment on the implementation of the Student Wellness Policy and notification of the assessment results to the public.

### Nutrition Education

The goal of nutrition education is to teach, encourage and support healthy eating by providing all students with the knowledge and skills needed to lead healthy lives. Promoting student health and nutrition enhances readiness for learning and increases student achievement.

Nutrition education will be provided within the sequential, comprehensive health education program in accordance with State Board of Education curriculum regulations and the academic standards for Health, Safety and Physical Education, and Family and Consumer Sciences.

The staff responsible for providing nutrition education shall be properly certified and shall participate in appropriate professional development.

Nutrition Education shall extend beyond the school environment by engaging and involving families and communities.

Nutrition education will be integrated into other subjects where appropriate to complement, but not replace, standards-based nutrition education.

Consistent nutrition messages will be provided throughout the school, classroom and cafeteria.

### Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs.

District staff shall cooperate with agencies and community organizations to provide opportunities for appropriate student projects related to nutrition.

District food service personnel shall review and implement research-based, behavioral economics techniques in the cafeteria to encourage consumption of more whole grains, fruits, vegetables and legumes, and to decrease plate waste.

Consistent nutrition messages should be disseminated and displayed throughout the District, schools, classrooms, cafeterias, homes, community and media.



Consistent nutrition messages shall be demonstrated by avoiding use of unhealthy food items in classroom lesson plans.

District schools shall offer resources about health and nutrition to encourage parents/guardians to provide healthy meals for their children.

### Physical Activity

District schools shall contribute to the effort to provide students opportunities to participate in age-appropriate physical activity on all or most days. That time could include activities within school, such as recess, clubs, intramural or interscholastic sports, as well as physical activity outside the school environment, such as outdoor play at home, sports, etc.

District schools may partner with parents/guardians and community members to institute programs that support physical activity.

School physical activity facilities shall be made available outside school hours according to District Policy.

### Physical Education

Physical education classes shall be the primary means through which students learn, practice and are assessed on developmentally appropriate skills and knowledge necessary for lifelong, health-enhancing physical activity.

A varied and comprehensive physical education course of study that focuses on providing students the skills, knowledge and confidence to participate in lifelong, health-enhancing physical activity shall be implemented consistent with State Board of Education curriculum regulations and Health, Safety and Physical Education academic standards.

### Fundraisers Involving Food

A “fundraiser” is considered an event that includes an activity during which currency/token/tickets, etc. are exchanged for the sale/purchase of a product in support of the school or school-related activities. Examples include: candy bar sales, vending machines where profits are used to support a school-sponsored club or activity, such as the school band or sports team.

An “exempt fundraiser” is a fundraiser in which foods are sold during school at a location other than the school cafeteria and where the foods being sold do not meet the requirements for foods sold in school according to the Smart Snack Standards established by the United States Department of Agriculture. Exempt fundraisers may not be sold in the food service area during the meal period.

All fundraisers must be approved in advance in writing by the building Principal.

A maximum of five exempt fundraisers will be permitted in each middle school building per year, and a maximum of ten fundraisers will be permitted in each high school building per year. Each exempt fundraiser may not exceed one school week.

All requests for exempt fundraisers must be submitted to the building Principal. If less than the allotted number of exempt fundraisers are approved from applications, then any requests will be considered on a first-come first-served basis.

### Other School Based Activities

District students shall have access to school meals provided in a clean, safe environment.

Nutrition content of school meals shall be available to students and parents/guardians.

Goals of the Student Wellness Policy shall be considered in planning all school-based activities.

Administrators, teachers, food service personnel, students, parents/guardians, and community members shall be encouraged to serve as positive role models through district programs, communications and outreach efforts.

The District shall support the efforts of parents/guardians to provide a healthy diet and daily physical activity for children by communicating relevant information through various methods.

### Safeguards for Students with Food Allergies Nutrition Guidelines for All Foods/Beverages Available, Not Sold

#### Food/Beverages as Classroom Rewards

Foods and beverages shall not be used as a reward for classroom or school activities unless the reward is an activity that promotes a positive nutrition message (e.g., guest chef, field trip to a farm or farmers market, etc.) or unless the food or beverages offered meet or exceed the Smart Snacks in School nutrition standards.

#### Prohibition Against Homemade Food Kindergarten to 12<sup>th</sup> Grade

Homemade food is not permitted to be brought to school for the purpose of being shared during the school day with students either by other students, teachers or other staff, or other persons. Nothing in the preceding sentence is intended to (1) restrict the provision of meals to students by authorized District food service personnel, (2) require the alteration of the Family and Consumer Sciences curriculum, or (3) alter the ability of students to bring in their individual breakfast, lunch or snacks in compliance with the District's allergy policy.

#### Special Rules for Grades Kindergarten to 4<sup>th</sup> Grade ("Grades K-4")

No food of any kind is permitted to be brought to school to be shared with students in connection with recognition of birthdays, celebrations such as Halloween, holidays, Valentine's Day, cultural events, and end-of-the-year festivities at the grades K-4 level.

### Responsibility

While all reasonable efforts will be made to ensure the safety of students with allergies, it should be recognized that there are practical limitations as to the level of oversight by teachers and other school personnel with regard to students bringing and sharing food to classrooms and other locations. Parents and guardians should regularly reinforce the above prohibitions with their children in order to ensure the safety of all children.

### Nutrition Guidelines

All foods offered for sale by the District during the school day shall be identified with consideration for promoting student health and reducing childhood obesity.

Foods provided through the National School Lunch or School Breakfast Programs shall comply with federal nutrition standards under the School Meals Initiative.

All competitive foods available to students in District schools shall comply with the established nutrition guidelines, as listed in the student wellness plan and Administrative Regulations, which will follow the format of the Nutritional Standards for Competitive Foods in Pennsylvania Schools. The nutritional standards shall be implemented as a three- (3) year plan.

Competitive foods are defined as foods sold or offered for sale at school during the school day other than through the National School Lunch or School Breakfast Programs and include a la carte foods, snacks and beverages; vending food, school store food, and fundraisers that do not qualify as exempt under this regulation. School campus means all areas of the property under the jurisdiction of the school that are accessible to students during the school day. School day means the period from the midnight before to 30 minutes after the end of the official school day. Competitive foods do not include food brought from home or food that is not sold or offered for sale.

### Advertising / Marketing

Any foods and beverages marketed or promoted to students on the school campus during the school day shall meet or exceed the established federal nutrition standards (USDA Smart Snacks in School) and comply with established Board Policy and administrative regulations.

Exclusive competitive food and/or beverage contracts shall be approved by the Board, in accordance with provisions of law. Existing contracts shall be reviewed and modified to the extent feasible to ensure compliance with established federal nutrition standards, including applicable marketing restrictions.

References:

Child Nutrition and IC Reauthorization Act of 2004 – P.L. 108-265 Sec. 204

{01415279 }Adopted: October 12, 2006

Revised: November 14, 2014

Revised: February 12, 2015

Revised: March 17, 2016

Revised: April 21, 2016

*Food and Nutrition Services*

**School Meal Account Procedures / Meal Charging Policy**

A student's meal status is always kept confidential. All students have accounts to purchase their meals and are treated the same at the register.

The procedures for notifying parents/guardians of low and negative balances and collecting negative balances are detailed below. However, students will be permitted to charge meals, and will not be denied food service purchases, on account of the insufficient funds in their student meal accounts unless requested by the parent/guardian. Parents/guardians are responsible for their student's cafeteria food purchases and are expected to maintain payments on any outstanding account balance for cafeteria food purchases.

**Low & Negative Account Balance Notification**

If students have an account balance of \$5.00 or less, they will be notified weekly via a notice distributed in homeroom or in student folders. If the student's outstanding account balance due exceeds \$20.00, a request for payment letter will be mailed to the student's home address. In addition, a school official will contact the parent/guardian to resolve the outstanding account balance due by one or more of the following methods: telephone, electronic communication, certified letter. These contacts will continue until the outstanding account balance due is satisfied.

If the student's outstanding account balance due is in excess of \$50.00 and remains unpaid for more than 30 days the parent/guardian may incur additional collection charges on the outstanding balance up to 10% of the amount due. If a good faith effort is not made towards payment of the outstanding balance due, other services may be denied and the outstanding account balance due may be referred to an outside agency.

Parents/guardians experiencing economic hardships may request payment arrangements from the District. ~~Students will not be denied food service purchases unless requested by the parent/guardian.~~

**Additional Information**

The Principal or designee shall notify Food and Nutrition Services regarding departing students so that account balances can be rectified prior to their departure.

Information on meal prices, menus, how to apply for free or reduced priced meals, how to check a school meal account balance or add funds to such accounts can be found on the District's Food and Nutrition Services webpage.

Delinquent School Meal Account Debt

After taking reasonable steps to collect delinquent school meal debt, which shall include at least one written correspondence to the student's parent/guardian, unrecovered/delinquent debt at the end of each school year shall be referred to the Business Manager for appropriate action. Such unrecovered/delinquent debt shall be considered bad debt and non-federal funding sources must repay the Food Service Fund for the total amount of such unrecovered/delinquent debt.

Delinquent school meal debt shall not be classified as bad debt for write off purposes until after reasonable steps have been taken to collect such delinquent school meal debt.

Distribution

This Administrative Regulation, detailing the District's local meal charge policy, shall be provided in writing to each household at the beginning of the school year, and during the school year to households who transfer to the District during the school year.

*Legal Custody/Guardianship*

In most cases, both natural parents, guardians or adoptive parents shall have the right to inspect and review the child's educational records, unless the school is provided with evidence that there is a legally binding instrument, state law or court order which provides to the contrary (see Policy 5225). The school should make reasonable efforts to accommodate the requests of noncustodial parents for parent conferences and for information such as report cards or test results, absent a legally binding instrument, state law, or court order that provides to the contrary.

When the child does not live together with both natural parents, both parents will share the responsibility of making educational decisions affecting the child and will be given an equal opportunity to participate in the decision making process, absent a legally binding instrument, state law, or court order that provides to the contrary. In the event the parents cannot agree on making an educational decision, the school shall take a course of action based on what it considers to be in the educational interest of the child, and there is no court order fixing custody, the parent of record has the primary responsibility for the educational decisions, although the other parent may also participate in the educational process.

When there is a court order awarding sole legal custody to one parent, the right to make educational decisions for the child resides exclusively with ~~the~~ custodial parent, unless the court's order directs otherwise. In this case, involvement of the noncustodial parent- parent without legal custody will be included in the educational process, however the District will be guided by the decisions made by the parent with sole legal custody. should be subject to the custodial parent's written approval.

When parents execute a written agreement for joint or shared custody or the court awards joint or shared custody, both parents may be involved in the educational process, unless the custody agreement or court's order indicates otherwise. Principals should make reasonable efforts to involve both parents. In this situation, the parent of record should have the final say in decisions affecting the child, unless state law, the custody agreement or court's order indicates otherwise.

Students should be released from the school only to ~~the~~ a parent of record, unless prior arrangements have been approved by ~~the~~ a parent of record and communicated to the school. Students will be transported by bus only to and from the residence of ~~the~~ a parent of record.

~~The parent of record with whom the child resides has the right, with the school's permission, to pick the child up from the school and/or see the child during school hours. A person who cannot establish physical and/or legal custody through proper documentation will not be allowed to pick a child up from school or see the child during school hours without the written permission of the parent of record. In cases of shared custody between two parents, the parent of record for purposes of releasing the student at the end of the school day or authorizing the release of the student to another individual is the parent who has custody on that particular day~~

according to a schedule provided to the school. This means that, absent emergency or written (which can be email) permission from the parent of record on a particular day, the child will be released at the end of the day only to the parent of record. Alternately, if the parent of record does supply written permission for someone else to pick up the child at the end of the school day, the child will be released to that person.

During normal school hours, a student may never be picked up from the classroom or released by a classroom teacher. Students must be picked up only from the principal's office. If a request is made of a teacher by a parent, relative, guardian or other person to pick up the child from the classroom, the teacher should send the person making the request to the principal's office. The teacher should then alert the principal that such a request has been made.

The principal has the responsibility to verify, through identification and documentation, that the person making the request is the child's parent or guardian. The principal may check the emergency record card, health records, or permanent record or other records relating to the child before deciding whether or not to release the child. The principal may also call the Superintendent's office for guidance, and if the situation appears to be growing hostile, the principal may call the local police.

#### Regulation 5430

Every effort should be made to explain the reasonableness of the procedure should it be necessary to invoke it, but the principal may deny a request for a child to leave school during the school hours.

Generally, ~~the~~ a parent of record may have access to the child during the school day, provided that such access is not disruptive to the child's education or the functioning of the school or classroom.

A noncustodial parent, however, may only have access to the child during the school day, provided:

- (1) ~~that this~~ it is not contrary to the express wishes of the parent of record;
- (2) ~~that~~ it appears to be in the best interest of the child;
- (3) ~~that~~ the principal or teacher monitors the visit;
- (4) ~~that~~ an effort is made to notify the parent of record prior to the visit; and
- (5) ~~that~~ the noncustodial parent does not remove the child from the school premises.

In the event of a medical emergency, all efforts will be made to contact the parent(s) of record. If the school is unable to contact the parent(s) of record, the school shall contact any person, designated by the parent(s) of record, as alternate persons to call in case of any emergency and may contact ~~the~~ a noncustodial parent as well.



## Graduation Requirements

Except as noted, to be eligible for graduation, students must successfully complete 24.0 units of credit from courses as described in the annual *Program of Studies* for grades 9 through 12 as follows:

- 4.0 Credits in English to include 1.0 credit in World Literature, 1.0 credit in American Literature and 2 additional yearlong courses.
- 3.0 Credits in Mathematics.
- 3.0 Credits in Science to include 1.0 credit in Biology.
- 3.0 Credits in Social Studies including 1.0 credit each in World History, United States History and United States Government/Economics.
- 1.9 Credits in Health/Physical Education (See details below).
- 2.0 Credits in World Languages to be fulfilled by the completion of a Level II course in a second language or its equivalent. (See details below).
- 2.0 Credits in core electives to include 1 course from each of the following three areas: Business/Technology, Visual and Performing Arts, and Family and Consumer Sciences. (See details below).
- 4.9\* or 5.1\*\* Credits in electives; any course that has not been counted to fulfill other graduation requirements as indicated in the *Program of Studies*. Extended learning opportunities listed in the *Program of Studies* shall also satisfy this requirement (See details below).

0.2\* Credits in College and Career Transition (See details below)

**24.0 Total credits**

\*Graduating class of 2020 and beyond

\*\*Graduating classes prior to 2020

A student who successfully completes coursework in Computer Science shall be permitted to apply up to one credit toward the Mathematics credit requirement for graduation. Computer Science courses that qualify for Mathematics credit shall be published annually in the *Program of Studies*.

*Health/Physical Education (1.9 credits)*

All students must complete the Health and Fitness course (0.5 credit) designed for ninth grade students. This course includes required instruction in Health and 1 semester of Physical Education (PE). All students must be enrolled in a PE course for the other seven semesters of attendance for a total of 1.4 PE credits, not including the Health and Fitness course. Up to six semesters of PE (1.2 credits) may be satisfied through the Team Sport or Extended Experience programs.

Students who are no longer enrolled at Conestoga but are pursuing a diploma through the Early College program will not be required to take PE if they have met State requirements. They will still need to provide 24 credits in total and meet all other specific requirements.

*World Languages (2.0 credits)*

Students will demonstrate proficiency in a second language by successfully completing Level II (that is, up to and including a second year course in one language). Students with documented specialized instructional needs may be exempted from this requirement with prior approval of the principal. Students who have completed the second year course in a language prior to entering high school shall be required to take one additional year of World Languages and to fulfill the second credit in an elective course in any area.

*Core Electives (2.0 credits)*

Students must earn 2.0 credits in core elective areas to include one course in the Visual/Performing Arts, one course in Business/Technology and one course in Family and Consumer Sciences. Courses that award credit in more than one department shall count only as one of the three elective areas. Physical Education, Highway Safety, and Health courses shall not count as credits toward the core electives requirement.

*Electives (4.9 or 5.1 credits)*

Electives include courses not otherwise applied to meet graduation requirements. Extended learning opportunities may earn credits that count as elective credits. These programs focus on global and community partnerships, social responsibility, self-direction, collaboration, technological proficiency and experience-based learning. Activities that qualify for these credits shall be identified annually in the *Program of Studies* and may include approved online coursework, independent study, service learning and co-curricular activities. Students in the graduating classes prior to 2020 must earn 5.1 credits in Electives. Students in the graduating classes of 2020 and beyond must earn 4.9 credits in Electives.

College and Career Transition (0.2 credits)

Beginning with the graduating class of 2020, students must complete the required course in College and Career Transition.

*Academic Proficiency*

To be eligible for graduation a student must demonstrate proficiency in core academic subjects according to State requirements outlined in the Pennsylvania School Code, Second 4.24. This may include performance at established proficiency levels on State-approved standardized tests. Course credit shall not be granted through the successful performance on State assessment without first having completed the course.

*Other Requirements*

Students in grades 9 and 10 must schedule at least 36 class periods, or the equivalent, per six-day cycle. Students in grades 11 and 12 must schedule at least 32 class periods, or the equivalent, per six-day cycle. Approved individualized educational programs and science labs may be counted for purposes of this scheduling requirement as described in the *Program of Studies*.

Student shall be awarded a maximum of 8.4 credits per academic year. Exceptions to this limit may be granted for students in danger of not fulfilling graduation requirements by the end of the senior year or for students who have applied for Early College or Graduation. Other exceptions may be granted for circumstances deemed appropriate by the Principal.

In the event that the State Board of Education should mandate additional requirements for graduation, Conestoga High School students will be required to fulfill these requirements.

Annually, the Board shall approve the graduating class before diplomas are awarded. Following approval of candidates for graduation by official action of the Board, those students so qualifying will have the privilege of receiving appropriate recognition at exercises as conducted by the school district on a date established each year.

Adopted: March 2007

Revised: November 22, 2010

Revised: October 10, 2010

Revised: October 17, 2014

Revised: September 22, 2016