

WEST CHESTER AREA SCHOOL DISTRICT
Policy Review Committee
 April 17, 2023
 5:45 pm
 Spellman Education Center

AGENDA

•	Public Comment on Agenda Items	
★	Approval of March 20, 2023 Minutes	K. Fleming
•	Policy 113.1 Discipline of Students with Disabilities	M. Kleiman
★	Policy 113.2: Behavior Intervention	M. Kleiman
★	Review and Approval of Revised Policy 216: Student Records	M. Kleiman
★	Review and Approval of Revised Policy 218: Student Discipline	S. Missett
•	Policy 237: Use of Personal and District Technology Devices	M. Wagman
★	Review and Approval of New Administrative Guideline 830AG1: Electronic Data Storage Guidelines	M. Wagman
★	Review and Approval of Revised Policy 006: Meetings	K. Reynolds
★	Review and Approval of Revised Policy 006.1: Attendance at Meetings Via Electronic Communications	K. Reynolds
★	Review and Approval of Revised Policy 006.2 Rules of Order	K. Reynolds
★	Review and Approval of Revised Policy 006.3: Broadcasting Board Meetings	K. Reynolds
•	Policy 007: Policy Manual Access	K. Reynolds
★	Review and Approval of Revised Policy 009: Policy Development	K. Reynolds
★	Review and Approval of Revised Policy 016: Electronic Communications	K. Reynolds

Public Comment Protocol

- Residents wishing to make public comment on agenda items must register prior to the start of the meeting.
- Public comments on agenda items will be taken at the beginning of the meeting prior to voting.
- Policy 903: Public Participation in Board Meetings governs public comment.
- The committee chair or designee will call residents in the order in which they signed in.
- A three-minute timer will be projected on the screen and will start after the speaker gives their name and township/borough.

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WEST CHESTER AREA SCHOOL DISTRICT
Policy Review Committee

Policy Review Committee Meeting Minutes

March 20, 2023

Spellman Education Center Board Room

Start: 6:05 pm – Finish: 6:30 pm

Attending Committee Members:

☒ Karen Fleming (chair) ☒ Gary Bevilacqua ☒ Laura Detre ☒ Stacey Whomsley

Other Board Members:

☒ Joyce Chester ☒ Daryl Durnell ☒ Karen Herrmann ☒ Sue Tiernan

Administration:

☒ Kalia Reynolds ☒ Wayne Birster ☒ Melissa Kleiman ☐ Una Martin
☒ Sara Missett ☒ John Scully ☐ Jeff Ulmer ☒ Michael Wagman

Public Comment:

Name		Agenda Item	
Daniel Gillen		Policy 004-Membership	
Judi DiFonzo		Policy 200-Enrollment of Students	

Items on Agenda

- Approval of February 21, 2023 Minutes
- Informational item: 200AG7 Home Language Survey to be renumbered 200AG5
- Review and Approval of Revised Policy 251: Students Experiencing Homelessness, Foster Care or other Educational Instability
- Review and Approval of Revised Policy 830 Electronic Data Storage (formerly known as Breach of Computerized Personal Information)
- Informational item: 800AG1: Records Retention Schedule has been revised
- Review and Approval of Policy 003: Functions
- Review and Approval of Revised Policy 004: Membership
- Review and Approval of Revised Policy 005: Organization
- Review and Approval of New Administrative Guideline: 005AG1 Board Organization Guidelines
- Review and Approval of Revised Policy 006: Meetings
- Review and Approval of Revised Policy 006.1: Attendance at Meetings via Electronic Communication
- Review and Approval of Revised Policy 006.2: Rules or Order
- Review and Approval of Revised Policy 006.3: Broadcasting Board Meetings

Policy Review Committee Actions/Outcomes

Agenda Item	Vote
Approval of February 21, 2023 Minutes	4-0
Approval of revised Policy 251: Student Experiencing Homelessness, Foster Care, or other Educational Instability	4-0
Approval of revised Policy 830 Electronic Data Storage (formerly known as Breach of Computerized Personal Information)	4-0
Approval of revised Policy 003: Functions	4-0
Approval of revised Policy 004: Membership	4-0
Approval of revised Policy 005: Organization	4-0
Approval of New Administrative Guideline: 005AG1 Board Organization Guidelines	4-0
Approval of revised Policy 006: Meetings	4-0

Next Meeting: **Monday, April 17, 2023**

March Board Consent Agenda items:

- Revised Policy 200 Enrollment of Students, 2nd reading
- New Policy 202 Eligibility of Nonresident Students, 2nd reading
- New Administrative Guideline 200AG4: Residency Investigation/ Disenrollment Procedures, 2nd reading
- Revised Policy 000 Board Policy/Procedure/ Administrative ~~Regulations~~ Guidelines, 2nd reading
- Revised Policy 003.1 Board-Superintendent Relations, 2nd reading

Book	Policy Manual
Section	100 Programs
Title	Discipline of Students With Disabilities
Code	113.1
Status	Review
Adopted	August 1, 2015
Last Revised	February 22, 2021
Last Reviewed	August 24, 2015

Purpose

~~The district shall develop and implement Positive Behavior Support Plans and programs for students with disabilities who require specific interventions to address behaviors that interfere with learning.~~[\[1\]](#)
~~[2][3]~~

Students with disabilities who violate the Code of Student Conduct/Disciplinary Action Schedule, or engage in inappropriate behavior, disruptive or prohibited activities and/or actions injurious to themselves or others, which would typically result in corrective action or discipline of students without disabilities, shall be disciplined in accordance with state and federal laws and regulations and Board policy and, if applicable, their Individualized Education Program (IEP) and Positive Behavior Support Plan.[\[1\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

Definitions

Students with disabilities - school-aged children within the jurisdiction of the district who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services.[\[2\]](#)

Suspensions from school - disciplinary exclusions from school for a period of one (1) to ten (10) consecutive school days.[\[7\]](#)[\[8\]](#)

Expulsions from school - disciplinary exclusions from school by the Board for a period exceeding ten (10) consecutive school days and may include permanent exclusion from school.[\[7\]](#)[\[8\]](#)

Interim alternative educational settings - removal of a student with a disability from the student's current placement. Interim alternative educational settings may be used by school personnel for up to forty-five (45) school days for certain infractions committed by students with disabilities. The IEP team shall determine the interim alternative educational setting; however, this does not constitute a change in placement for a student with a disability.[\[5\]](#)[\[9\]](#)

Authority

The Board directs that the district shall comply with provisions and procedural safeguards of the Individuals With Disabilities Education Act (IDEA) and federal and state regulations when disciplining students with disabilities for violations of Board policy or district rules or regulations. No student with a disability shall be subjected to a disciplinary change in placement if the student's particular misconduct is a manifestation of the student's disability. However, under certain circumstances a student with a disability may be placed in an interim alternative educational setting by school personnel or the IEP team could, if appropriate, change the student's educational placement to one which is more restrictive than the placement where the misconduct occurred.[\[4\]](#)[\[5\]](#)[\[9\]](#)

Provision of Education During Disciplinary Exclusions

During any period of expulsion, or suspension from school for more than ten (10) **consecutive or for more than fifteen (15)** cumulative days in a year, or placement in an interim alternative educational setting for disciplinary reasons, a student with a disability shall continue to receive a free and appropriate public education (FAPE), in accordance with law.[\[5\]](#)[\[8\]](#)[\[10\]](#)

Guidelines

Suspension From School

With the exception of a student with an intellectual disability, a student with a disability may be suspended for ten (10) consecutive and fifteen (15) nonconsecutive, cumulative days of school per school year, for the same reasons and duration as a student without a disability. Such suspension shall not constitute a change in the student's educational placement.[\[4\]](#)[\[5\]](#)[\[8\]](#)[\[9\]](#)[\[11\]](#)

Changes in Educational Placement/Manifestation Determinations

For disciplinary exclusions which constitute a change in educational placement, the district shall first determine whether the student's behavior is a manifestation of the student's disability. Expulsion, or exclusion from school for **up to ten (10) consecutive or for** more than fifteen (15) cumulative days in a **school** year, or patterns of suspensions for substantially identical behaviors constitute changes in educational placements requiring a manifestation determination. For students with intellectual disability, any disciplinary suspension or expulsion is a change in educational placement.[\[4\]](#)[\[5\]](#)

A student with a disability whose behavior is not a manifestation of the student's disability may be disciplined in accordance with Board policy and district rules and regulations in the same manner and to the same extent as students without disabilities.[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

Parent/Guardian Appeals From Disciplinary Actions/Request for Hearing by District for Students Who Are a Danger to Themselves or Others

A due process hearing may be requested by a parent/guardian of a student with a disability who disagrees with a disciplinary placement or manifestation determination, or by the district if the district believes that the current placement is substantially likely to result in injury to the student or others. On parent/guardian appeal, or when the district requests a due process hearing, the hearing officer may return the student to the placement from which the student was removed or order the student's removal to an appropriate interim alternative educational setting for up to forty-five (45) school days if the hearing officer determines that maintaining the student's current placement is substantially likely to result in an injury to the student or others.[\[9\]](#)[\[12\]](#)

Placement during appeals of disciplinary actions shall be in the interim alternative educational setting pending the decision of the hearing officer or expiration of the time period set for the disciplinary exclusion from the student's regular placement unless the district and the parent/guardian agree otherwise.[\[9\]](#)[\[13\]](#)

Students Not Identified as Disabled/Pending Evaluation

Students who have not been identified as disabled may be subject to the same disciplinary measures applied to students without disabilities if the district did not have knowledge of the disability. If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation shall be expedited. Absent a danger, student placement remains in place until the evaluation is complete. [9][14]

Students who have not been determined to be eligible for special education may assert the same disciplinary protections provided above if the district had knowledge that the student was a child with a disability before the behavior that precipitated the disciplinary action occurred. [9][14]

The district will be deemed to have knowledge that a student is a child with a disability if, before the behavior that precipitated the disciplinary action occurred:

- 1. The parent/guardian of the student has expressed concern in writing to supervisory or administrative personnel of the district, or a teacher of the student, that the student needs special education and related services;**
- 2. The parent/guardian of the student has requested a special education evaluation of the student; or**
- 3. The teacher of the child, or other personnel of the district, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the supervisory or administrative personnel of the district.**

Administrative Removal to Interim Alternative Educational Setting for Certain Infractions

School personnel may remove a student with a disability, including intellectual disability, to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability if the student: [5][9]

1. Carries a weapon to or possesses a weapon at school, on school property, or at school functions under the jurisdiction of the district. For purposes of this provision, **weapon** is defined as a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than two and one-half (2 ½) inches in length. [5][9][15][16]
2. Knowingly possesses or uses illegal drugs, as defined by law, or sells or solicits the sale of a controlled substance, as defined by law, while at school, on school property, or at school functions under the jurisdiction of the district. [5][9][17][18]
3. Has inflicted serious bodily injury upon another person while at school, on school property, or at school functions under the jurisdiction of the district. For purposes of this provision, **serious bodily injury** means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty. [5][9][19]

Referral to Law Enforcement and Reporting Requirements

For reporting purposes, the term **incident** shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use,

or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act. [\[20\]](#)[\[21\]](#)[\[22\]](#)

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity, or on a conveyance providing transportation to or from a school or school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement, and Board policies. The Superintendent or designee shall respond to such incidents in accordance with the district's Special Education Plan and, if applicable, the procedures, methods, and techniques defined in the student's Positive Behavior Support Plan.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[6\]](#)[\[9\]](#)[\[15\]](#)[\[17\]](#)[\[21\]](#)[\[23\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)[\[27\]](#)[\[28\]](#)[\[29\]](#)[\[30\]](#)[\[31\]](#)[\[32\]](#)[\[33\]](#)[\[34\]](#)

~~For a student with a disability who does not have a Positive Behavior Support Plan, subsequent to notification to law enforcement, the district shall convene the student's IEP team to consider whether a Positive Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations, and Board policies.~~[\[1\]](#)[\[3\]](#)[\[26\]](#)[\[31\]](#)

When reporting an incident committed by a student with a disability to the appropriate authorities, the district shall provide the information required by state and federal laws and regulations and shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. The district shall ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records.[\[9\]](#)[\[21\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)[\[29\]](#)[\[34\]](#)[\[35\]](#)[\[36\]](#)[\[37\]](#)[\[38\]](#)

In accordance with state law, the Superintendent shall annually, by July 31, report to the Office for Safe Schools on the required form all new incidents committed by students with disabilities, including students for whom an evaluation is pending, which occurred on school property, at any school-sponsored activity, or on a conveyance providing transportation to or from a school or school-sponsored activity.[\[20\]](#)[\[34\]](#)

Positive Behavior Support Plan

When the IEP team determines a student with a disability is exhibiting behavior interfering with learning, or when the team determines that misconduct is a manifestation of student's disability, and the student does not have a Positive Behavior Support Plan, the student's IEP team shall convene to consider whether a Positive Behavior Support Plan should be developed to address the student's behavior, in accordance with legal requirements and Board policies. [\[3\]](#)[\[31\]](#).

When the student has a Positive Behavior Support Plan and the student's IEP team determines that misconduct is a manifestation of student's disability, the IEP team shall convene and review the Plan and make changes as deemed appropriate by the team and consider the need for a new functional behavioral assessment.

- Legal
- [1. 22 PA Code 14.133](#)
 2. Pol. 113
 3. Pol. 113.2
 - [4. 22 PA Code 14.143](#)
 - [5. 34 CFR 300.530](#)
 6. Pol. 218

7. Pol. 233

[8. 22 PA Code 12.6](#)

[9. 20 U.S.C. 1415](#)

[10. 20 U.S.C. 1412](#)

[11. 34 CFR 300.536](#)

[12. 34 CFR 300.532](#)

[13. 34 CFR 300.533](#)

[14. 34 CFR 300.534](#)

15. Pol. 218.1

[16. 18 U.S.C. 930](#)

17. Pol. 227

[18. 21 U.S.C. 812](#)

[19. 18 U.S.C. 1365](#)

[20. 24 P.S. 1303-A](#)

[21. 22 PA Code 10.2](#)

[22. 35 P.S. 780-102](#)

[23. 24 P.S. 1302.1-A](#)

[24. 22 PA Code 10.21](#)

[25. 22 PA Code 10.22](#)

[26. 22 PA Code 10.23](#)

[27. 22 PA Code 10.25](#)

[28. 22 PA Code 14.104](#)

[29. 34 CFR 300.535](#)

30. Pol. 103.1

31. Pol. 113.3

32. Pol. 218.2

33. Pol. 222

34. Pol. 805.1

35. Pol. 113.4

36. Pol. 216

[37. 20 U.S.C. 1232g](#)

[38. 34 CFR Part 99](#)

[20 U.S.C. 1400 et seq](#)

[24 P.S. 510](#)

[34 CFR Part 300](#)

Pol. 113.5

Pol. 146.1



Book	Policy Manual
Section	100 Programs
Title	Copy of Behavior Intervention
Code	113.2
Status	
Adopted	August 1, 2015
Last Revised	February 22, 2021
Last Reviewed	August 24, 2015

Purpose

Students with disabilities shall be educated in the least restrictive environment (LRE) in accordance with their Individualized Education Program (IEP), and shall only be placed in settings other than the regular education class when the nature or severity of the student's disability is such that education in the regular education class with the use of appropriate supplementary aids and services cannot be achieved satisfactorily and cannot meet the needs of the student. The IEP team for a student with a disability shall develop a Positive Behavior Support Plan if the student requires specific intervention to address behavior that interferes with learning. The identification, evaluation, and plan or program shall be conducted and implemented in accordance with state and federal laws and regulations.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

Authority

The Board directs that the district's behavior support programs shall be based on positive rather than negative behavior techniques to ensure that students shall be free from demeaning treatment and unreasonable use of restraints or other aversive techniques. The use of restraints shall be considered a measure of last resort and shall only be used after other less restrictive measures, including de-escalation techniques. Behavior support programs and plans shall be based on a functional behavioral assessment and shall include a variety of research-based techniques to develop and maintain skills that will enhance students' opportunity for learning and self-fulfillment.[\[1\]](#)[\[3\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

Definitions

The following terms shall have these meanings, unless the context clearly indicates otherwise.[\[1\]](#)

Aversive techniques - deliberate activities designed to establish a negative association with a specific behavior.

Behavior support - development, change and maintenance of selected behaviors through the systematic application of behavior change techniques.

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

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

Restraints - application of physical force, with or without the use of any device, designed to restrain free movement of a student's body, excluding the following:

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

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

Students with disabilities - school-aged children within the jurisdiction of the district who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services.[9]

Delegation of Responsibility

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

The Superintendent or designee shall develop administrative regulations to implement this policy.

The Superintendent or designee shall provide regular training and retraining of staff in the use of specific procedures, methods and techniques, including de-escalation techniques, emergency responses, restraints and seclusions, that will be used to implement positive behavior supports or interventions in accordance with students' IEPs, Positive Behavior Support Plans and Board policy.[1]

The Superintendent or designee shall maintain and report data on the use of restraints, as required. Such report shall be readily available for review during the state's cyclical compliance monitoring. Procedures shall be established requiring reports to be made to the district by entities educating students with disabilities who attend programs or classes outside the district, including private schools, agencies, intermediate units and career and technical schools.[1]

Guidelines

Development of a separate Positive Behavior Support Plan is not required when appropriate positive behavioral interventions, strategies and supports can be incorporated into a student's IEP.[\[1\]](#)[\[5\]](#)

When an intervention is necessary to address problem behavior, the positive techniques and types of intervention chosen for a student shall be the least intrusive necessary.

Physical Restraints

Restraints to control acute or episodic aggressive behavior may be used only when the student is acting in a manner that presents a clear and present danger to the student, other students or employees, and only when less restrictive measures and techniques have proven to be or are less effective.[\[1\]](#)

The ~~Director~~ **Supervisor** of Special Education or designee shall notify the parent/guardian as soon as practicable of the use of restraints to control the aggressive behavior of the student and shall convene a meeting of the IEP team within ten (10) school days of the use of restraints, unless the parent/guardian, after written notice, agrees in writing to waive the meeting. At this meeting, the IEP team shall consider whether the student needs a functional behavioral assessment, re-evaluation, a new or revised Positive Behavior Support Plan, or a change of placement to address the inappropriate behavior.[\[1\]](#)

The use of restraints shall not be included in the IEP for the convenience of staff, as a substitute for an educational program, or employed as punishment. Restraints may be included in an IEP with parental consent only if:[\[1\]](#)

1. The restraint is used with specific component elements of a Positive Behavior Support Plan.
2. The restraint is used in conjunction with teaching socially appropriate alternative skills or behaviors.
3. Staff are authorized to use the restraint and have received appropriate training.
4. Positive Behavior Support Plan includes efforts to eliminate the use of restraints.

Mechanical Restraints

Mechanical restraints, which are used to control involuntary movement or lack of muscular control of a student when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's parents/guardians.[\[1\]](#)

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

Seclusion

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

The district prohibits the seclusion of students in locked rooms, locked boxes and other structures or spaces from which the student cannot readily exit.[\[1\]](#)

Aversive Techniques

The following aversive techniques of handling behavior are considered inappropriate and shall not be used in educational programs:[\[1\]](#)

1. Corporal punishment.
2. Punishment for a manifestation of a student's disability.
3. Locked rooms, locked boxes, other locked structures or spaces from which the student cannot readily exit.
4. Noxious substances.
5. Deprivation of basic human rights, such as withholding meals, water or fresh air.
6. Suspensions constituting a pattern as defined in state regulations.[\[12\]](#)
7. Treatment of a demeaning nature.
8. Electric shock.
9. Methods implemented by untrained personnel.
10. Prone restraints, which are restraints by which a student is held face down on the floor.

Referral to Law Enforcement

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The Superintendent or designee shall respond to such incidents in accordance with the district's Special Education Plan and, if applicable, the procedures, methods and techniques defined in the student's Positive Behavior Support Plan.[\[1\]\[6\]\[9\]\[10\]\[13\]\[14\]\[15\]\[16\]\[17\]\[18\]\[19\]\[20\]\[21\]\[22\]\[23\]\[24\]\[25\]\[26\]\[27\]](#)

For a student with a disability who has a Positive Behavior Support Plan at the time of referral, subsequent to notification to law enforcement, the district shall convene the student's IEP team and an updated functional behavioral assessment and Positive Behavior Support Plan shall be required.[\[1\]\[11\]\[17\]](#)

If, as a result of such referral, the student is detained or otherwise placed in a residential setting located outside the district, the Director of Special Education or designee shall ensure that the responsible school district or intermediate unit is informed of the need to update the student's functional behavioral assessment and Positive Behavior Support Plan.[\[1\]](#)

For a student with a disability who does not have a Positive Behavior Support Plan, subsequent to notification to law enforcement, the district shall convene the student's IEP team to consider whether a Positive Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations and Board policy.[\[1\]\[17\]](#)

Relations With Law Enforcement

The district shall provide a copy of its administrative regulations and procedures for behavior support, developed in accordance with the Special Education Plan, to each local police department that has jurisdiction over school property. Updated copies shall be provided each time the administrative regulations and procedures for behavior support are revised by the district.[9][17][19][27]

The district shall invite representatives of each local police department that has jurisdiction over school property to participate in district training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention, as included in the district's Special Education Plan and positive behavior support program.[1][9][17][19][27]

Legal

[1. 22 PA Code 14.133](#)

[2. 22 PA Code 14.145](#)

[3. 20 U.S.C. 1414](#)

[4. 34 CFR 300.114](#)

[5. 34 CFR 300.324](#)

[6. 20 U.S.C. 1415](#)

[7. 34 CFR 300.34](#)

[8. 34 CFR 300.530](#)

9. Pol. 113

10. Pol. 113.1

11. Pol. 113.3

[12. 22 PA Code 14.143](#)

[13. 24 P.S. 1302.1-A](#)

[14. 22 PA Code 10.2](#)

[15. 22 PA Code 10.21](#)

[16. 22 PA Code 10.22](#)

[17. 22 PA Code 10.23](#)

[18. 22 PA Code 10.25](#)

[19. 22 PA Code 14.104](#)

[20. 34 CFR 300.535](#)

21. Pol. 103.1

22. Pol. 218

23. Pol. 218.1

24. Pol. 218.2

25. Pol. 222

26. Pol. 227

27. Pol. 805.1

[24 P.S. 1303-A](#)

[20 U.S.C. 1400 et seq](#)

[34 CFR Part 300](#)

[Pennsylvania Training and Technical Assistance Network, Question and Answer Compendium, January 2020](#)

Book	Policy Manual
Section	200 Pupils
Title	Student Records
Code	216
Status	Review
Adopted	August 1, 2015
Last Revised	December 20, 2021
Prior Revised Dates	6/22/2015

Authority

The Board recognizes its responsibility for the collection, retention, disclosure, and protection of student records. The Board also recognizes the legal requirement to maintain the confidentiality of student records and prohibits the unauthorized access, reproduction, and/or disclosure of student education records, and personally identifiable information from such records.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)

The Board shall adopt a comprehensive **student records** plan for the collection, maintenance, and dissemination of student education records, ~~that~~ **which** complies with federal and state laws and regulations, and state guidelines. Copies of the adopted student records plan shall be maintained by the district, and revised as required by changes in federal or state law and regulations.

Copies of the student records plan shall be submitted to the **Pennsylvania** Department of Education, upon request.

Definitions

Attendance - includes, but is not limited to, attendance in person or by paper correspondence, video conference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and the period during which a person is working under a work-study program.[\[14\]](#)

Directory information - information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; parent phone number and electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status; dates of attendance; participation in officially recognized school activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended.[\[1\]](#)[\[14\]](#)

Directory information does not include a student's Social Security Number; or student identification (ID) number, except that directory information may include a student ID number, user ID, or other unique personal identifier displayed on a student ID card/badge or used by the student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.

Disclosure - permitting access to or the release, transfer or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party, except the party that provided or created the record.[\[14\]](#)

Education records - records that are directly related to a student, **and are** maintained by the school district or by a party acting for the school district.[\[1\]](#)[\[14\]](#)

The term does not include:

1. Records kept in the sole possession of the maker, which are used only as a personal memory aid, and are not accessible or revealed to another individual except a temporary substitute for the maker of the record-;
2. Records created or received by the district after an individual is no longer a student in attendance, and that are not directly related to the individual's attendance as a student-;
3. Grades on peer-graded papers before they are collected and recorded by a teacher-; **or**
4. Other records specifically excluded from the definition of education records under the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations.

Eligible student - a student who has attained eighteen (18) years of age.[\[14\]](#)

Emancipated minor - a student below the age of twenty-one (21) who has chosen to establish a domicile apart from the continued control and support of parents/guardians. The term includes a minor living with a spouse.

IEP - Individualized Education Program.[\[15\]](#)

Parent - **means a parent of a student and** includes a natural parent, a guardian or an individual acting as a parent of a student in the absence of a parent/guardian. The district shall give full rights to either parent unless the district has been provided with evidence that there is a state law, court order, or a legally binding document governing such matters as divorce, separation, or custody that specifically revokes these rights.[\[14\]](#)[\[16\]](#)

Personally identifiable information - includes, but is not limited to:[\[14\]](#)

1. The name of a student, the student's parents, or other family members.
2. The address of the student or student's family.
3. A personal identifier, such as the student's Social Security Number, student number, or biometric record.

4. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name.
5. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
6. Information requested by a person who the district reasonably believes knows the identity of the student to whom the education record relates.

School official with a legitimate educational interest - a person employed by the district as an administrator, supervisor, teacher, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the school has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his/her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her **their** professional responsibility. Criteria for determining whether the official has a legitimate interest include, but are not limited to, whether particular information concerning the student is:

1. Presently or potentially relevant to the provision of education, education-related services, or extracurricular activities or experiences, or
2. Necessary to protect the health, safety, or welfare of school officials and/or other students with whom the student might have contact.

The phrase also applies to district officials and clerical staff who are responsible for the maintenance and security of education records or auditing the district's record keeping procedures and to attorneys, consultants, and Board members when Board action concerning the student is required by law or when the education or treatment of the student is the subject of present or potential litigation or legal dispute.

Student - includes any individual who is or has been in attendance at the district, and regarding whom the district maintains education records. [\[14\]](#)

Students with disabilities - a school-aged student within the jurisdiction of the district who has been evaluated and found to have one or more disabilities as defined by law and who require, because of such disabilities, special education and related services. [\[15\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)

Delegation of Responsibility

The Superintendent or his/her designee shall be responsible for developing, implementing, and monitoring the student records plan.

All district personnel having access to student education records shall receive training in the requirements of Board policy, student records plan, and applicable federal and state laws and regulations, as directed by the Superintendent.

Each district teacher shall prepare and maintain a record of the work and progress of each student, including, **but not limited to**, the final grade, and a recommendation for promotion or retention. [\[10\]](#)[\[20\]](#)[\[21\]](#)[\[22\]](#)

Guidelines

The district's plan for the collection, retention, disclosure and protection of student records shall provide for the following:

1. Safeguards to protect the student records when collecting, retaining, and disclosing personally identifiable information.
 2. Ensuring that parents and eligible students, including those who are disabled or have a primary language other than English, are effectively notified of their rights and the procedures to implement those rights, annually and upon enrollment.[\[23\]](#)
 3. Procedures for the inspection, review, and copying of a student's education records by parents and eligible students.[\[24\]](#)[\[25\]](#)[\[26\]](#)
 4. Procedures for requesting the amendment of a student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.[\[27\]](#)
 5. Procedures for requesting and conducting hearings to challenge the content of the student's education records.[\[28\]](#)[\[29\]](#)
 6. Determining the types of personally identifiable information designated as directory information.[\[14\]](#)[\[30\]](#)
 7. Establishing guidelines for the disclosure and redisclosure of student education records and personally identifiable information from student records.[\[31\]](#)
 8. Reasonable methods to ensure that school district officials obtain access to only those education records in which they have a legitimate educational interest.[\[23\]](#)[\[32\]](#)
 9. Maintaining required records of requests for access and each disclosure of personally identifiable information from each student's education records.[\[33\]](#)
 10. Ensuring appropriate review, retention, disposal and protection of student records.[\[34\]](#)
 11. Transferring education records and appropriate disciplinary records to other school districts.[\[6\]](#)
- Missing Child Registration

In the event the district receives a request for information from the school records of a missing child, the district shall:[\[35\]](#)

1. Attempt to obtain information on the identity of the requester.
 2. Contact the appropriate law enforcement agency to coordinate a response.
- No information in the records shall be released to the requester without first contacting the appropriate law enforcement agency.

STUDENT RECORDS PROCEDURES

Collection, Maintenance and Destruction of Education Records

The collection, maintenance, destruction, access, disclosure, public notice and due process regarding student records shall adhere to the Family Educational Rights and Privacy Act (FERPA), **the** Individuals with Disabilities Education Act (IDEA), Protection of Pupil Rights Amendment, Pennsylvania Public

School Code, Regulations of Pennsylvania State Board of Education, Basic Education PA Code Chapter 22 and other applicable law.

Collection –

1. The district shall collect and maintain education records in accordance with the Records Management policy, rules, procedures, and schedules promulgated thereunder, and federal and state laws and regulations.[36]
2. By adoption of this policy, the Board gives consent for the collection of education records, provided that when a survey, analysis or evaluation is used, it is consistent with Board policy.[37]

Maintenance – Transfer, Conversion and Destruction –

1. Education records shall be transferred, converted, and destroyed in accordance with the Records Management policy, rules, procedures and schedules promulgated thereunder, and federal and state laws and regulations.[36]
2. When the district determines that any portion of the education record of a student with disabilities is scheduled for destruction, it shall notify, in writing, the parents/guardian or the eligible student of this determination. The written notice shall be in the native language of the parents/guardians or the eligible student, shall be mailed to the last known address of the parents/guardian or the eligible student and shall:
 - a. Identify the specific records or categories of records scheduled for destruction;
 - b. Explain that the district shall destroy the identified records at a certain date; and
 - c. Contain the name and number of a contact person whom the parents/guardians or eligible student can contact to obtain additional information about or seek clarification concerning the records.
3. The district shall not destroy any record that is the subject of a request for access from a parent/guardian or eligible student, a litigation hold or a Right-to-Know Law request.

Amendment of Records

Amendment of Records –

1. A parent or eligible student may request, in writing, that the district amend any portion of an education record that ~~s/he~~ **they** believes is inaccurate, misleading or in violation of the student's right to privacy. If a parent or eligible student makes an oral request, the parent or eligible student shall be directed to make the request in writing.
2. Within thirty (30) school days of the receipt of the written request to amend the education record, the administrator who is primarily responsible for maintenance of the challenged record shall notify the parent or eligible student, in writing, whether the district will amend the record. If the district determines that it will grant the request to amend the record, the notice to the parent or eligible student shall either describe or provide a copy of the amended record. If the district determines that it will not amend the record, the notice shall inform the parent or eligible student and explain the right to request a hearing in writing.
3. Within ten (10) school days of receipt of a written request for a hearing, the district shall notify the parents or eligible student of the date, time, and location of the hearing. The notice shall be

sent by verifiable means.

4. The hearing shall be held before the Superintendent or ~~his/her~~ designee or, if the Superintendent or the designee has a direct interest in the outcome of the hearing, before the principal of the building to which the student is currently assigned or ~~his/her~~ designee.
5. The hearing shall be informal, unrecorded, and not subject to formal rules of evidence or procedure other than those required to maintain order. The parent or eligible student shall have a full and fair opportunity to present evidence in support of ~~his/her~~ position and may be represented, at ~~his/her~~ expense, by an adviser, including an attorney.
6. Within thirty (30) days of the completion of the hearing, the district shall issue to the parent or eligible student a written decision concerning the requested amendment to the record. The written decision shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision.
7. In the event the district does not grant the parent or eligible student's request, the parent or eligible student may choose to submit a statement to be placed in the education record of the student commenting on the contested information in the record or explaining why ~~s/he~~ **they** disagrees with the decision not to amend. The district shall:
 - a. Maintain the statement as part of the record for as long as the district maintains the contested record or information; ~~and-~~
 - b. Disclose the statement whenever it discloses that portion of the record to which the statement pertains.

Access and Disclosure

Access –

1. The district shall allow the parents or eligible student to inspect and review the education record of the student within forty-five (45) calendar days of receipt of an oral or written request for access.
2. The district shall respond to reasonable requests from the parents or eligible student for an explanation or interpretation of the education record.
3. If circumstances effectively preclude the parents or eligible student from inspecting and reviewing the education record, the district shall provide the parents or eligible student with a copy of the record subject to the request. When copies are not required to ensure that the parents or the eligible student has the opportunity to inspect and review the education record, the district may charge a fee, in accordance with Board resolution, to copy requested portions of the education record.
4. When the district receives a request to inspect and review the education record of a student with disabilities in anticipation of a meeting of the IEP or multi-disciplinary team or a due process hearing, the district shall respond to such request within a reasonable time prior to the meeting or hearing.
5. When parents or an eligible student seek to inspect and review an education record that contains personally identifiable information concerning another student, the district shall provide access only to that portion of the record that pertains to the requesting student.

6. School officials with a legitimate educational interest may at any time inspect, review and obtain copies of the education record.

Disclosure –

1. Any disclosure of personally identifiable information from an education record, other than set forth herein shall require the prior written consent of the parent or the eligible student. Any document providing such consent shall:
 - a. Specify the records that may be disclosed-;
 - b. State the purpose of the disclosure-;
 - c. Identify the party or parties to whom disclosure may be made; **and-**
 - d. Be signed and dated by at least one (1) parent or the eligible student.
2. Prior written consent from the parent or the eligible student is not required when the disclosure of personally identifiable information from education records is permitted by ~~the Family Educational Rights and Privacy Act~~ **FERPA** and its implementing regulation or other applicable law. Examples of such circumstances include, but are not limited to:
 - a. A school official with a legitimate educational interest-;
 - b. An educational agency or institution at which the student seeks or intends to enroll, or is enrolled, as long as:
 - i. The district makes a reasonable attempt to notify the parent or eligible student-;
 - ii. The parent or eligible student is provided, upon request, a hearing as described in this policy; **and-**
 - iii. The parent or eligible student is afforded, upon request, a hearing as described in this policy-;
 - c. Appropriate parties in connection with a health or safety emergency, subject to certain conditions, when such disclosure is necessary to protect the health or safety of the student or others-;
 - d. State and federal educational and other agencies for purposes of investigation and auditing, when those agencies are bound by the provisions of ~~the Family Educational Rights and Privacy Act~~ **FERPA-**;
 - e. Persons seeking directory information, when the district has provided parents and eligible students with proper notice of the district's policy to disclose directory information without consent and the parent or eligible student has not notified the district, in writing, on or before the first day of the school term that they object to the disclosure of some or all of the information designated as directory information-;
 - f. The parents of a student who is not an eligible student or to the student-;
 - g. The parents of an eligible student who remains a dependent student, as defined in the Internal Revenue Code-;

h. Accrediting organizations to carry out their accrediting functions; ~~and-~~

i. Comply with the terms of a judicial order or lawfully-issued subpoena, when the district has made reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, unless the terms of the subpoena or order bars such notification.

3. When required by law, third parties will be obligated to comply with redisclosure requirements.

Miscellaneous Provisions

The policy of the district is to comply with the requirement of state and federal law governing the maintenance of records and other personally identifiable information and the privacy rights of students and their families. To the extent that any provision of this policy is construed as or found to be inconsistent with federal or state law, the district will treat that provision as null and void.

The district shall send or deliver all notices and requests for consent required under this policy to the address identified as the residence of the child in the registration information maintained by the district. Unless it receives specific written information to the contrary, the district shall presume that all persons with authority to make educational decisions for the student have received or had the opportunity to review and respond to notices and requests sent or delivered to such address. The district will send notices and requests to separate addresses only when:

1. A person with joint authority to make educational decisions for the student, such as a divorced or separated natural parent/guardian, resides at that separate address.

Legal

[1. 20 U.S.C. 1232g](#)

[2. 22 PA Code 12.31](#)

[3. 22 PA Code 12.32](#)

[4. 22 PA Code 15.9](#)

[5. 22 PA Code 4.52](#)

[6. 24 P.S. 1305-A](#)

[7. 24 P.S. 1306-A](#)

[8. 24 P.S. 1402](#)

[9. 24 P.S. 1409](#)

[10. 24 P.S. 1532](#)

[11. 24 P.S. 1533](#)

[12. 34 CFR Part 300](#)

[13. 34 CFR Part 99](#)

[14. 34 CFR 99.3](#)

15. Pol. 113

[16. 34 CFR 99.4](#)

[17. 20 U.S.C. 1401](#)

[18. 22 PA Code 14.101](#)

[19. 34 CFR 300.8](#)

20. Pol. 212

21. Pol. 213

22. Pol. 215

[23. 34 CFR 99.7](#)

[24. 34 CFR 99.10](#)

[25. 34 CFR 99.11](#)

[26. 34 CFR 99.12](#)

[27. 34 CFR 99.20](#)

[28. 34 CFR 99.21](#)

[29. 34 CFR 99.22](#)

[30. 34 CFR 99.37](#)

[31. 34 CFR 99.30-99.39](#)

[32. 34 CFR 99.31](#)

[33. 34 CFR 99.32](#)

34. Pol. 113.4

[35. 35 P.S. 450.404-A](#)

36. Pol. 800

37. Pol. 235

[22 PA Code 16.65](#)

[35 P.S. 450.401-A et seq](#)

[20 U.S.C. 1400 et seq](#)

Pol. 113.1

Pol. 216.1

Pol. 801



Book	Policy Manual
Section	200 Pupils
Title	Student Discipline
Code	218
Status	Review
Adopted	August 1, 2015
Last Revised	July 25, 2022
Prior Revised Dates	7/25/2016, 8/24/2020

Purpose

The Board recognizes that student conduct is closely related to learning. An effective educational program requires a safe and orderly school environment.

Authority

The Board shall establish fair, reasonable and nondiscriminatory rules and regulations regarding the conduct of all students in the district.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

The Board shall adopt a Code of Student Conduct/Disciplinary Action Schedule to govern student discipline, and students shall not be subject to disciplinary action because of race, age, sex, color, religion, creed, sexual orientation, gender identity, national origin, ancestry, marital status, pregnancy or handicap/disability. Each student must adhere to Board policies, administrative guidelines/~~regulations~~ and the Code of Student Conduct/Disciplinary Action Schedule governing student discipline.[\[1\]](#)[\[2\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)

The Board prohibits the use of corporal punishment by district staff to discipline students for violations of Board policies, the Code of Student Conduct/Disciplinary Action Schedule and district rules and administrative guidelines/~~regulations~~.[\[9\]](#)

Any student disciplined by a district employee shall have the right to be informed of the nature of the infraction and the applicable rule or rules violated.[\[10\]](#)

When suspensions and expulsions are imposed, they shall be carried out in accordance with Board policy.[\[7\]](#)[\[10\]](#)

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement, and Board

policies and administrative guidelines/regulations.[5][7][11][12][13][14]

On and Off-Campus Activities

This policy and the Code of Student Conduct/Disciplinary Action Schedule apply to the behavior of students at all times during the time they are under the supervision of the school, which specifically includes while under the supervision of the district as part of a cyber program or other virtual program, or at any time while on school property, while present at school-sponsored activities, and while traveling to or from school and school-sponsored activities or at other times while riding in school-provided means of transportation ("on-campus").[3]

This policy and the Code of Student Conduct/Disciplinary Action Schedule also apply to student behavior that occurs at other times and places ("off-campus") when:[3]

1. The conduct involves, threatens or makes more likely violence, use of force or other serious harm directed at students, staff or the school environment;
2. The conduct materially and substantially disrupts or interferes with the school environment or the educational process, such as school activities, school work, discipline, safety and order on school property or at school functions;
3. The conduct interferes with or threatens to interfere with the rights of students or school staff or the safe and orderly operation of the schools and their programs;
4. The conduct involves the theft or vandalism of school property; or
5. The proximity, timing or motive for the conduct in question or other factors pertaining to the conduct otherwise establish a direct connection to attendance at school, to the school community, or to a school-sponsored activity. This would include, for example, but not be limited to, conduct that would violate the Code of Student Conduct/Disciplinary Action Schedule if it occurred in school that is committed in furtherance of a plan made or agreed to in school, or acts of vandalism directed at the property of school staff because of their status as school staff.

Delegation of Responsibility

The Superintendent or designee shall ensure that reasonable and necessary rules and regulations are developed to implement Board policy governing student conduct.

The Superintendent or designee shall publish and distribute to all staff, students and parents/guardians the rules and regulations for student behavior contained in the Code of Student Conduct/Disciplinary Action Schedule, the sanctions that may be imposed for violations of those rules, and a listing of students' rights and responsibilities. A copy of the Code of Student Conduct/Disciplinary Action Schedule shall be available in each school library and school office and may be included in student handbooks and on the district website.[1][8]

The building principal shall have the authority to assign discipline to students, subject to Board policies, administrative guidelines/regulations, the Code of Student Conduct/Disciplinary Action Schedule and school rules, and to the student's due process right to notice, hearing, and appeal, when such due process rights exist.[7][10][15][16]

Teaching staff and other district employees responsible for students shall have the authority to take reasonable actions, including the assignment of disciplinary action, necessary to control the conduct of students in all situations and in all places where students are within the jurisdiction of this Board, and

when such conduct interferes with the educational program of the schools or threatens the health and safety of others, in accordance with Board policy, administrative guidelines/regulations, the Code of Student Conduct/Disciplinary Action Schedule and school rules.[\[15\]](#)

Reasonable force may be used by teachers and school authorities under any of the following circumstances: to quell a disturbance, obtain possession of weapons or other dangerous objects, for the purpose of self-defense, and for the protection of persons or property.[\[9\]](#)

Referral to Law Enforcement and Reporting Requirements

For reporting purposes, the term **incident** shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.
[\[17\]](#)[\[18\]](#)[\[19\]](#)

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies and administrative guidelines/regulations.[\[14\]](#)[\[17\]](#)[\[18\]](#)[\[20\]](#)[\[21\]](#)[\[22\]](#)

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[\[14\]](#)[\[17\]](#)[\[23\]](#)

In accordance with state law, the Superintendent shall annually, by July 31, report all new incidents to the Office for Safe Schools on the required form.[\[14\]](#)[\[18\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)[\[27\]](#)

When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy and administrative guidelines/regulations.[\[28\]](#)[\[29\]](#)

The Superintendent shall report to the Board the methods of discipline imposed by administrators and incidences of student misconduct, in the degree of specificity required by the Board.

- Legal
- [1. 22 PA Code 12.3](#)
 - [2. 22 PA Code 12.4](#)
 - [3. 24 P.S. 510](#)
 4. Pol. 103
 5. Pol. 103.1
 - [6. 22 PA Code 12.2](#)
 7. Pol. 113.1
 8. Pol. 235
 - [9. 22 PA Code 12.5](#)
 10. Pol. 233

[11. 22 PA Code 10.23](#)

[12. 20 U.S.C. 1400 et seq](#)

13. Pol. 113.2

14. Pol. 805.1

[15. 24 P.S. 1317](#)

[16. 24 P.S. 1318](#)

[17. 22 PA Code 10.2](#)

[18. 24 P.S. 1303-A](#)

[19. 35 P.S. 780-102](#)

[20. 22 PA Code 10.21](#)

[21. 22 PA Code 10.22](#)

[22. 24 P.S. 1302.1-A](#)

[23. 22 PA Code 10.25](#)

24. Pol. 218.1

25. Pol. 218.2

26. Pol. 222

27. Pol. 227

[28. 24 P.S. 1302-E](#)

29. Pol. 236.1

[35 P.S. 780-101 et seq](#)

[22 PA Code 12.1 et seq](#)

[22 PA Code 403.1](#)

[20 U.S.C. 7114](#)

[34 CFR Part 300](#)

Mahanoy Area School District v. B.L., 594 U.S. ____ (2021)

Pol. 122

Pol. 123

Pol. 805



Book	Policy Manual
Section	200 Pupils
Title	Use of Personal and District Technology Devices
Code	237
Status	Active
Adopted	August 1, 2015
Last Revised	July 25, 2022
Last Reviewed	June 22, 2015
Prior Revised Dates	8/24/2020

Purpose

In consideration of the recent proliferation and extensive utilization of both personal and district technology devices, the district recognizes the need to establish guidelines for the use of such so as not to disrupt the primary function of the schools.

Definitions

Personal technology devices (personal technology) shall be defined as any device capable of capturing, storing, and/or transmitting information, including text, audio, picture, and/or video data, not owned by the district. These include, but are not limited to, such devices as:

1. Cellular telephones and smartphones.
2. Handheld, tablet, and laptop computers.
3. Digital music players, including without limitation iPods and MP3 players.
4. Still and video cameras.
5. Wearable technologies including without limitation smart watches, smart glasses, or earbuds.

District technology devices (district technology) shall be defined as any device capable of capturing, storing, and/or transmitting information, including text, audio, picture, and/or video data, that is owned by the district and loaned to students for academic purposes. These include, but are not limited to, such devices as:

1. Handheld, tablet, and laptop computers.

2. Still and video cameras.

Network shall be defined as the group of interconnected computer systems, both wired and wireless, owned and used by the district in order to share analog and digital information, both voice and data, and access technology and the Internet.

Authority

The Board prohibits use of personal technology by students during the school day in district buildings; on district property; on district buses and vehicles, and during the time students are under the supervision of the district; unless use is permitted under the guidelines of this policy. Further, the Board prohibits use of personal and district technology in locker rooms, athletic training rooms, bathrooms, health suites, and other changing areas at any time, unless use is permitted under the guidelines of this policy.[\[1\]](#)

The Board prohibits possession of laser pointers and attachments and telephone paging devices/beepers by students in district buildings; on district property; on district buses and vehicles during the time students are under the supervision of the district; and at school-sponsored activities.

Electronic Images and Photographs/Recordings

The Board prohibits the taking, storing, disseminating, transferring, viewing, or sharing of bullying, obscene, pornographic, lewd, or otherwise illegal videos, images, or photographs, whether by electronic data transfer or other means, including but not limited to texting and emailing on both personal and district technology.

Personal and district technology devices that have the capability to take photographs or to record audio or video shall not be used for such purposes while in district buildings, on district property, on district buses and vehicles while under district supervision, or while a student is engaged in district-sponsored activities unless expressly authorized in advance by the building principal or designee.

Because such violations may constitute a crime under state and/or federal law, the district may report such conduct to state and/or federal law enforcement agencies.

Off-Campus Activities

This policy shall also apply to student conduct that occurs off school property and would otherwise violate the Code of Student Conduct/Disciplinary Action Schedule if any of the following circumstances exist:

1. The conduct occurs during the time the student is traveling to and from school or traveling to and from school-sponsored activities, whether or not via school district furnished transportation.
2. Student expression or conduct materially and substantially disrupts the operations of the school, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school.
3. The conduct has a direct nexus to attendance at school or a school-sponsored activity, for example, a transaction conducted outside of school pursuant to an agreement made in school, that would violate the Code of Student Conduct/Disciplinary Action Schedule if conducted in school.

4. The conduct involves the theft or vandalism of school property.
5. There is otherwise a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities.

Guidelines

The district may monitor the use of all personal and district technology during the school day in district buildings; on district property; on district buses and vehicles; during the time students are under the supervision of the district and at school-sponsored activities and, if connected to the network, monitor user conduct and log network utilization which may include deep packet inspection. The district reserves the right, in its sole discretion, to inspect, copy, store, remove, or otherwise alter any data, file, or system resources, encrypted or unencrypted, which may undermine authorized use of the network or the Internet.

In addition, the use of personal and district technology shall not violate local, state, or federal law, or district policies, including but not limited to policies regarding Internet safety and acceptable use or discipline.[2][3]

Devices With Cellular or Satellite Connectivity

Students shall not use cellular or satellite connectivity except when permission is granted by the building administrator for the following reasons:

1. Health, safety, or emergency reasons.
2. An individualized education program (IEP).[4]
3. Classroom or instructional-related activities, as outlined in this policy.
4. Other reasons determined appropriate by the building principal.

Devices Without Cellular or Satellite Connectivity Including but not Limited to Tablet and Mobile Computers, Digital Music Players and Still and Video Cameras

Personal technology, such as laptop, tablet, and mobile computers, digital music players and still and video cameras brought to school shall be restricted to classroom or instructional-related activities and its use shall follow all district policies and shall not be used in a manner that causes a disruption of school activities.

Personal technology may be connected to the network, including access to the Internet, under the following conditions:

1. The student shall follow the process defined by the Department of Technology for connecting personal technology to the district network and will not transfer or loan the technology for use by other students.
2. The district retains the right to determine where and when personal technology may access the network.
3. The district and district devices have preferred access to the network and all network devices.

4. As applicable, all personal technology should be running up-to-date virus detection software and operating system critical updates prior to accessing the network. The district at its sole discretion may deny network access to any device that it deems an unacceptable risk to network security.
5. Software residing on personal technology must be personally owned or currently licensed. The student must be able to provide evidence of proper licensing for all software installed on the personal technology when requested.
6. District-owned software or resources may not be installed on personal technology unless designated by the Office of Technology or other written permission from the district.
7. Any software or application that degrades network performance, that consumes resources and/or bandwidth, or that is prohibited by district technology guidelines must not be used while connected to the network. This may include instant messaging, an ISP client, file sharing, streaming applications, and any software identified as a threat to district computer security.
8. Installation of a network device such as a personal wireless access point, router, hub or switch is prohibited.
9. Users may not create, implement or host their own servers or services while using personal or district technology at any time.
11. Users may not run software or take any actions that evade or interfere with the district's ability to monitor network use, scanning or reconnaissance or have the ability to hack into or in any way access private and/or confidential district or other third party resources or information.
12. File storage on the network or a district-provided Internet resource is limited to schoolwork only.
13. The district is not responsible for providing or loaning any equipment, cabling, or software needed to connect a personal device to the network or technology resources. The district will provide no technical support for personal technology.
14. The Director of Information Technology, Superintendent, or designee has the right to deny the connection of personal technology to the network for any reason. Personal technology may be removed from the district network at any time and for any reason on the recommendation of personnel listed above.

Students shall be responsible for following district rules pertaining to electronic images, videos, and photographs, as outlined in this policy.

Delegation of Responsibility

The district shall not be liable for the loss, damage, or misuse of any personal technology brought to school by a student or the inadvertent loss of data or interference with files for any reason.

The user of personal technology shall, at the discretion of the district, bear the costs of ensuring compliance with this policy.

Responsibility for the maintenance and repair of personal technology rests solely with the student.

Violations of this policy by a student may result in disciplinary action, up to and including expulsion and confiscation and analysis of personal or district technology by school personnel or designee and/or transfer of personal and district technology to law enforcement agencies.[2][5][6]

The Office of Technology will promulgate procedures regarding the implementation of this policy. The district and school personnel will support the expectations and responsibilities outlined in this policy and will work cooperatively with the Office of Technology to ensure network and data security.

The Superintendent or designee shall annually notify students, parents/guardians, and employees about this policy.

Legal [1. 24 P.S. 510](#)

2. Pol. 218

3. Pol. 252

4. Pol. 113

5. Pol. 226

6. Pol. 233

Pol. 000

Pol. 103.1

Pol. 235



Book	Policy Manual
Section	800 Operations
Title	Electronic Data Storage Guidelines
Code	830AG1
Status	Review

The defined terms in Policy 830 shall have the same meaning when used herein.

The District may establish and enforce reasonable security measures on any vendor and/or device accessing its information systems.

Third Party Storage

The Director of Information Technology or their designee shall periodically review security, audit and related documents and reports from vendors under District contract which house personal information or sensitive electronic data. The District shall solicit and review these documents and reports to ensure that commercially reasonable security is in place prior to entering into new or renewing existing agreements.

District Personnel Storage and Transmission of Personal Information or Sensitive Data

District personnel shall only maintain electronic files containing personal information or sensitive electronic data on District-owned or managed storage.

District personnel shall not transmit documents containing personal information without encryption or other security measure such as password protection.

District personnel shall not discuss personal information or sensitive electronic data in any public areas, hallways, gathering spaces, or other similar public spaces.

District personnel shall keep their computer access password(s) confidential. If another method of accessing a computer system is used, personnel shall restrict its use for themselves only.

Miscellaneous

The District shall maintain electronic file backup protocols, including off-site backup.

The District shall maintain and periodically update, as needed, an Incident Response Plan.



Book	Policy Manual
Section	800 Operations
Title	Electronic Data Storage (formerly known as Breach of Computerized Personal Information)
Code	830
Status	Second Reading
Adopted	August 1, 2015
Last Reviewed	July 27, 2015

Purpose

~~With the increased reliance upon electronic data, and the maintenance of personal information of students and employees in electronic format, the Board is concerned about the risk of a breach in the district's electronic system security and the possible disclosure of personal information. This policy addresses the manner in which the district will respond to unauthorized access and acquisition of computerized data that compromises the security and confidentiality of personal information.~~

Authority

~~The Board directs that district administrators shall provide appropriate notification of any computerized system security breach of district owned or utilized equipment to any state resident whose unencrypted and unredacted personal information was or is reasonably believed to have been accessed or acquired by unauthorized persons.~~[\[1\]](#)

Definitions

~~**Breach of the system's security**—unauthorized access and acquisition of computerized data that materially compromises the security or confidentiality of personal information maintained by the district as part of the database of personal information regarding multiple individuals and that the district reasonably believes has caused or will cause loss or injury to any state resident. Good faith acquisition of personal information by an employee or agent of the school district for the purpose of the district is not a breach of the security of the system if the personal information is not used for a purpose other than the lawful purpose of the district and is not subject to further unauthorized disclosure.~~[\[2\]](#)

~~**Encryption**—the use of an algorithmic process to transform data into a form in which there is low probability of assigning meaning without use of a confidential process or key.~~[\[2\]](#)

~~**Individual**—means any natural person, not an entity or company.~~

~~**Personal information**—includes an individual's first name or first initial and/or last name in combination with and linked to any one or more of the following, when not encrypted or redacted:~~[\[2\]](#)

1. Social security number.

2. Driver's license number or state identification card number issued instead of a driver's license.
3. Financial account number, credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account. Personal information does not include publicly available information that is lawfully made available to the general public from federal, state, or local government, or public records.[3]

Records means any material, regardless of its physical form, on which information is recorded or preserved by any means, including written or spoken words, graphically depicted, printed or electromagnetically transmitted. This term does not include publicly available directories containing information that an individual has voluntarily consented to have publicly disseminated or listed, such as name, address, or telephone number.[2]

Redact the term includes, but is not limited to, the alteration or truncation such that no more than the last four (4) digits of a Social Security number, driver's license number, state identification card number, or account number is accessible as part of the data.[2]

Delegation of Responsibility

The Superintendent or his/her designee shall ensure that the district provides notice of any system security breach, following discovery, to any state resident whose unencrypted and unredacted personal information was or is reasonably believed to have been accessed and acquired by an unauthorized person. Such notice shall be made without a reasonable delay, except when a law enforcement agency determines and advises the district in writing that the notification would impede a criminal or civil investigation, or the district must take necessary measures to determine the scope of the breach and to restore the reasonable integrity of the data system. The district will also provide notice of the breach if the encrypted information is accessed and acquired in an unencrypted form, if the security breach is linked to a breach of security of the encryption, or if the security breach involves a person with access to the encryption key.[4]

Guidelines

The district will provide notice by at least one (1) of the following methods:[2][4]

1. Written notice to last known home address for the individual.
2. Telephone notice if the individual can be reasonably expected to receive the notice and the notice is given in a clear and conspicuous manner; describes the incident in general terms; verifies the personal information but does not require the individual to provide personal information; and provides a telephone number to call or Internet website to visit for further information or assistance.
3. Email notice, if a prior relationship exists and the school district has a valid email address for the individual.
4. Substitute notice if the district determines that the cost of notice exceeds \$100,000, the affected individuals exceed 175,000 people, or the district does not have sufficient contact information. Substitute notice shall consist of an email notice, conspicuous posting of the notice on the district's website, and notification to major statewide media.
5. If the district provides notification to more than 1,000 persons at one (1) time, the district shall also notify all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis of the timing, distribution and number of notices, without unreasonable delay.[5][6]

Purpose

The Board is committed to the secure management of the district's electronic data to ensure the confidentiality, integrity, and the availability of the data for all district users.

Delegation of Responsibility

The Superintendent shall develop procedures to implement this policy, and shall delegate to their designee(s) the right to enforce this policy.

Definitions

Sensitive Electronic Data – electronic data stored by the District that includes student records, employee records, financial records, and any other confidential or sensitive information.

Transitory Electronic Data – temporary electronic data not regularly stored by the District including, but not limited to, website cookie data, social media posts, live chat, deleted messages, and video surveillance that has not been purposefully saved.

Personal Information - An individual's first name or first initial and last name in combination with and linked to any one or more of the following data elements when the data elements are not encrypted or redacted:

(i) Social Security number.

(ii) Driver's license number or a State identification card number issued in lieu of a driver's license.

(iii) Financial account number, credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account.

(iv) Medical information.

(v) Health insurance information.

(vi) A user name or e-mail address, in combination with a password or security question and answer that would permit access to an online account.

Guidelines

Data Security Controls

The Superintendent, or their designee, shall utilize appropriate technical controls including firewalls, virus/malware detection, network access controls, user access controls, intrusion detection systems, encryption, and/or regular software updates to maintain the integrity and security of all of the District's electronic data.

Access Controls

Sensitive electronic data shall be accessible to individual users on a need-to-know basis only. The Superintendent, or their designee, shall ensure that technical controls are utilized to effectively restrict access to sensitive electronic data to individuals with a legitimate educational or operational purpose to access such data.

Backups

The Superintendent, or their designee, shall ensure that the District maintains regular and up-to-date backups of all sensitive electronic data, and that such back-ups are stored either offline or are sent to secure off-site storage.

Vendors

The District may engage vendors who will have access to sensitive electronic data. In such cases, the Superintendent, or their designees, shall ensure that the vendor is required to adhere to the same data security standards as outlined in this policy, and shall ensure the appropriate provisions in the vendor contract to ensure compliance.

Data Storage

Sensitive electronic data may only be stored in secure storage approved by the District. The Director of Technology shall maintain a list of approved storage options for sensitive electronic data and shall disseminate such list at least annually to all staff and administrators.

Retention

Sensitive electronic data shall be retained in accordance with the District's record retention policy and record retention schedule. Transitory electronic data shall only be maintained as delineated in the record retention schedule.

Personal E-mail

Personal e-mail accounts (accounts not issued by the District) shall not be used to transmit the District's sensitive electronic data in any way (including e-mailing files to/from one's own District e-mail account).

Personal Electronic Devices

Employees should exercise caution, and utilize appropriate security measures such as password protection on their personal electronic device, to prevent any unauthorized access to sensitive electronic data. In no case shall employees store sensitive electronic data locally on the hard drive or internal memory of the employee's personal electronic device.

Data Breach

Any actual or suspected data breach (including unauthorized access to sensitive electronic data or exceeding one's authorization to electronic data) must be immediately reported to the Director of Technology.

Any data breach that results in unauthorized access to unredacted and unencrypted personal information shall be immediately reported to the Superintendent. The Superintendent, or their designee shall follow the notification procedures required by the Breach of Personal Information Notification Act.

Risk Assessments

The Director of Technology shall conduct regular vulnerability and risk assessments to monitor compliance with this policy.

Penalties for Violations

Violations of this policy, other Board policies, administrative regulations, and/or state or federal laws, including unauthorized access to sensitive electronic data, will result in discipline, up to and including dismissal. If appropriate, referrals will be made to law enforcement officials.

Development of Administrative Guidelines

The Superintendent or their designee may develop administrative guidelines to implement this policy. The Superintendent shall ensure that all students and employees are made aware of this policy and any administrative guidelines by means of the employee and student handbooks, the school district website, or other reasonable means.

Legal

[1. 73 P.S. 2301 et seq](#)

[2. 73 P.S. 2302](#)

3. Policy 800-Records Management Policy; 800AG1 Record Retention Schedule

3. Pol. 801

[4. 73 P.S. 2303](#)

[5. 15 U.S.C. 1681a](#)

[6. 73 P.S. 2305](#)



Book	Policy Manual
Section	000 Local Board Procedures
Title	Meetings
Code	006
Status	Review
Adopted	August 1, 2015
Last Revised	November 22, 2021
Prior Revised Dates	10/22/2018

Rules of Order

All Board meetings shall be conducted in an orderly and business-like manner. ~~and guided by Robert's Rules of Order or other previously agreed upon rules by the Board (Policy 006.2)~~ shall be followed and be **where not in-**consistent with law, state regulations, or Board procedures. [\[1\]](#)[\[2\]](#)[\[3\]](#)

Quorum

A quorum shall consist of a majority of the members of the Board. No business shall be transacted at a meeting without a quorum, but the Board members present at such a meeting may adjourn to another time. [\[4\]](#)

Presiding Officer

The President shall preside at all Board meetings. In the absence, disability, or disqualification of the President, the Vice-President shall act instead. If neither person is present, a Board member shall be elected President pro tempore by a ~~plurality~~ **majority** of those present to preside at that meeting only. **Where no such majority is achieved on the first vote, a second vote shall be cast for the two (2) candidates who received the greatest number of votes.** [\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)

Notice

Notice of all public Board meetings, including committee meetings and work sessions, shall be given by publication of the date, place, and time of such meetings in the newspaper(s) of general circulation designated by the Board and posting of such notice at the administrative offices of the Board. [\[9\]](#)[\[10\]](#)

1. Notice of regular meetings shall be given by publication and posting of a schedule showing the date, place, and time of all regular meetings for the calendar year at least three (3) days prior to the time of the first regular meeting. [\[9\]](#)[\[10\]](#)
2. Notice of all special meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting, except that such notice shall be waived when a

special meeting is called to deal with an actual emergency involving a clear and present danger to life or property.[\[9\]](#)[\[10\]](#)

3. Notice of all rescheduled meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting.[\[9\]](#)[\[10\]](#)
4. Notice of all recessed or reconvened meetings shall be given by posting a notice of the place, date and time of the meeting and sending copies of such notice to interested parties.[\[9\]](#)
5. Notice of all public meetings shall be given to any newspaper(s) circulating in Chester County and **or** any radio or television station which so requests. Notice of all public meetings shall be given to any individual who so requests and provides a stamped, self-addressed envelope for such notification.[\[10\]](#)

Notice of all rescheduled meetings and special meetings shall be given to Board members no later than twenty-four (24) hours prior to the time of the meeting.[\[10\]](#)[\[11\]](#)

Agenda

The agenda, together with all relevant reports, shall be provided to each Board or committee member sufficiently prior to the Board meeting if at all possible, to permit them to give items of business careful consideration.

The district shall publicly post the agenda for all public meetings of the Board or Board committees at which deliberation or official action may take place no later than twenty-four (24) hours prior to the time of the meeting, as follows:[\[10\]](#)

1. On the district's website.
2. At the location of the meeting.
3. At the district's administrative office.

The posted agenda shall list each matter of agency business that will or may be the subject of deliberation or official action at the meeting.[\[10\]](#)

Board Business Meetings -

It shall be the responsibility of the Superintendent, in collaboration with the Board President and Board Committee recommendations, to prepare an agenda of the items of business anticipated to come before the Board at each public Board meeting.

Board Committee Meetings -

It shall be the responsibility of the Superintendent or designee, in collaboration with the Board Committee Chairperson assigned to that particular committee, to prepare an agenda of the items of business anticipated to come before the Board committee at each public Board committee meeting.

~~Board Retreats, Planning Sessions, Orientation Sessions--~~

~~The Board President, in collaboration with all Board members, and with the Superintendent as requested, will set the agendas for Board retreats, planning sessions, and orientation sessions.~~

~~District Task Force Meetings--~~

~~The Superintendent or assigned administrator will set the agendas for district task force meetings.~~

Other Meetings -

Depending on the intent of any other type of meeting not covered in this policy, the agenda will be set by the person designated by the Superintendent and the Board President. If there is any disagreement by other Board members, it will be determined by a vote of the Board majority.

Amendment to the Agenda

The Board may deliberate or take official action on matters not included in a posted agenda only under the following circumstances:[\[12\]](#)

Emergencies – The matter of business relates to a real or potential emergency involving a clear and present danger to life or property.[\[9\]](#)[\[12\]](#)

Business Arising Within Twenty-Four (24) Hours Prior to the Meeting – The matter of business has arisen within twenty-four (24) hours prior to the meeting, is de minimis (minor) in nature, and does not involve the expenditure of funds or entering into a contract or agreement.[\[12\]](#)

Business Raised by Residents or Taxpayers During the Meeting – When a matter of Board business is raised by a resident or taxpayer during a meeting:[\[12\]](#)[\[13\]](#)

1. The Board may take official action to refer the matter to staff, if applicable, to conduct research and include on a future Board meeting agenda; or
2. If the matter is de minimis (minor) in nature and does not involve the expenditure of funds or entering into a contract or agreement, the Board may take official action on the matter.

Majority Vote – During a meeting, the Board may add a matter of business to the posted agenda by a majority vote of the Board present and voting. The reason for adding an item to the posted agenda must be announced at the meeting before conducting the vote. Once announced and approved by majority vote, the Board may take official action on the item of business. The agenda shall be amended to reflect the new item of business and the amended agenda shall be posted to the district's website and at the administrative office no later than the first business day following the meeting at which the agenda was amended.[\[12\]](#)

The unanimous consent procedure may not be used in place of majority vote for this purpose.

The public posting of agenda requirements and rules for adding items to a posted agenda apply to both regular and special open meetings of the Board and to Board committee meetings. These requirements and rules do not apply to:[\[10\]](#)[\[12\]](#)[\[14\]](#)

1. Conference sessions.
2. Executive sessions.

Regular Meetings

Regular Board meetings shall be public and shall be held at specified places at least once every two (2) months.[\[2\]](#)[\[15\]](#)

The order of business for regular meetings shall be as outlined in applicable Board policy.[\[3\]](#)

Special Meetings

Special meetings may be called for special or general purposes and shall be public except when conducted as an executive session for purposes authorized by law.[\[2\]](#)[\[6\]](#)[\[11\]](#)[\[16\]](#)

The President may call a special meeting at any time and shall call a special meeting upon presentation of the written requests of three (3) Board members. Upon the President's failure or refusal to call a special meeting, such meeting may be called at any time by a majority of the Board members.[\[6\]](#)

No business shall be transacted at any special meeting except that named in the call sent to members for such special meeting.[\[11\]](#)

Public Participation

An opportunity for public comment will be provided in accordance with law and Board procedures and policy.[\[2\]](#)[\[13\]](#)

Voting

~~All motions shall require for adoption a majority vote of the Board or as required by state law.~~

All votes on motions and resolutions shall be by voice vote unless an oral roll call vote is requested by the President or another Board member.

1. The following actions require the recorded affirmative votes of all members of the Board remaining in office:

- a. Appoint as Board Secretary a former school director who has resigned, before the expiration of the term for which the member was elected.[\[17\]](#)[\[18\]](#)
- b. Appoint as solicitor a former school director who has resigned, before the expiration of the term for which the director was elected.[\[17\]](#)[\[18\]](#)

2. The following actions require the recorded affirmative votes of two-thirds (2/3) of the full number of Board members ~~(six (6) votes)~~:

- a. Transfer of budgeted funds during the first three (3) months of the fiscal year.[\[18\]](#)[\[19\]](#)[\[20\]](#)
- b. Incur a temporary debt to meet an emergency or catastrophe.[\[18\]](#)[\[20\]](#)
- c. Elect to a teaching position a person who has served as a Board member and who has resigned, before the end of the term for which the director was elected.[\[17\]](#)[\[18\]](#)
- d. Convey land or buildings to the municipality co-terminus with the school district, certain charities or fire or emergency services organizations in accordance with law.[\[18\]](#)[\[21\]](#)
- e. Adopt or change textbooks without the recommendation of the Superintendent.[\[18\]](#)[\[22\]](#)
- f. Dismiss, after a hearing, a tenured professional employee.[\[18\]](#)[\[23\]](#)
- g. Fix the fiscal year to begin on the first day of January.[\[24\]](#)
- h. Incur certain temporary debt (nonemergency).[\[20\]](#)[\[25\]](#)
- i. Borrowing in anticipation of current revenues.[\[18\]](#)[\[26\]](#)

3. The following actions require the recorded affirmative votes of a majority of the full number of Board members ~~(five (5) votes)~~:

- a. Fixing the length of school term.[\[18\]](#)

- b. Adopting textbooks recommended by the Superintendent.[\[18\]](#)[\[27\]](#)
- c. Appointing the district Superintendent and Assistant Superintendent(s).[\[18\]](#)[\[28\]](#)[\[29\]](#)
- d. Appointing teachers and principals.[\[18\]](#)
- e. Adopting the annual budget.[\[18\]](#)[\[30\]](#)
- f. Appointing tax collectors and other appointees.[\[18\]](#)[\[31\]](#)[\[32\]](#)
- g. Levying and assessing taxes.[\[18\]](#)[\[33\]](#)
- h. Purchasing, selling, or condemning land.[\[18\]](#)
- i. Locating new buildings or changing the location of old ones.[\[18\]](#)
- j. Adopting planned instruction.[\[18\]](#)[\[34\]](#)
- k. Establishing additional schools or departments.[\[18\]](#)
- l. Designating depositories for school funds.[\[18\]](#)[\[35\]](#)[\[36\]](#)
- m. Expending district funds.
- n. Authorizing the transfer of any unencumbered balance, or portion thereof, from one appropriation to another, or from one spending agency to another during the last nine (9) months of the fiscal year.[\[18\]](#)[\[20\]](#)[\[37\]](#)
- o. Entering into contracts of any kind, including contracts for the purchase of fuel or any supplies where the amount involved exceeds \$100 (including items subject to bid requirements).[\[18\]](#)[\[38\]](#)
- p. Fixing salaries or compensation of officers, teachers, or other appointees of the Board.[\[18\]](#)
- q. Combining or reorganizing into a larger school district.[\[39\]](#)
- r. Entering into contracts with and making appropriations to the intermediate unit for the district's proportionate share of the cost of services provided or to be provided by the intermediate unit.[\[18\]](#)
- s. Dismissing, after a hearing, a nontenured employee.[\[18\]](#)[\[40\]](#)[\[41\]](#)
- t. ~~Adopting a corporate seal for the district.~~[\[42\]](#)
- u. Determining the location and amount of any real estate required by the school district for school purposes.[\[18\]](#)[\[43\]](#)
- v. Vacating and abandoning property to which the Board has title.[\[18\]](#)[\[44\]](#)
- w. Determining the holidays, other than those provided by statute, to be observed by special exercises and those on which the schools shall be closed for the whole day.[\[45\]](#)
- x. Declaring that a vacancy exists on the Board by reason of the failure or neglect of a school director to qualify.[\[46\]](#)

- y. Adopting, amending, or repealing Board procedures and policy.[47]
- z. Appointing a school director to fill a vacancy on the Board.[18][48]
- aa. Creating or increasing indebtedness.[18]

4. All other actions require the recorded affirmative votes of a majority of a quorum of Board members present, **or as required by other law, statute or regulation.**

Minutes

The Board shall cause to be made, and shall retain as a permanent record of the district, minutes of all open Board meetings. Said minutes shall be comprehensible and complete and shall show:[49][50]

1. Date, place, and time of the meeting.
2. Names of Board members present.
3. Presiding officer.
4. Substance of all official actions.
5. Actions taken.
6. Recorded votes and a record by individual members of all roll call votes taken.[51]
7. Names of all residents who appeared officially and the subject of their testimony.
8. Any matter added to a posted agenda, including the substance of the matter, the announced reason and the recorded vote, where applicable.[10][12]

The Board Secretary shall provide each Board member with a copy of the minutes of the last meeting prior to the next regular meeting.[1]

The minutes of Board meetings shall be approved at the next succeeding meeting and signed by the Board Secretary.[52]

Notations and any tape or audiovisual recordings shall not be the official record of a public Board meeting but may be available for public access, upon request, in accordance with Board policy. Any notations and/or audiovisual recordings of a Board meeting shall be retained and disposed of in accordance with applicable Board policy.[1][3][53][54]

Recess/Reconvene

The Board may at any time recess or reconvene to a reconvened meeting at a specified date and place, upon the majority vote of those present. The reconvened meeting shall immediately take up its business at the point in the agenda where the motion to recess was acted upon. Notice of the reconvened meeting shall be given as provided in Board policy.[9][10][55]

Executive Session

The Board may hold an executive session, which is not an open meeting, before, during, at the conclusion of a public meeting, or at some other time. The presiding officer shall announce the reason for holding the executive session; the announcement can be made at the public meeting prior to or after the executive session.[14][16][56]

The Board may discuss the following matters in executive session:

1. Employment issues.
 2. Labor relations.
 3. Purchase or lease of real estate.
 4. Consultation with an attorney or other professional advisor regarding potential litigation or identifiable complaints that may lead to litigation.
 5. Matters that must be conducted in private to protect a lawful privilege or confidentiality.
 6. School safety and security, of a nature that if conducted in public, would be reasonably likely to impair the effectiveness of school safety measures or create a reasonable likelihood of jeopardizing the safety or security of an individual or school, including a buildings, public utility, resource, infrastructure, facility or information storage system.[\[16\]](#)
- Official actions based on discussions held in executive session shall be taken at a public meeting.

Work Sessions

The Board may meet as a Committee of the Whole in a public meeting to vote on or to discuss issues. Public notice of such meetings shall be made in accordance with Board procedures.[\[2\]](#)~~[55]~~

A meeting of the Committee of the Whole, not regularly scheduled, may be called at any time by the President; the President shall call such a meeting when requested to do so in writing by three (3) by Board members. Public notice of the meeting shall be made in accordance with Board procedures.

The Board Secretary shall provide notice of a meeting of the Committee of the Whole in accordance with Board procedures.[\[9\]](#)[\[10\]](#)~~[55]~~

Committee Meetings

Standing committee meetings may be called at any time by the committee chairperson, with proper public notice, or when requested to do so by at least two (2) members of the committee.[\[9\]](#)[\[10\]](#)~~[55]~~

A standing committee shall consist of four (4) Board members. A standing committee may conduct business when at least three (3) committee members are present.

Committee topics that are being recommended to the full Board for consideration shall follow this protocol:

1. If all four (4) committee members are present and all four (4) members vote in the affirmative, the item may be placed on the consent agenda.
2. If three (3) of the four (4) committee members are present and all three (3) members vote in the affirmative, the item may be placed on the consent agenda.
3. ***If all committee members present do not vote in the affirmative, the item may be placed on the agenda, but not on the consent agenda.***

Any committee member may request an agenda item coming out of committee be placed on the Board agenda as a nonconsent item.

Unless held as an executive session, standing committee meetings shall be open to the public, other Board members, and the Superintendent.[\[2\]](#)

A majority of the committee or the chairperson may invite Board employees, consultants, or other persons who have special knowledge of an area under discussion.

Legal

- [1. 24 P.S. 407](#)
- [2. 65 Pa. C.S.A. 701 et seq](#)
3. Pol. 006.2
- [4. 24 P.S. 422](#)
- [5. 24 P.S. 405](#)
- [6. 24 P.S. 426](#)
- [7. 24 P.S. 427](#)
- [8. 24 P.S. 428](#)
- [9. 65 Pa. C.S.A. 703](#)
- [10. 65 Pa. C.S.A. 709](#)
- [11. 24 P.S. 423](#)
- [12. 65 Pa. C.S.A. 712.1](#)
13. Pol. 903
- [14. 65 Pa. C.S.A. 707](#)
- [15. 24 P.S. 421](#)
- [16. 24 P.S. 425](#)
- [17. 24 P.S. 324](#)
- [18. 24 P.S. 508](#)
- [19. 24 P.S. 609](#)
- [20. 24 P.S. 687](#)
- [21. 24 P.S. 707](#)
- [22. 24 P.S. 803](#)
- [23. 24 P.S. 1129](#)
- [24. 24 P.S. 671](#)
- [25. 24 P.S. 634](#)
- [26. 24 P.S. 640](#)
27. Pol. 108
- [28. 24 P.S. 1071](#)
- [29. 24 P.S. 1076](#)
30. Pol. 604
31. Pol. 005
32. Pol. 606
33. Pol. 605
34. Pol. 107
- [35. 24 P.S. 621](#)
36. Pol. 608
37. Pol. 612
38. Pol. 610
- [39. 24 P.S. 224](#)

[40. 24 P.S. 514](#)

[41. 24 P.S. 1080](#)

[42. 24 P.S. 212](#)

[43. 24 P.S. 702](#)

[44. 24 P.S. 708](#)

[45. 24 P.S. 1503](#)

46. Pol. 004

47. Pol. 003

[48. 24 P.S. 315](#)

[49. 24 P.S. 518](#)

[50. 65 Pa. C.S.A. 706](#)

[51. 65 Pa. C.S.A. 705](#)

[52. 24 P.S. 433](#)

53. Pol. 800

54. Pol. 801

55. Pol. 006

[56. 65 Pa. C.S.A. 708](#)

[24 P.S. 408](#)

[24 P.S. 1075](#)

[24 P.S. 1077](#)

[24 P.S. 1111](#)

[65 Pa. C.S.A. 1101 et seq](#)



Book	Policy Manual
Section	000 Local Board Procedures
Title	Copy of Attendance at Meetings Via Electronic Communications
Code	006.1
Status	
Adopted	August 1, 2015
Last Revised	April 27, 2020
Last Reviewed	November 24, 2014

Authority

The Board recognizes that factors such as illness, travel, schedule conflicts, weather conditions, and other emergency situations can make impossible the physical presence of a Board member or other necessary participants at a Board meeting, and that electronic communications can enable a Board member or other necessary participants to participate in a meeting from a remote location.

A Board member shall be able to attend a Board meeting, and participate in Board deliberations and voting, through electronic communications, but only under extraordinary circumstances.[\[1\]](#)

The Board authorizes the administration to provide the equipment and facilities required to implement this Board procedure.

Guidelines

A Board member who attends a meeting through electronic communications shall be considered present only if the member can hear everything said at the meeting and all those attending the meeting can hear everything said by that member. If the Board President determines either condition is not occurring, ~~s/he~~ **they** shall terminate the Board member's attendance through electronic communications.

To attend a Board meeting through electronic communications, a Board member shall comply with the following:

1. Submit such request to the Board President ~~at least three (3) days~~ **as soon as practical but no later than noon the day of** ~~prior to the meeting.~~
2. Ensure that the remote location is quiet and free from background noise and interruptions.
3. Participate in the entire Board meeting.

Emergency Conditions

In the event that the county, state or federal public health authorities, the Governor, or any similar authority with appropriate jurisdiction declares an emergency condition that prevents or discourages public gatherings due to a public health or safety concern, the Board shall be authorized to conduct meetings primarily or

entirely via electronic communications to enable all Board members and other necessary participants to fully participate in the conduct of official Board business through electronic communications.[2]

Meetings held primarily or entirely via electronic communications shall be conducted in a manner consistent with the public access and public comment requirements of the Sunshine Act. All rules normally applicable to in-person meetings of the Board shall be observed in meetings held primarily or entirely via electronic means to the extent practicable and appropriate to the nature and features of the technology used.[3][4]

The requirement for Board members to submit a request to participate in meetings through electronic communications shall be waived during such emergency conditions.

The Board authorizes the administration to utilize available technical resources to permit the public to attend and submit public comment during open meetings via electronic communications, in accordance Board procedures and policy.

Any new legislation shall control and supersede any inconsistent provisions of the Emergency Conditions section of this policy.

Legal

[1. 24 P.S. 407](#)

2. Pol. 805

[3. 65 Pa. C.S.A. 701 et seq](#)

4. Pol. 903



Book	Policy Manual
Section	000 Local Board Procedures
Title	Rules of Order
Code	006.2
Status	Review
Adopted	November 24, 2014
Last Revised	November 22, 2021

Purpose

The Board recognizes the value of structure at public School Board meetings.

Authority

The Board shall establish rules of order for all Board meetings necessary to conduct its meeting and to maintain order.

Delegation of Responsibility

The presiding officer at each public Board meeting shall follow the rules of the Board for the conduct of public meetings in accordance with this policy and other applicable Board policies.[1][2][3]

The presiding officer shall require courtesy to prevail at all times. Improper language shall be silenced and rude comments reprimanded. Failure to abide by the rules of order shall be sufficient cause for the presiding officer to temporarily adjourn or recess any meeting. The presiding officer may reconvene the meeting at an appropriate time for the conduct of business.

Guidelines

1. A quorum being present, precisely at the hour called, the President shall take the chair and proceed to business.[1]
2. Should a quorum be assembled at the hour appointed, and the President be absent, the Vice-President, or a President pro tempore, elected by a plurality **majority** of those present, shall serve during that meeting, or until the President shall appear. **Where no such majority is achieved on the first vote, a second vote shall be cast for the two (2) candidates who received the greatest number of votes.**
3. Should a quorum not assemble at the hour appointed, the Board members present shall be competent to adjourn from time to time, that an opportunity may be given for a quorum to assemble, without which no business can be legally transacted.
4. In the transaction of a regular Board meeting, the following shall be included:

Call to Order/Pledge of Allegiance

Roll Call

Public Comment on Agenda Items

Approval of Minutes/Agenda

Superintendent's Report

Personnel Recommendations

Approval of Consent Agenda-

- Treasurer's Report

- Financial Report

School Board/Committee Reports

Other Business

Public Comments on Non-Agenda Items

Adjournment

5. The presiding officer has no casting vote (cannot offer or second a motion) without turning over the gavel. ~~His/Her~~ **Their** right is to vote on every question by virtue of membership on the Board.
6. The presiding officer may speak to points of order in preference to other Board members, and shall decide questions of order, subject to an appeal to the Board by any two (2) Board members.
7. A motion made, must be seconded, and then repeated distinctly by the presiding officer or read aloud before it is discussed. After discussion, a vote must be taken. Every motion shall be reduced to writing if the presiding officer or any Board members require it. The seconding of a nomination by one (1) or more Board members is voluntary.
8. Any Board member who shall have made a motion shall have liberty to withdraw it, with the consent of the second, before any discussion has taken place, but not after the discussion is had without leave being granted by the Board.
9. There shall be no discussion or comment during any vote unless there has evidently been some mistake, in which case the mistake shall be rectified and the presiding officer shall recommence taking the vote.
10. The consideration of any question may be postponed to a time fixed or the question may be suppressed altogether by an indefinite postponement.
11. A motion, once voted down, cannot be renewed at the same meeting of the Board without the consent of a two-thirds majority of the members of the Board present.
12. An amendment may be moved on any motion, and shall be decided before the original motion; but no more than one (1) amendment to an amendment shall be entertained.
13. If a motion under discussion is composed of two (2) or more parts, the presiding officer may have it divided. A separate vote must be taken on each part.
14. When any business is brought regularly before the Board, the consideration of the same cannot be interrupted except by a motion: for adjournment; to lie on the table; for the previous question; for

postponement; for commitment; or for amendment.

15. A motion for adjournment shall always be in order and shall be decided without discussion, except that it cannot be entertained when the Board is voting on another question or while a Board member is addressing the Board.
16. When a blank is to be filled to complete a motion, the question shall be first taken to clarify the motion.
17. No Board member shall be interrupted while speaking, unless ~~s/he is~~ **they are** out of order, or for the purpose of correcting mistakes or misrepresentations.
18. The presiding officer shall require discussion on any subject to be pertinent to that subject, and no Board member shall be allowed to indulge in personal reflections.
19. If any Board member considers ~~him/herself~~ **themselves** aggrieved by a decision of the chair, it shall be ~~his/her~~ **their** privilege to appeal to the Board, and the vote on such appeal shall be taken without discussion.
20. It shall be the duty of the President to appoint all committees, except when the Board may decide otherwise.[4]
21. Any Board member may require a roll call vote on any question.[1]
22. The first person recognized by the presiding officer as desiring to speak has the right to the floor.
23. All communication shall be addressed to the presiding officer. The presiding officer may suspend normal parliamentary procedure to facilitate discussion and may choose to limit the discussion.
24. In a roll call vote, order will be mover, seconder, random, with presiding officer last. An abstention is not considered in determining a majority.
25. A motion to move the question must be recognized by the presiding officer. If seconded, it must be voted on without discussion. A call for the question shall be recognized by the presiding officer as a statement by an individual that ~~s/he is~~ **they are** is ready to proceed with the business at hand.

Legal

1. Pol. 006
2. Pol. 006.2
3. Pol. 903
4. Pol. 005
- Pol. 006.1



Book	Policy Manual
Section	000 Local Board Procedures
Title	Copy of Broadcasting Board Meetings
Code	006.3
Status	Review
Adopted	March 28, 2022
Last Revised	March 28, 2022

Purpose

The Board recognizes the value of public awareness regarding school district issues and discussions, as well as the usefulness of broadcasting the proceedings of publicly convened meetings. It appreciates the fact that a well-informed public is an asset to the entire school district.

Authority

The Board directs the district to record and live stream video and audio of all public meetings of the Board, which include regular and special Board of School Director meetings, and regular and special Board committee meetings. The public meetings will be live streamed at the time of the public meeting on a publicly available streaming service of the district's choosing, and the district will inform the public of the platform via the district website. The recording of the public meeting will be published, either on the district's website or on another publicly available website with access information available on the district's website, within three (3) business days of the conclusion of the public meeting.

The video and/or audio recording of any public meeting created or produced by the district is the exclusive property of the district. The district shall retain the video and/or audio recordings in accordance with Board Policy 800 and its administrative guidance **guidelines**. After the initial live stream, the audio and/or video recording of any public meeting created or produced by the district may be used at the discretion of the Board for any appropriate district purpose.[1]

The video and/or audio recording of any public meeting created or produced by the district or a member of the public is not the official record of the meeting. The Board or committee approved written minutes are the official record of the meeting.

Notification

The published agenda available at the public meeting and on the district website will state that the public meetings are being live streamed and recorded for the purpose of public broadcast and posting on the Internet, and shall include a notification disclaiming responsibility for both images, statements and/or actions made by those in attendance at the recorded public meetings. Notice will be provided to all in attendance that the public meeting is being live streamed and recorded for posting on the Internet.

Procedure

It is the Board's intent to live stream and post video and audio recorded public Board meetings in their entirety. However, the Board recognizes that unforeseeable malfunctions of equipment or the network, disruptions in platform or Internet access, unexpected operator unavailability or error, or weather events may occur, which may limit the district's ability to live stream or post a public meeting in whole or in part. In such an event, the district shall publish the available portion of the public meeting in accordance with this policy.

Obscene and profane statements or gestures made by those in attendance at the meeting may be subject to editing, as allowable by law.

The video recording will be made by at least one (1) operable camera that will be primarily focused on the Board, the Superintendent, administration, and the Board Secretary. Audio will also capture all those recognized to formally address the Board, and may capture members of the audience. The camera may visually capture persons formally addressing the Board from the podium and members of the audience.

Attendees do not have an expectation of privacy during a public meeting. Attendance at a public meeting will be considered consent for audio and video recording by the district and for the use of any images or statements of those in attendance. The opinions or statements made during the public meeting are those of the individuals, and not necessarily the opinions or statements of the district. The district does not necessarily endorse or support the views, opinions, statements, or information contained in the live stream or recording of the public meetings.

Nothing in this policy shall be construed to permit the video recording of Board executive sessions, conferences, and other nonpublic meetings.

Legal

1. Pol. 800

Pol. 006

Pol. 006.1



Book	Policy Manual
Section	000 Local Board Procedures
Title	Copy of Policy Manual Access
Code	007
Status	Review
Adopted	August 1, 2015
Last Reviewed	November 24, 2014

Authority

The Board adopts the procedures and policies contained in the Policy Manual as a governance tool for the Board and as a resource for district administrators and employees, students, parents/guardians, residents, and community members.[\[1\]](#)[\[2\]](#)[\[3\]](#)

The Board Policy Manual shall be published and maintained on the district's website.

The Board Policy Manual shall be considered a public record. A copy of the Policy Manual shall be maintained in the administration office and shall be available for inspection and access by citizens during regular office hours.[\[4\]](#)[\[5\]](#)

The Superintendent or designee shall maintain an orderly plan for the promulgation of policies to students, parents/guardians, and staff who are affected by them and shall provide easy accessibility to an up-to-date Policy Manual.

The Superintendent or designee shall be responsible to review existing policy in light of Board actions and revisions to state and federal statutes and regulations, and to recommend to the Board the changes necessary to maintain the Board Policy Manual in a current status.[\[3\]](#)[\[6\]](#)

Legal	1. 24 P.S. 407
	2. 24 P.S. 510
	3. Pol. 003
	4. 65 P.S. 67.701
	5. Pol. 801
	6. Pol. 009
	65 P.S. 67.101 et seq



Book	Policy Manual
Section	000 Local Board Procedures
Title	Policy Development
Code	009
Status	Review
Adopted	August 1, 2015
Last Reviewed	November 24, 2014

Development

The Board considers policy development a chief function, along with evaluation of the results achieved through Board policies.[1]

Through the development and adoption of policies and the study and evaluation of reports concerning the execution of policies, the Board shall exercise its leadership in the operation of the school district and its control over school operations.[1]

It is the Board's intention that policies serve as guides for the discretionary action of those to whom it delegates authority and as a source of information and guidance for all individuals.

Review and Development

In an effort to keep policies up-to-date so that they may be used consistently as a basis for Board action and administrative decision, it shall be the policy of the Board to review its policies on a continuing basis.

The Board shall evaluate how the policies have been executed by the school staff and shall weigh the results. The Board shall rely on the school staff, students, and the community for providing evidence of the effect of adopted policies.

The Superintendent shall be responsible for calling to the Board's attention all policies that are out-of-date or need revision in light of Board actions and revisions to state and federal statutes and regulations.[2]

Involvement in Development

~~The Board recognizes that student, staff and, community participation in the study of school issues can be a valuable asset.~~

Policy proposals or revisions shall be referred to the Superintendent for administrative study and recommendation prior to consideration and action by the Board.

Implementation

The Superintendent shall be responsible for implementing through administrative regulations **guidelines**, the policies established by the Board.[1][3]

All staff members shall be responsible for adhering to Board policies and for abiding by the administrative regulations **guidelines** designed to implement them.

Legal

1. Pol. 003

2. Pol. 007

3. Pol. 000

[24 P.S. 407](#)

[24 P.S. 510](#)



Book	Policy Manual
Section	000 Local Board Procedures
Title	Copy of Electronic Communications
Code	016
Status	Review
Adopted	August 1, 2015
Last Revised	August 24, 2020
Last Reviewed	November 24, 2014

Purpose

The Board acknowledges that email and other forms of electronic communication facilitate communication among Board members and the district administration and can be a valuable tool. The purpose of this policy is to clarify guidelines related to the special nature of electronic communication.

Definition

Electronic communications shall include both asynchronous message exchange such as email, texting, and voicemail, and synchronous or real-time exchanges such as chat rooms or instant messaging or any future means of electronic communication.

Guidelines

1. Confidentiality

Electronic communications are not confidential or private. Electronic communication should not be used by Board members to relay or discuss any confidential or nonpublic information about employees, students, or other school matters including any legal matters or communications from or directed to legal counsel, due to the risk of interception or improper disclosure for the risk of waiver of the attorney/client privilege.

2. Open Records Laws

Board members shall not say anything in electronic communications that would be inappropriate in a Board meeting. Email and email attachments received or prepared for use in Board business or containing information relating to Board business are likely to be regarded as ~~permanent~~ school district records that may be inspected by any person upon request, unless otherwise made confidential **or exempt from access** by law. Because there is risk of disclosure in litigation, the same care in drafting electronic communications should be made as with other forms of communication and all electronic communications shall be in compliance with the district's acceptable use policy.[\[1\]](#)[\[2\]](#)[\[3\]](#)

3. Open Meetings Laws

Board members shall not use electronic communication for extensive back-and-forth deliberations on district matters or as a substitute for deliberations at Board meetings or for other communications or business properly confined to Board meetings. State open meeting laws require that all Board meetings be open to the public. An electronic communications deliberation of a quorum of Board members could constitute a meeting under state open meeting laws.[\[4\]](#)

A Board member shall be able to attend a Board meeting, and participate in Board deliberations and voting, through electronic communications, but only under extraordinary circumstances.[\[5\]](#)

~~Deletions~~ **Record Retention** and Litigation Hold Strategy

Because of the limits on the number and length of messages that can be maintained on the computer network, messages will be **may be** automatically deleted after ~~one (1) calendar year~~ **a time period established by Board policies and administrative guidelines related to record management and retention**. Archiving email that qualifies as a public record **with a specific retention period** is the sole responsibility of the Board member.

If a Board member becomes aware of the reasonable likelihood of litigation, the Board member shall immediately contact the solicitor **Superintendent or designee**, so that the district may develop a litigation hold strategy **in coordination with the District solicitor**. Should a litigation hold strategy be implemented, Board members shall comply with the strategy.

Legal

- [1. 65 P.S. 67.101 et seq](#)
2. Pol. 801
3. Pol. 352
- [4. 65 Pa. C.S.A. 701 et seq](#)
5. Pol. 006.1
- Pol. 252

Policy Review Committee

TO: Board of School Directors
FROM: Kalia Reynolds, EdD 
SUBJECT: April 24 Policy Review Committee Consent Agenda Items
DATE: April 13, 2023

The following policies were first reading approved at the March board meeting and have no changes for the 2nd reading. Unless we hear otherwise, the following will appear under the Policy Review Committee as consent agenda items on the April 24, 2023 School Board agenda.

- Revised Policy 251: Students Experiencing Homelessness, Foster Care or other Educational Instability
- Revised Policy 830 Electronic Data Storage (formerly known as Breach of Computerized Personal Information)
- Revised Approval of Revised Policy 003: Functions
- Revised Policy 004: Membership
- Revised Policy 005: Organization
- New Administrative Guideline: 005AG1 Board Organization Guidelines (*Please note for consistency purposes the words "Board Personnel" were crossed out under Personnel Committee description.*)

If after reviewing this information you have any questions, please feel free to contact me.



Book	Policy Manual
Section	200 Pupils
Title	Students Experiencing Homelessness, Foster Care and Other Educational Instability
Code	251
Status	Second Reading
Adopted	August 1, 2015
Last Revised	February 27, 2023
Last Reviewed	September 28, 2015
Prior Revised Dates	4/23/2018

Purpose

The Board recognizes the challenges encountered by students experiencing homelessness, foster care, and other educational instability. The Board is committed to facilitating immediate enrollment, addressing barriers to attendance, education, and graduation; and providing supports in compliance with federal and state law, regulations and Board policy, for such students. [\[1\]\[2\]\[3\]\[4\]\[5\]\[6\]\[7\]\[8\]](#)

Authority

The Board directs the district to collaborate with school staff, other school districts, local agencies and other entities in supporting the needs of students experiencing educational instability.

Students experiencing educational instability shall have equal access to the same educational programs, activities and services provided to other district students. [\[1\]\[2\]\[3\]\[4\]\[5\]\[6\]\[7\]](#)

The Board authorizes the Superintendent to waive specific requirements in Board policies, procedures, and administrative regulations to the extent that they create barriers for the enrollment and attendance of students experiencing educational instability. Such waivers may include, but are not limited to, requirements regarding: [\[1\]\[2\]\[3\]\[4\]\[5\]\[6\]\[7\]](#)

1. Dress code.[\[9\]](#)
2. Transportation.[\[10\]](#)
3. School-sponsored or extracurricular activities for which students meet placement and qualification requirements, including, but not limited to, clubs, athletics, performing arts, class trips, social events, career and technical education, internships and specialized classes.[\[11\]\[12\]\[13\]\[14\]\[15\]\[16\]\[17\]](#)
4. Fees related to school-sponsored or extracurricular activity participation fees, and other fees including, but not limited to, school identification (badges, cards, etc.), uniforms, materials, lost or damaged items, athletic physical exams, parking or driving, food services, library, locker or padlock rental or

replacement, summer school or credit recovery, technology and graduation regalia.[9][13][14][15][18][19][20][21][22]

5. Graduation.[19]

6. Registration deadlines.

It is the policy of the Board that no student shall be discriminated against, segregated or stigmatized based on their status as a student experiencing educational instability.

Definitions

Student Experiencing Educational Instability means a student who has experienced one (1) or more changes in school enrollment during a single school year as a result of any of the following:[4]

1. Homelessness as defined under the law and as determined by the district.[1][3][7]
2. An adjudication of:[23][24]
 - a. Dependency relating to child protective services and juvenile matters;
 - b. Delinquency, if disclosed by the student or the student's parent/guardian; or
 - c. As part of court-ordered services under a voluntary placement or custody agreement.

A student experiencing foster care may also qualify as a student experiencing educational instability as defined above, if such circumstances apply.[25]

Enroll or Enrollment means attending classes and participating fully in school activities.[26]

Additional costs means the difference between what the district spends to transport a resident student to the student's assigned school and the cost to transport a child in foster care to the child's school of origin.

Foster care means twenty-four (24) hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and pre-adoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the state, tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption or whether there is federal matching of any payments that are made.[25]

Homeless children and youth means individuals who lack a fixed, regular and adequate nighttime residence, and includes:[26]

1. Children and youths who are:
 - a. Sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
 - b. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
 - c. Living in emergency, transitional or domestic violence shelters; or
 - d. Abandoned in hospitals;
2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
4. Migratory children who qualify as homeless because they are living in circumstances described above; and,
5. School-aged parents living in houses for school-aged parents if they have no other available living accommodations.

Unaccompanied youth means a homeless child or youth not in the physical custody of a parent or guardian. This includes youth who have run away from home; been abandoned or forced out of home by a parent, guardian or other caretaker; or separated from a parent or guardian for any other reason.[\[26\]](#)

School of origin is the school in which the student experiencing educational instability was last enrolled.

- The school of origin for a *homeless child or youth* - the last school in which the homeless child or youth was enrolled when permanently housed or the school in which the homeless child or youth was last enrolled, including preschool.[\[27\]](#)
- The school of origin for a *child in foster care* - the school in which a child is enrolled at the time of placement in foster care. If a child's foster care placement changes, the school of origin is the school the child is attending immediately prior to each change in placement.[\[8\]](#)
- When the homeless child or youth, or child in foster care, completes the final grade level served by the school of origin, the school of origin shall become the designated receiving school at the next grade level for all feeder schools.

Delegation of Responsibility

The Board designates the Superintendent or designee to serve as the district's point of contact for students experiencing educational instability.[\[4\]](#)[\[5\]](#)[\[27\]](#)

The name and contact information of the district's point of contact shall be included in the student's education records and provided to the student's education decision maker.[\[4\]](#)

The district's point of contact shall ensure outreach and coordination with the following, as appropriate to each individual student's needs: [\[4\]](#)[\[5\]](#)[\[27\]](#)

1. Local children and youth agency.
2. Other local service agencies and entities that provide services to students experiencing educational instability.
3. Other school districts on issues of prompt identification, transfer of records, transportation and other inter-district activities.
4. District staff responsible for the provision of services under Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act.[\[11\]](#)[\[28\]](#)
5. State and local housing agencies responsible for comprehensive housing affordability strategies.

The district's point of contact, in consultation with the school counselor, school social worker, home and school visitor or school psychologist and the student's Individualized Education Program (IEP) team or Section 504 Team, shall: [\[4\]](#)

1. Facilitate the student's expedited consultation with the school counselor or other mental health professionals, as appropriate.

2. Facilitate the prompt placement of the student in appropriate courses.
3. Connect the student with appropriate educational services.
4. Immediately request the prior school entity, county agency and the student's education decision maker to provide the complete student information and records, including an IEP or Section 504 service agreement, if applicable. Within ten (10) business days, the prior school entity located within Pennsylvania shall provide the requested information and records to ensure proper transfer of course credits, grades and an IEP or Section 504 service agreement, if applicable.
5. Develop and execute a graduation plan in collaboration with the student in grades nine (9) through twelve (12) to support the student in graduating. The graduation plan shall be included in the student's education records.

Additional Responsibilities to Support Homeless Students-

The district's point of contact shall ensure that public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents/guardians of homeless children and youths, and unaccompanied youths, including schools, shelters, public libraries and soup kitchens. Such notice shall be provided in a manner and form understandable to the parents/guardians of homeless children and youths, and unaccompanied youths.[\[27\]](#)

The district's point of contact shall provide reliable, valid and comprehensive data to the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness (ECYEH) Program in accordance with federal and state laws and regulations.[\[27\]](#)

Training

The district's point of contact shall provide professional development and training to school staff on the education needs of students experiencing educational instability.

Additional Training to Support Homeless Students -

The district's point of contact shall participate in professional development programs and other technical assistance activities offered by the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.[\[27\]](#)

The district's point of contact shall arrange professional development programs for school staff.[\[27\]](#)

Guidelines

Students enrolled in this district experiencing educational instability shall be provided support and services, as appropriate to each individual student's needs, in accordance with Board policy.[\[4\]](#)

Minimal documentation shall be required for a student experiencing educational instability to qualify for supports and services. Information used to determine that a student is experiencing educational instability may be confirmed verbally, in writing or by another manner by shelter providers, outreach workers, case managers, juvenile probation officers and others.

Parents/Guardians and students have the authority to determine what information shall be shared with the district.

Information related to the student's educational instability status shall be confidential and disclosed by the point of contact or other administrators only to other school staff who have a legitimate need to know unless authorized by the student or parent/guardian.[\[29\]](#)[\[30\]](#)

Enrollment

Except when an unaccompanied youth or the parents/guardians of a homeless youth request otherwise, it shall be presumed that a student experiencing educational instability shall continue to be enrolled in their school of origin unless it is determined that it is not in the student's best interest to remain in the school of

origin.[5][27]

In accordance with the homeless child's or youth's best interest, the district shall continue to enroll a homeless student in the student's school of origin within the district while the student remains homeless and through the end of the academic year in which the student obtains permanent housing.[27]

An unaccompanied youth or the parents/guardians of a homeless student may request enrollment in the grade-appropriate school with the district where the student is actually living or a school of origin in another district.[27]

The district's point of contact shall assist an unaccompanied youth in placement or enrollment decisions, giving priority to the views of the student in determining where the student will be enrolled.[27]

Best Interest Determination -

The best interest determination shall be made in accordance with federal and state laws and regulations, court orders and established local procedures.

In making a best interest determination, the district shall:[5][27]

1. Presume the school of origin is in the best interest of the homeless youth or unaccompanied youth, unless when the unaccompanied youth or the parents/guardians of a homeless youth request otherwise.
2. Consider student-centered factors related to the child's best interest, such as the impact of mobility on achievement, education, appropriateness of the current educational setting, health and safety, and proximity to living arrangements including foster care placement.

The cost of transportation shall not be used as a factor in the best interest determination.

Timeliness of Enrollment -

When a school receives a student experiencing educational instability, the school shall immediately enroll the student and begin instruction, even if:[4][5][7][29][30][31][32][33][34][35]

1. The student is unable to produce records normally required for enrollment.[27][31]
2. The application or enrollment deadline has passed.[27][31][32]

The district's point of contact shall immediately contact the school last attended by the student to obtain relevant academic or other records.[27]

The district may require a parent/guardian to submit contact information.

Grade Level Assignment -

If the district is unable to determine the student's grade level due to missing or incomplete records, the district may administer tests or utilize appropriate means to determine the student's assignment within the school.[36]

Dispute Resolution

If a dispute involving a student experiencing educational instability arises, the concern shall be addressed and/or resolved in accordance with Board policies, law and regulations, unless otherwise stated below.[37]

Dispute Resolution for Homeless Students -

If the district determines that it is not in the student's best interest to attend the school of origin or the school requested by the unaccompanied youth or parent/guardian, the district shall provide the unaccompanied youth or parent/guardian with a written explanation of the reasons for its determination. The explanation shall be in a manner and form understandable to the unaccompanied youth or parent/guardian and shall include information regarding the right to appeal.[27]

If a dispute arises over eligibility, enrollment or school selection: [\[27\]](#)

1. The parent/guardian or unaccompanied youth shall be referred to the district's point of contact, who shall assist in the dispute resolution process.
2. The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals.
3. The district's point of contact shall issue a written decision of the dispute within twenty (20) business days of being notified of the dispute.

A parent/guardian or unaccompanied youth may file a complaint with the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.

Dispute Resolution for Students in Foster Care -

If a dispute arises over the appropriate school placement for a child in foster care, to the extent feasible and appropriate, the child shall remain in their school of origin, pending resolution of the dispute. [\[2\]](#)[\[38\]](#)

Education Records

Information about a student's educational instability shall be treated as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA), and shall not be deemed to be directory information. [\[29\]](#)[\[30\]](#)[\[39\]](#)

Comparable Services

Students experiencing educational instability shall be provided services comparable to those offered to other district students including, but not limited to: [\[3\]](#)[\[27\]](#)[\[40\]](#)

1. Transportation services. [\[10\]](#)
2. School nutrition programs. [\[21\]](#)
3. Career and technical education. [\[12\]](#)
4. Educational programs for which the student meets the eligibility criteria, such as:
 - a. Services provided under Title I or similar state or local programs. [\[41\]](#)
 - b. Programs for English Learners. [\[42\]](#)
 - c. Programs for students with disabilities. [\[11\]](#)
 - d. Programs for gifted and talented students. [\[16\]](#)

Transportation for Homeless Students

The district shall provide transportation for homeless students to their school of origin or the school they attend in the district. [\[3\]](#)[\[10\]](#)[\[27\]](#)

If the school of origin is outside district boundaries or homeless students live in another district but will attend their school of origin in this district, the school districts shall agree upon a method to apportion the responsibility and costs of the transportation. [\[27\]](#)

Transportation for Students in Foster Care -

The district shall ensure that children in foster care needing transportation to their school of origin promptly receive transportation in a cost-effective manner. [\[6\]](#)[\[10\]](#)

To ensure that transportation for children in foster care to their school of origin is provided, arranged, and funded, the district shall collaborate with the local children and youth agency to develop a local transportation plan.[\[6\]](#)

The transportation plan shall address the following:[\[6\]](#)

1. The procedure the district and local children and youth agency will follow to provide transportation for children in foster care in a cost-effective manner and in accordance with applicable law.[\[8\]](#)
2. How transportation costs will be covered if additional costs are incurred.
3. Dispute resolution procedures to ensure that any disagreements regarding the cost of transportation are resolved promptly and fairly, and do not impact a student's ability to remain in the school of origin during the dispute resolution process.

The district shall submit the local transportation plan, including any updates or revisions, to the Pennsylvania Department of Education.

Transportation shall be provided to children in foster care in accordance with the local transportation plan regardless of whether transportation is provided to district students.

Course Credit and Graduation

The district shall collaborate with each student experiencing educational instability in grades nine (9) through twelve (12) to develop and execute a graduation plan to facilitate the student's timely graduation. The district's efforts to ensure that the student experiencing educational instability graduates in a timely manner may include:[\[4\]](#)[\[5\]](#)[\[6\]](#)

1. Waiving a specific course required for graduation if similar coursework has been satisfactorily completed in another school entity or the student has demonstrated competency in that content area. Evidence as to whether coursework has been satisfactorily completed and the amount of full or partial credit assigned, may be determined through any of the following:[\[4\]](#)[\[19\]](#)
 - a. Competency demonstration by the student.
 - b. Performance on an examination.
 - c. Successful completion of a career and technical education course.
 - d. Other evidence or method determined appropriate by the district.
2. If a specific course requirement cannot be waived, the district shall provide an alternative or modified course of study that is currently offered to students and that will assist the student with acquiring the required work or competency requirements by the anticipated graduation date.
3. If, after considering full and partial course credits, waiving courses or providing alternative courses of study, the district determines that the student meets the established graduation requirements, the student shall be allowed to participate in the graduation ceremony and graduate with their peers.

If the student is determined not eligible for graduation, the district may request a high school diploma from the prior school entity. The prior school entity may issue a diploma if the student meets the prior school entity's graduation requirements.

Keystone Diploma –

In any school year for which demonstration of proficiency on a Keystone exam is required for graduation, a student who has successfully satisfied the graduation requirements may obtain a secondary school diploma known as the Keystone Diploma from the PA Department of Education, if both of the following provisions apply:[\[4\]](#)[\[43\]](#)

1. All other graduation options have been exhausted.
2. The student is unable to obtain a diploma from the student's prior or receiving school entity.

The district's point of contact shall assist the student in determining the student's eligibility for a Keystone Diploma and, if eligible, obtaining the Keystone Diploma from the PA Department of Education.[\[4\]](#)[\[43\]](#)

Students with Disabilities –

Students experiencing educational instability who have an IEP shall maintain the right to special education and the right to graduate either through attainment of credits or through the completion of the goals established in their IEP.[\[11\]](#)[\[19\]](#)

Students with an IEP may elect to remain in school until age twenty-one (21) even if the district determines there is an earlier pathway to graduation. Such students may participate in the graduation ceremony with their current graduating class, even if the student elected to remain in school.[\[19\]](#)

Legal

- [1. 22 PA Code 11.18](#)
- [2. 24 P.S. 1305](#)
- [3. 24 P.S. 1306](#)
- [4. 24 P.S. 1331.1](#)
- [5. 20 U.S.C. 6311](#)
- [6. 20 U.S.C. 6312](#)
- [7. 42 U.S.C. 11431 et seq](#)
- [8. 42 U.S.C. 675](#)
9. Pol. 221
10. Pol. 810
11. Pol. 113
12. Pol. 115
13. Pol. 121
14. Pol. 122
15. Pol. 123
16. Pol. 114
17. Pol. 231
18. Pol. 124
19. Pol. 217
20. Pol. 223
21. Pol. 808
22. Pol. 110
- [23. 23 Pa. C.S.A. 6301 et seq](#)
- [24. 42 Pa. C.S.A. 6301 et seq](#)
- [25. 45 CFR 1355.20](#)
- [26. 42 U.S.C. 11434a](#)
- [27. 42 U.S.C. 11432](#)
28. Pol. 103.1
29. Pol. 113.4
30. Pol. 216
31. Pol. 200
32. Pol. 201
33. Pol. 203
34. Pol. 204
35. Pol. 209
36. Pol. 206
37. Pol. 906
38. Pol. 202
- [39. 20 U.S.C. 1232g](#)
40. Pol. 146

41. Pol. 918

42. Pol. 138

[43. 24 P.S. 121](#)

[20 U.S.C. 6301 et seq](#)

[22 PA Code 403.1](#)

[34 CFR Part 99](#)

[67 Fed. Reg. 10698](#)

PA Education for Homeless Children and Youth State Plan

[Basic Education Circular, August 1, 2022: Act 1 of 2022 - Assisting Students Experiencing Education Instability](#)

Ensuring Educational Stability for Foster Care Youth - Transportation Plan Guide



Book	Policy Manual
Section	800 Operations
Title	Electronic Data Storage (formerly known as Breach of Computerized Personal Information)
Code	830
Status	Second Reading
Adopted	August 1, 2015
Last Reviewed	July 27, 2015

Purpose

~~With the increased reliance upon electronic data, and the maintenance of personal information of students and employees in electronic format, the Board is concerned about the risk of a breach in the district's electronic system security and the possible disclosure of personal information. This policy addresses the manner in which the district will respond to unauthorized access and acquisition of computerized data that compromises the security and confidentiality of personal information.~~

Authority

~~The Board directs that district administrators shall provide appropriate notification of any computerized system security breach of district owned or utilized equipment to any state resident whose unencrypted and unredacted personal information was or is reasonably believed to have been accessed or acquired by unauthorized persons.~~[\[1\]](#)

Definitions

~~**Breach of the system's security** -- unauthorized access and acquisition of computerized data that materially compromises the security or confidentiality of personal information maintained by the district as part of the database of personal information regarding multiple individuals and that the district reasonably believes has caused or will cause loss or injury to any state resident. Good faith acquisition of personal information by an employee or agent of the school district for the purpose of the district is not a breach of the security of the system if the personal information is not used for a purpose other than the lawful purpose of the district and is not subject to further unauthorized disclosure.~~[\[2\]](#)

~~**Encryption** -- the use of an algorithmic process to transform data into a form in which there is low probability of assigning meaning without use of a confidential process or key.~~[\[2\]](#)

~~**Individual** -- means any natural person, not an entity or company.~~

~~**Personal information** -- includes an individual's first name or first initial and/or last name in combination with and linked to any one or more of the following, when not encrypted or redacted:~~[\[2\]](#)

- ~~1. Social security number.~~

2. Driver's license number or state identification card number issued instead of a driver's license.

3. Financial account number, credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account.

Personal information does not include publicly available information that is lawfully made available to the general public from federal, state, or local government, or public records.[3]

Records means any material, regardless of its physical form, on which information is recorded or preserved by any means, including written or spoken words, graphically depicted, printed or electromagnetically transmitted. This term does not include publicly available directories containing information that an individual has voluntarily consented to have publicly disseminated or listed, such as name, address, or telephone number.[2]

Redact the term includes, but is not limited to, the alteration or truncation such that no more than the last four (4) digits of a Social Security number, driver's license number, state identification card number, or account number is accessible as part of the data.[2]

Delegation of Responsibility

The Superintendent or his/her designee shall ensure that the district provides notice of any system security breach, following discovery, to any state resident whose unencrypted and unredacted personal information was or is reasonably believed to have been accessed and acquired by an unauthorized person. Such notice shall be made without a reasonable delay, except when a law enforcement agency determines and advises the district in writing that the notification would impede a criminal or civil investigation, or the district must take necessary measures to determine the scope of the breach and to restore the reasonable integrity of the data system. The district will also provide notice of the breach if the encrypted information is accessed and acquired in an unencrypted form, if the security breach is linked to a breach of security of the encryption, or if the security breach involves a person with access to the encryption key.[4]

Guidelines

The district will provide notice by at least one (1) of the following methods:[2][4]

1. Written notice to last known home address for the individual.
2. Telephone notice if the individual can be reasonably expected to receive the notice and the notice is given in a clear and conspicuous manner; describes the incident in general terms; verifies the personal information but does not require the individual to provide personal information; and provides a telephone number to call or Internet website to visit for further information or assistance.
3. Email notice, if a prior relationship exists and the school district has a valid email address for the individual.
4. Substitute notice if the district determines that the cost of notice exceeds \$100,000, the affected individuals exceed 175,000 people, or the district does not have sufficient contact information. Substitute notice shall consist of an email notice, conspicuous posting of the notice on the district's website, and notification to major statewide media.
5. If the district provides notification to more than 1,000 persons at one (1) time, the district shall also notify all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis of the timing, distribution and number of notices, without unreasonable delay.[5][6]

Purpose

The Board is committed to the secure management of the district's electronic data to ensure the confidentiality, integrity, and the availability of the data for all district users.

Delegation of Responsibility

The Superintendent shall develop procedures to implement this policy, and shall delegate to their designee(s) the right to enforce this policy.

Definitions

Sensitive Electronic Data – electronic data stored by the District that includes student records, employee records, financial records, and any other confidential or sensitive information.

Transitory Electronic Data – temporary electronic data not regularly stored by the District including, but not limited to, website cookie data, social media posts, live chat, deleted messages, and video surveillance that has not been purposefully saved.

Personal Information - An individual's first name or first initial and last name in combination with and linked to any one or more of the following data elements when the data elements are not encrypted or redacted:

- (i) Social Security number.
- (ii) Driver's license number or a State identification card number issued in lieu of a driver's license.
- (iii) Financial account number, credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account.
- (iv) Medical information.
- (v) Health insurance information.
- (vi) A user name or e-mail address, in combination with a password or security question and answer that would permit access to an online account.

Guidelines

Data Security Controls

The Superintendent, or their designee, shall utilize appropriate technical controls including firewalls, virus/malware detection, network access controls, user access controls, intrusion detection systems, encryption, and/or regular software updates to maintain the integrity and security of all of the District's electronic data.

Access Controls

Sensitive electronic data shall be accessible to individual users on a need-to-know basis only. The Superintendent, or their designee, shall ensure that technical controls are utilized to effectively restrict access to sensitive electronic data to individuals with a legitimate educational or operational purpose to access such data.

Backups

The Superintendent, or their designee, shall ensure that the District maintains regular and up-to-date backups of all sensitive electronic data, and that such back-ups are stored either offline or are sent to secure off-site storage.

Vendors

The District may engage vendors who will have access to sensitive electronic data. In such cases, the Superintendent, or their designees, shall ensure that the vendor is required to adhere to the same data security standards as outlined in this policy, and shall ensure the appropriate provisions in the vendor contract to ensure compliance.

Data Storage

Sensitive electronic data may only be stored in secure storage approved by the District. The Director of Technology shall maintain a list of approved storage options for sensitive electronic data and shall disseminate such list at least annually to all staff and administrators.

Retention

Sensitive electronic data shall be retained in accordance with the District's record retention policy and record retention schedule. Transitory electronic data shall only be maintained as delineated in the record retention schedule.

Personal E-mail

Personal e-mail accounts (accounts not issued by the District) shall not be used to transmit the District's sensitive electronic data in any way (including e-mailing files to/from one's own District e-mail account).

Personal Electronic Devices

Employees should exercise caution, and utilize appropriate security measures such as password protection on their personal electronic device, to prevent any unauthorized access to sensitive electronic data. In no case shall employees store sensitive electronic data locally on the hard drive or internal memory of the employee's personal electronic device.

Data Breach

Any actual or suspected data breach (including unauthorized access to sensitive electronic data or exceeding one's authorization to electronic data) must be immediately reported to the Director of Technology.

Any data breach that results in unauthorized access to unredacted and unencrypted personal information shall be immediately reported to the Superintendent. The Superintendent, or their designee shall follow the notification procedures required by the Breach of Personal Information Notification Act.

Risk Assessments

The Director of Technology shall conduct regular vulnerability and risk assessments to monitor compliance with this policy.

Penalties for Violations

Violations of this policy, other Board policies, administrative regulations, and/or state or federal laws, including unauthorized access to sensitive electronic data, will result in discipline, up to and including dismissal. If appropriate, referrals will be made to law enforcement officials.

Development of Administrative Guidelines

The Superintendent or their designee may develop administrative guidelines to implement this policy. The Superintendent shall ensure that all students and employees are made aware of this policy and any administrative guidelines by means of the employee and student handbooks, the school district website, or other reasonable means.

Legal

[1. 73 P.S. 2301 et seq](#)

[2. 73 P.S. 2302](#)

3. Policy 800-Records Management Policy; 800AG1 Record Retention Schedule

3. Pol. 801

[4. 73 P.S. 2303](#)

[5. 15 U.S.C. 1681a](#)

[6. 73 P.S. 2305](#)



Book	Policy Manual
Section	000 Local Board Procedures
Title	Functions
Code	003
Status	Second Reading
Adopted	August 1, 2015
Last Revised	April 27, 2020
Last Reviewed	November 24, 2014

Legislative

The Board shall exercise leadership through its rule-making power by adopting Board procedures and policies for the organization and operation of the school district. Those procedures and policies which are not dictated by local, state or federal statutes, or regulations of the State Board, or ordered by a court of competent authority may be adopted, amended, or repealed at any meeting of the Board, provided the proposed adoption, amendment or repeal has been proposed at a previous Board meeting and has remained on the agenda of each succeeding Board meeting until approved or rejected.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)

Changes in a proposed Board procedure or policy, except for minor editorial revisions, at the second reading shall cause that reading to constitute a first reading.[\[2\]](#)

The Board may, upon a majority vote, cause to suspend at any time the operation of a Board procedure or policy, provided the suspension does not conflict with legal requirements. Such suspension shall be effective for the time period specified in the motion suspending the policy.[\[2\]](#)

Temporary adoption or amendment of a Board procedure or policy may be granted by the Board in lieu of formal adoption or amendment to meet emergency conditions or special events which will or will have taken place before formal action can be taken.

Board procedures and policies shall be adopted, amended, or repealed by a majority vote of the Board.[\[7\]](#)

The adoption, modification, repeal, or suspension of a Board procedure or policy shall be recorded in the minutes of the Board meeting. All current procedures and policies shall be maintained in the Board Policy Manual and disseminated appropriately.[\[8\]](#)

Executive

The Board shall exercise its executive power by the appointment of a district Superintendent, who shall enforce the statutes of the Commonwealth, the regulations of the State Board of Education, the policies of the Board, and all other applicable laws and regulations.[\[9\]](#)[\[10\]](#)[\[11\]](#)

The Superintendent shall be responsible for implementing Board policies and establishing administrative ~~regulations~~ **guidelines** for the operation of the school district that are not inconsistent with state and federal statutes or regulations; are dictated by the policies of this Board; are binding on district employees and students when issued; and shall be ~~submitted~~ **available** to the Board for review. ~~The Board reserves the right to alter or rescind any such administrative regulation.~~ [\[3\]](#)[\[5\]](#)[\[12\]](#)

The Board reserves the right to review and to direct revisions of administrative ~~regulations~~ **guidelines** when it considers the ~~regulations~~ **guidelines** to be inconsistent with Board policy or district practices. However, the Board shall not adopt administrative ~~regulations~~ **guidelines** unless required by law or requested by the Superintendent. Such adoption and/or amendment of administrative ~~regulations~~ **guidelines** shall adhere to the policy for adoption and amendment of Board procedures and policies.

The Board delegates authority to the Superintendent to take necessary action in circumstances not provided for in Board policy. The Superintendent shall promptly inform the Board of such action. The Superintendent's decision may be subject to review by the Board.

The Superintendent shall implement a procedure to inform Board members and designated employees of their responsibility under the Ethics Law.[\[14\]](#)

Whenever responsibility is delegated to the Superintendent or other administrator, it is understood that such individual may designate a representative to act on ~~his/her~~ **their** behalf.

Review

The Board may assume jurisdiction over controversies or disputes arising within this school district concerning any matter over which the Board has authority granted by statute or where the Board has retained jurisdiction in contract or policies.[\[3\]](#)

In furtherance of its adjudicatory function, the Board may hold hearings in accordance with law which shall offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter.[\[13\]](#)

Beyond the basic requirements of due process, a hearing may vary in form and content in line with the severity of the consequences that may flow from it, the difficulty of establishing findings of fact from conflicting evidence, the impact of the Board's decision on the school district, and any other reason deemed by the Board to require a change in hearing content, procedure, alike.[\[13\]](#)

Evaluation of Board Procedures and Goals

The Board shall plan an annual evaluation of its functions as a Board. The Board may evaluate Board procedures, relationships, or activities, or focus on a particular area or issue.

The Board, working with the Superintendent, shall develop ~~an annual plan~~ **Board Goals**.

Legal

[1. 24 P.S. 301](#)

[2. 24 P.S. 407](#)

[3. 24 P.S. 510](#)

[4. 24 P.S. 511](#)

5. Pol. 000

6. Pol. 009

7. Pol. 006

8. Pol. 007

[9. 24 P.S. 508](#)

[10. 24 P.S. 1001](#)

[11. 24 P.S. 1081](#)

12. Pol. 003.1

[13. 2 Pa. C.S.A. 551 et seq](#)

[14. 65 Pa. C.S.A. 1101 et seq](#)



Book	Policy Manual
Section	000 Local Board Procedures
Title	Membership
Code	004
Status	Second Reading
Adopted	August 1, 2015
Last Reviewed	November 24, 2014

Number

The Board shall consist of nine (9) voting members.[\[1\]](#)

The Superintendent shall have a seat on the Board and the right to speak on all matters, but not the right to vote.[\[2\]](#)

Qualifications

Each member of the Board shall meet the following qualifications:

1. Be of good moral character, be at least eighteen (18) years of age, have been a resident of the district for at least one (1) year prior to the date of his/her **their** election or appointment, and not be a holder of any office or position as specified in Section 322 of the School Code, nor a **member of a** municipal council.[\[3\]](#)
2. Shall not have been removed from any office of trust under federal, state, or local laws for any malfeasance in such office.[\[4\]](#)
3. Shall not be engaged in a business transaction with the school district, be employed by the school district, or receive pay for services from the school district, except as provided by law.[\[5\]](#)[\[6\]](#)
4. Shall take and subscribe to the oath or affirmation prescribed by statute before entering the duties of the office.[\[7\]](#)
5. Shall file a statement of financial interests with the Board Secretary or designee at the following times:[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)
 - a. Before taking the oath of office or entering upon his/her **their** duties, or as soon as practical after an appointment.
 - b. Annually by May 1 while serving on the Board.
 - c. By May 1 of the year after leaving the Board.

Election

Election of members of the Board shall be in accordance with law.[\[13\]](#)

Vacancies

A vacancy shall occur by reason of death, resignation, removal from a district or region, or otherwise. Such vacancy shall be filled in accordance with the School Code and Sunshine Act and by appointment by a majority vote of the remaining members of the Board within thirty (30) days of the occurrence of the vacancy. The Board member so appointed shall serve for the remainder of the unexpired term or, if earlier, until the first Monday in December after the first municipal election occurring more than sixty (60) days **after the vacancy occurred** following his/her appointment. When a majority of the memberships are vacant, such vacancies shall be filled by the Court of Common Pleas of Chester County.[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)

Temporary Vacancy—Active Military Service

A temporary vacancy shall be declared when a school director is ordered to active duty in the military forces of the United States for a period of more than thirty (30) days. The temporary vacancy shall be filled in accordance with the School Code and Sunshine Act and by appointment by a majority vote of the remaining members of the Board within thirty (30) days of the occurrence of the temporary vacancy. The school director so appointed shall serve either until the school director returns from active duty or until expiration of the term for which they were elected, whichever occurs first.

Term

The term of office of each Board member shall be four (4) years and shall expire on the first Monday of December, except for a Board member appointed or elected to fill a vacancy. A Board member appointed to fill a vacancy shall serve for the remainder of the unexpired term or, if earlier, until the first Monday in December after the first municipal election occurring more than sixty (60) days **after the vacancy occurred** following his/her appointment. The term of a Board member elected to an unexpired term shall expire at the termination of that term.[\[1\]](#)[\[14\]](#)

Removal

Whenever a Board member is no longer a resident of West Chester Area School District or the region s/he **they** represents, ~~his/her~~ **their** eligibility to serve on the Board shall cease.[\[14\]](#)[\[20\]](#)

If a Board member shall neglect or refuse to attend two (2) successive regular meetings of the Board, unless detained by sickness or prevented by necessary absence from the district, or if in attendance at any meeting s/he **they** shall neglect or refuse to act in ~~his/her~~ **their** official capacity as a school director, the remaining members of the Board may declare such office vacant on the affirmative vote of a majority of the remaining members of the Board.[\[18\]](#)[\[21\]](#)

If a person elected or appointed as a Board member, having been notified, shall refuse or neglect to qualify as such director, the remaining members may, within ten (10) days following the beginning of his/her **their** term of office, declare said office vacant on the affirmative vote of a majority of the remaining members of the Board.[\[18\]](#)[\[21\]](#)

Expenses

When attendance has been authorized by the Board, Board members, a nonmember Board Secretary, and solicitor(s) shall be reimbursed for necessary expenses incurred as delegates to any state convention or association of school directors' convention held within the state, or for necessary expenses incurred in attendance authorized by the Board at any other meeting held within the state or at an educational convention out-of-state. All such expenses shall be itemized and made available for public inspection at the next succeeding Board meeting.[\[22\]](#)

No member shall be reimbursed for more than two (2) out-of-state meetings in one (1) school year without the express approval by the majority of the Board.

Board members shall be entitled to be reimbursed for mileage and all expenses actually and necessarily incurred in attending Board meetings, conventions and other functions held on behalf of the district, provided that the reimbursement for attendance at meeting shall not exceed an average of four (4) per month per year.

Expenses shall be reimbursed only upon presentation of an itemized, verified statement, except that advance payments may be made upon presentation of estimated expenses to be incurred.

Expenses for mileage shall be reimbursed at the IRS rate.

Orientation

The Board believes that the preparation of each Board member for the performance of duties is essential to the effectiveness of the Board's functioning. The Board shall encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the schools, and review Board procedures and policies.

Accordingly, the Board shall give to each new Board member, no later than ~~his/her~~ **their** first regular meeting, for use during ~~his/her~~ **their** term on the Board the following items:

1. A copy of the School Code. [\[23\]](#)
 2. A copy of the Board Policy Manual.
 3. The current budget statement, audit report, and related fiscal materials.
 4. The current ~~Strategic~~ **Comprehensive** Plan.
 5. A copy of the Board's adopted Code of Conduct and Standards for Effective School Governance.
- Each new Board member shall be invited to meet with the Board President, Superintendent, and Board Secretary to discuss Board functions, procedures, and policy.

Board Member Education/Training

The Board places a high priority on the importance of a planned and continuing program of inservice education and training for its members. The purpose of the planned program shall be to enhance the quality and effectiveness of the Board's governance and leadership.

Inservice Education

The Board, in conjunction with the Superintendent, shall plan specific inservice education programs and activities designed to assist Board members in their efforts to improve their skills as policy-making leaders; expand their knowledge about issues, programs, and initiatives affecting the district's educational programs and student achievement; and deepen their insights into the nature of leadership, governance, and community engagement.

The school community shall be kept informed about the Board's continuing inservice education and training and the anticipated short and long-term benefits to the district and its schools. [\[24\]](#)

The Board shall annually budget funds to support its planned program of inservice education and training.

The Board establishes the following activities as the basis for its planned program of inservice education and training:

1. Participation in School Board conferences, workshops, and conventions.
2. District-sponsored inservice education and training programs designed to meet Board needs.
3. Subscriptions to publications addressed to Board member concerns.
4. Maintenance of resources and reference materials accessible to Board members.

Required Training Program: Newly Elected or Appointed School Directors [28]

Each newly elected or appointed school director shall complete, during the first year after election or appointment, a training program consisting of at least five (5) hours of instruction, including, at a minimum, information regarding:

1. **Instruction and academic programs, to include, but not be limited to, a minimum of one (1) hour of instruction on best practices related to trauma-informed approaches.**
2. **Personnel.**
3. **Fiscal management.**
4. **Operations.**
5. **Governance.**
6. **Ethics and open meetings, to include accountability requirements.**

Required Training Program: Re-elected or Re-appointed School Directors [28]

Each re-elected or re-appointed school director shall, within one (1) year after such re-election or re-appointment, complete an advanced training program consisting of at least three (3) hours of instruction, including:

1. **Information on relevant changes to federal and state public school law and regulations.**
2. **Fiscal management.**
3. **Trauma-informed approaches.**
4. **Other information deemed appropriate by the PA Department of Education to enable school directors to serve effectively.**

Membership in School Boards Associations –

It shall be the policy of the Board to maintain membership in a school boards association.

The Board shall seek to participate as fully as possible in the activities of these organizations.

Conference Attendance

In keeping with its stated priority on the importance of continuing inservice education and training for its members, the Board encourages the participation of all members at appropriate School Board conferences, workshops, and conventions. In order to control both the investment of time and expenditure of funds necessary to implement this planned program, the Board establishes the following guidelines:[\[22\]](#)[\[25\]](#)

1. The Board shall identify annually the issues, objectives, and cost benefits that can be ascribed to participation by Board members in conferences, workshops, and conventions.
2. The Superintendent shall inform Board members, in a timely manner, of upcoming conferences, workshops, and conventions.
3. The Board shall periodically decide which meetings appear to offer the most direct and indirect benefits to the district.
4. Each Board member shall receive Board approval prior to attending a conference, workshop, or convention at Board expense.
5. Funds for conference attendance shall be budgeted on an annual basis.
6. When a conference, workshop, or convention is not attended by the full Board, those who do participate shall share information, recommendations, and materials acquired at the meeting that will be beneficial to the school district.
7. Reimbursement to Board members for their travel expenses shall be in accordance with Board procedures and policy.[26]
8. The requirements regarding reimbursement for Board members for travel expenses shall be strictly enforced, and no payment shall be made until receipts for reimbursable expenses are submitted to the Business Manager or designee.
9. Reimbursement shall be limited to actual expenses incurred, and shall not include or be construed to include compensation to individual Board members.[2]

Liability Insurance

As permitted by law, the Board shall protect its members with adequate liability insurance in the event suits for damages are entered against them for negligence in performing their official duties.[27]

Student Representation

The Board authorizes student representation at Board meetings in order to facilitate effective communication and to provide an opportunity for students to participate in school governance.

Legal

- [1. 24 P.S. 303](#)
- [2. 24 P.S. 1081](#)
- [3. 24 P.S. 322](#)
- [4. 24 P.S. 323](#)
- [5. 24 P.S. 324](#)
- [6. 65 Pa. C.S.A. 1101 et seq](#)
- [7. 24 P.S. 321](#)
- [8. 65 Pa. C.S.A. 1102](#)
- [9. 65 Pa. C.S.A. 1104](#)
- [10. 65 Pa. C.S.A. 1105](#)
- [11. 51 PA Code 15.2](#)
- [12. 51 PA Code 15.3](#)
- [13. 24 P.S. 301 et seq](#)
- [14. 24 P.S. 315](#)
- [15. 24 P.S. 316](#)
- [16. 24 P.S. 317](#)
- [17. 24 P.S. 318](#)
- [18. 24 P.S. 319](#)
- [19. 65 Pa. C.S.A. 701 et seq](#)
- [20. 65 P.S. 91](#)
21. Pol. 006
- [22. 24 P.S. 516.1](#)
- [23. 24 P.S. 519](#)
24. Pol. 901
- [25. 24 P.S. 516](#)
26. Pol. 004
- [27. 24 P.S. 774](#)
- Pol. 331
- Pol. 813



Book	Policy Manual
Section	000 Local Board Procedures
Title	Organization
Code	005
Status	Second Reading
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Organization Meeting

The Board members shall meet and organize annually during the first week of December. Notice of the time and place of the organization meeting shall be given to all Board members by mail **and email** at least five (5) days before the meeting by the Board Secretary. The organization meeting shall be a regular meeting. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

Order

The organization meeting shall be called to order by the Board Secretary. A temporary President shall be elected from among the hold-over members of the Board. The Board Secretary shall be secretary of the meeting. In an election year, the certificates of election or appointment of all new Board members shall be read, and a list shall be prepared of the legally elected or appointed and qualified Board members. [\[2\]](#)[\[5\]](#)

At the organization meeting, ~~the Magisterial District Judge may~~ **an official having the power to administer the oath or affirmation of office** **may administer the oath or affirmation of office** to those Board members who have not previously taken and subscribed to the same. [\[6\]](#)[\[7\]](#)

Officers

Election of officers shall be by a majority vote of those present and voting. Where no such majority is achieved on the first ballot, a second ballot shall be cast for the two (2) candidates who received the greatest number of votes.

1. The school directors shall annually, during the first week of December, elect from their members a President and Vice-President who shall serve for one (1) year. [\[3\]](#)
2. The school directors shall annually, during the month of May, elect a Treasurer who shall serve for one (1) year beginning the first day of July after such election. The Treasurer may be a corporation duly qualified and legally authorized to transact a fiduciary business in the Commonwealth, and shall not be a member of the Board. [\[3\]](#)

The Treasurer shall not enter upon ~~his/her~~ **their** duties until furnishing bond in accordance with law and with Board approval. The Treasurer shall be compensated in the manner and at the rate determined by the Board. [\[8\]](#)[\[9\]](#)[\[10\]](#)

3. The school directors shall, during the month of May in every fourth year, elect a Secretary who shall serve a term of four (4) years beginning the first day of July following such election, and shall not be a member of the Board.[\[3\]](#)

The Secretary shall not enter upon ~~his/her~~ **their** duties until furnishing bond in accordance with law and with Board approval. The Secretary shall be compensated in the manner and at the rate determined by the Board.[\[10\]](#)[\[11\]](#)[\[12\]](#)

Vacancies in any office shall be filled by Board election; such officers shall serve for the remainder of the unexpired term.

The same school director may not hold more than one (1) office of the Board. No commissioned officer or professional employee of the Board shall serve, temporarily or permanently, as an officer of the Board.[\[3\]](#)[\[13\]](#)

Officers of the Board serve at the pleasure of the Board and may be removed from such office by the affirmative vote of a majority of those present and voting.[\[14\]](#)[\[15\]](#)

Appointments

The Board shall have the authority to appoint:

1. A tax collector, where a tax collector is not elected to collect taxes, there is a vacancy, or an elected tax collector refuses to qualify.[\[16\]](#)[\[17\]](#)
2. Solicitor.[\[13\]](#)[\[18\]](#)
3. Assistant Secretary.[\[19\]](#)
4. Independent auditor.[\[20\]](#)
5. Delegates to a state convention or association of school directors.[\[21\]](#)
6. Other appointments the Board deems necessary.

Appointees serve at the pleasure of the Board and may be removed from such appointment in accordance with the provisions of law.[\[14\]](#)[\[15\]](#)

Resolutions

The Board may at the organization meeting, but shall prior to July 1 next following, designate:

1. Depositories for school funds.[\[23\]](#)
2. Newspaper(s) of general circulation as defined in law.[\[24\]](#)
3. Normal day, place, and time for regular meetings.[\[4\]](#)
4. Normal day, place, and time for open committee meetings.

Board Committees

The Board has the authority to approve Board committees. Board committees authorized to take official action or render advice on district business shall operate in accordance with the provisions of the Sunshine Act.[\[15\]](#)[\[25\]](#)

Committees shall not include a majority of the membership of the Board.

Members shall be appointed by the President, who shall serve as an ex-officio member on all committees, and who shall appoint the Superintendent as an ex-officio member of all committees.

A member may request or refuse appointment to a committee.

Each Board committee shall be convened by a chairperson, who shall report for the committee and be appointed by the President.

The President may appoint at the organization meeting, or as soon after the organization meeting as practicable, members of the Board to the following standing committees, where they shall serve a term of one (1) year: Pupil Services; Education; Property and Finance; ~~and Personnel~~, **and Policy Review**.

Ad hoc committees may be created, charged, and assigned a fixed termination date, which may be extended by the President.

Members of committees shall serve until the committee is discharged.

The Board shall develop Board Operation Guidelines that describe the duties and establish procedures for the operation of standing committees.

Consultants

The Board may appoint, employ or retain consultants to provide the district with specialized services not normally required on a continuing basis. Compensation shall be determined and approved by the Board.

The function of a consultant shall be to make studies and present recommendations to the Board. A consultant shall not be charged with the implementation of a report.

A consultant has no administrative authority over any facet of district schools, but shall act solely as advisor to the Board, officers, and employees.

The use of consultants from outside the district who promote a particular commercial product is discouraged.

Legal

- [1. 24 P.S. 401](#)
- [2. 24 P.S. 402](#)
- [3. 24 P.S. 404](#)
- [4. 24 P.S. 421](#)
- [5. 24 P.S. 426](#)
- [6. 42 Pa. C.S.A. 102](#)
- [7. 42 Pa. C.S.A. 327](#)
- [8. 24 P.S. 436](#)
- [9. 24 P.S. 438](#)
10. Pol. 811
- [11. 24 P.S. 431](#)
- [12. 24 P.S. 432](#)
- [13. 24 P.S. 324](#)
- [14. PA Const. Art. VI Sec. 7](#)
15. Pol. 006
- [16. 24 P.S. 508](#)
- [17. 24 P.S. 683](#)
- [18. 24 P.S. 406](#)
- [19. 24 P.S. 434](#)
- [20. 24 P.S. 2401](#)
- [21. 24 P.S. 516](#)
- [23. 24 P.S. 621](#)
- [24. 24 P.S. 106](#)
- [25. 65 Pa. C.S.A. 701 et seq](#)
- [24 P.S. 321](#)
- [24 P.S. 1410](#)



Book	Policy Manual
Section	000 Local Board Procedures
Title	Board Operation Guidelines
Code	005AG1
Status	Second Reading

The roles and responsibilities of the Board President shall also include, but are not limited to, the following:

1. Working with the Superintendent:
 - a. Sets the agenda for business meetings, special meetings, executive session and retreats.
 - b. Receives input from Board members for agenda items.
 - c. Assist with Board goals being addressed by the appropriate committee.
 - d. Works with the Superintendent and Board Secretary to assure that all Board members are kept informed of matters pertaining to the function of the school district.
2. Serves as the official representative and spokesperson for the Board or delegates such responsibilities.
3. With the Vice-President, presents the Board's annual Superintendent performance review to the Superintendent.

Board Standing Committees

Each standing committee has a chairperson.

The responsibilities of the Board committee chairperson include, but are not limited to, the following:

- a. Sets committee agenda with the Superintendent or administrative liaison.
- b. Facilitates committee meeting.
- c. Reports to the full Board on committee work
- d. Reviews minutes with appropriate liaison.

Board Standing Committee Responsibilities include, but are not limited to, the following:

Education Committee

The Committee typically convenes for a monthly public meeting (except the month of July). The Committee is comprised of four (4) Board members, with one (1) of these members serving as chairperson.

- a. Review, present, and recommend adoption of district instructional materials, course and curriculum proposals, programs, textbooks and other core resources to support curriculum.
- b. Provide a forum for informing the Board and community (through presentations and discussion) about educational programs and practices, assessment reporting, district survey results and the comprehensive plan.
- c. Review, present, and recommend other appropriate district business as required.

Pupil Services Committee

The Committee typically convenes for a monthly public meeting (except the month of July). The Committee is comprised of four (4) Board members, with one (1) of these members serving as chairperson.

- a. Review, present and recommend curriculum, learning, and behavior support programs.
- b. Review, present, and recommend PDE required submissions that fall within the pupil services department (counseling, mental health, attendance, special education).
- c. Review, present, and recommend professional development workshops and annual service contracts for agency and individual providers.
- d. Provide a forum for informing the Board and community (through presentations and discussion) about district testing, procedures relating to special education and programs impacting students' mental, physical, emotional and social health factors that determine educational achievement and life success.
- e. Review, present, and recommend other appropriate district business as required.

Property & Finance Committee

The Committee typically convenes for a monthly public meeting (except the month of July). The Committee is comprised of four (4) Board members, with one (1) of these members serving as chairperson.

- a. Review, present, and recommend the annual district operating budget and review actual budget revenue/expenditures.
- b. Review, present, and recommend the annual capital and capital reserve budgets and review actual budget revenue/expenditures.
- c. Review, present, and recommend vendor contracts, budget transfers, annual audit with audit firm, financing options for capital projects, debt service, bond issuance/refinancing, district investments and financial/investment firm(s) to be used by the district.
- d. Review and discuss district facility items of interest or items in process, including but not limited to capital projects, maintenance and repair, construction programs, and litigation.
- e. Review, present, and recommend items related to real estate, student transportation, environment, budget, organization and policy.
- f. Review, present, and recommend for approval facility-related items.
- g. Review, present, and recommend items related to inter- and intra- building communications, building security and technical facilities support hardware and software.

h. Review, present, and recommend other appropriate district business as required.

Personnel Committee

The ~~Board Personnel~~ Committee convenes as needed. Due to the nature of many personnel items, as permitted by the Sunshine Act, these meetings may be held in executive sessions. Any items that are informational or require official action by the committee shall be presented to the public. **The Committee is comprised of four (4) Board members, with one (1) of these members serving as chairperson.**

Personnel items include: review, discuss and recommend, based on recommendations from the administration, items such as: creating new positions or eliminating existing positions; appointments of new staff; compensation plans; resignations, retirements, and terminations; and leaves of absence.

Policy Review Committee

The Committee typically convenes for a monthly public meeting (except the month of July). The Committee is comprised of four (4) Board members, with one (1) of these members serving as chairperson.

The Board Policy Committee convenes to review and revise Board policies and provide recommendations for approval of reviewed or revised policy to the Board.