

Book	Policy Manual
Section	300 Employees
Title	Benefits for Part-Time Employees
Number	341
Status	From PSBA
Legal	1, 24 Pa. C.S.A. § 8301 24 Pa. C.S.A. § 8301 et seq

13.2

Authority

Benefits for regularly employed part-time **administrative, professional and classified employees** shall be determined in accordance with the terms of an **administrative compensation plan, individual contract**, applicable collective bargaining agreement, or Board resolution.

Whenever regularly employed, part-time **employees** are entitled to fringe benefits normally provided for full-time employees **of the same classification**, such benefits will be established at the time of employment, and the manner of proration determined at that time.

Part-time **employees** shall be included in the School Employees' Retirement System upon reaching either 500 hours or **eighty** (80) days of employment, in accordance with law. (1)

Last Modified by Elizabeth Flood on July 9, 2015

Book	Policy Manual
Section	300 Employees
Title	Jury Duty
Number	342
Status	From PSBA
Legal	1 42 Pa. C. S. A. 4562

Authority

Regularly employed administrative, professional and classified employees shall be protected against loss of employment for time served as a witness or on jury duty.[1]

Guidelines

When an employee is notified of summons as a witness or of jury duty, s/he shall inform the immediate supervisor.

Employees called for witness or jury duty shall normally be permitted to serve and will not be penalized in any way. They shall receive normal pay for the period of jury duty, but any compensation received from jury duty in excess of actual expenses shall be credited against such pay.

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Book	Policy Manual
Section	100 Employees
Title	Paid Holidays
Number	343
Status	From PSBA
Legal	1.24 P.S. 1502
	2.24 P.S. 1503
	3 Pol 803

Authority

Paid holidays for regularly employed **administrative and** classified employees shall be determined in accordance with Board policy.

Holidays are established for **eligible employees** in accordance with an applicable **administrative compensation plan**, individual contract, collective bargaining agreement, or **Board resolution**. (1.24)(3)

Book	Policy Manual
Section	100 Employees
Title	Workers Compensation
Number	346
Status	From PSBA
Legal	1. 77 P.S. § 1159
	2. Pol. 328
	3. Pol. 334
	4. Pol. 308

Purpose

The Board recognizes that regularly employed administrative, professional and classified employees may be eligible for payment of wages during lost time for a job-related disability.[2]

Authority

The Board adopts this policy to authorize payment of lost wages to eligible employees for during lost time for any job related disability, in accordance with law, applicable provisions of an administrative compensation plan, individual contract and/or collective bargaining agreement and Board policy and/or resolutions.[1][4]

Guidelines

~~All employee claim checks shall be signed over to the district and submitted to the Business Division. Claim checks may represent approximately 2/3 of the employee's compensation.~~

Employee use of sick leave shall be in accordance with Board policy.[3]

Last Modified by Elizabeth Flood on July 9, 2015

Book	Policy Manual
Section	300 Employees
Title	Workers' Compensation Transitional Return-to-Work Program
Number	347 - NEW
Status	From PSBA
Legal	27 P.S. 1st sec 29 U.S.C. 2601 et seq 42 U.S.C. 12101 et seq 29 CFR Part 825 45 CFR Part 160 45 CFR Part 164

Purpose

The purpose of a workers' compensation transitional return-to-work program is the safe, timely return of injured district employees to transitional or regular employment.

Authority

In an effort to control workers' compensation costs, the Board adopts this policy to ensure that employees who have been injured at work and are covered by workers' compensation return to work as soon as possible, in accordance with Board policy and administrative regulations.

This policy shall apply only to an employee who meets all of the following conditions:

1. Has been injured at work.
2. Is disabled as defined under the state Workers' Compensation Act.
3. Is capable of productive work.
4. Cannot return to his/her pre-injury job for the district with or without reasonable accommodations as a result of his/her work injury.
5. Is expected to be able to return to his/her pre-injury job within a definite period of time.
6. Is being paid workers' compensation disability benefits.

An employee shall not be eligible for continuation in the transitional return-to-work program if one (1) of the following determinations is made:

1. Employee cannot perform the assigned lighter duty work.
2. Employee will be unable to return to his/her pre-injury occupation with or without reasonable accommodations within a reasonable period of time.

The work that shall be offered to an eligible employee shall be productive work that will advance the interests of the district.

Delegation of Responsibility

The Superintendent or designee shall establish a transitional return-to-work program and develop administrative regulations to implement the Board policy.

The Superintendent or designee shall ensure that all district staff responsible for the transitional return-to-work program shall receive periodic training from legal counsel with expertise in the Family And Medical Leave Act, Americans With Disabilities Act, workers' compensation and labor relations. The training shall include information on the interaction of the transitional return-to-work program and applicable laws, contracts and collective bargaining agreements.

The Superintendent or designee shall determine if a lighter duty job will be offered to an eligible employee.

When the interactive process is going to be engaged in, the Superintendent or designee shall engage the solicitor or special labor counsel.

Guidelines

The transitional return-to-work program and Board policy shall be implemented in a manner that does not conflict with applicable laws, contracts or collective bargaining agreements.

Nothing in this policy shall be construed as requiring that a lighter duty job be provided to an eligible employee or that the essential functions of any job be eliminated. Lighter duty jobs are intended as a transitional opportunity to assist an injured employee to return to his/her pre-injury occupation with or without reasonable accommodations.

Book	Policy Manual
Section	300 Employees
Title	Unlawful Harassment
Number	348
Status	From PSBA
Legal	1. 41 P.S. 951 et seq 2. 20 U.S.C. 1681 et seq 3. 42 U.S.C. 2000e et seq 4. 42 U.S.C. 2000ff et seq 5. 29 CFR 1606.8 6. 29 CFR 1604.11 7. Pol. 104 8. Pol. 317 9. Pol. 302 10. Pol. 304 11. Pol. 305 12. Pol. 306 13. Pol. 326

Authority

The Board strives to provide a safe, positive working climate for its administrative, professional and classified employees. Therefore, it shall be the policy of the district to maintain an employment environment in which harassment in any form is not tolerated.

The Board prohibits all forms of unlawful harassment of employees and third parties by all district students and staff members, contracted individuals, vendors, volunteers, and third parties in the schools and/or school sponsored activities. The Board encourages employees and third parties who have been harassed to promptly report such incidents to the designated administrators. ~~(11)(2)(3)~~ **(4)(1)(5)**

It shall also be a violation of Board policy for any district employee to inflict, threaten to inflict, or attempt to inflict sexual violence or violence due to race, color, national origin/ethnicity, religion, sex, gender, age, disability, sexual orientation, religion or genetic information upon another employee.

The Board directs that complaints of harassment shall be investigated promptly, and corrective action taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations.

No reprisals nor retaliation shall occur as a result of good faith charges of harassment.

Definitions

For purposes of this policy, harassment shall consist of verbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, sex, gender, age, disability, sexual orientation, religion or genetic information when such conduct ~~(4)(1)(5)~~

1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to perform job functions or creates an intimidating, threatening or abusive work environment.
2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance.
3. Otherwise adversely affects an individual's employment opportunities.

For purposes of this policy, sexual harassment shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when ~~(6)~~

1. Acceptance of such conduct is made, explicitly or implicitly, a term or condition of an individual's continued employment.
2. Submission to or rejection of such conduct is the basis for employment decisions affecting the individual.
3. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the employee's job performance or creating an intimidating, hostile or offensive working environment.

Examples of conduct that may constitute sexual harassment include, but shall not be limited to, sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes; pin-ups; calendars; objects; graffiti; vulgar statements; abusive language; innuendoes; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with an employee's ability to work or creates an intimidating, hostile or offensive working environment.

Sexual violence shall mean a physical act of aggression or force, or the threat of force, which involves the touching of another's intimate parts, or forcing a person to touch another person's intimate parts. Intimate parts shall be defined as the primary genital area, groin, inner thigh, buttocks or breast, as well as clothing covering these areas.

Sexual violence may include, but shall not be limited to:

1. Touching, patting, grabbing or pinching another individual's intimate parts, whether that individual shall be of the same sex or the opposite sex.
2. Coercing, forcing or attempting to coerce or force the touching of an individual's intimate parts.
3. Coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another individual.
4. Threatening to force or coerce sexual acts, including touching of intimate parts or intercourse, on another individual.

Racial violence shall mean a physical act of aggression or assault upon another individual because of, or in a manner reasonably related to, race.

Religious violence shall mean a physical act of aggression or assault upon another individual because of, or in a manner reasonably related to, religion.

Retaliation includes, but shall not be limited to, any form of intimidation, reprisal or harassment and may be redressed through application of the same reporting, investigation and enforcement procedures as for harassment.

Delegation of Responsibility

In order to maintain a work environment that discourages and prohibits unlawful harassment, the Board designates the Business Manager or the ~~Director of Pupil Personnel Services~~ *designee* as the district's Compliance Officer. ~~(7)~~

The Compliance Officer shall be responsible for reviewing this policy at least annually for compliance with applicable state and federal laws.

The Compliance Officer shall publish and disseminate this policy and the complaint procedure at least annually to students, parents/guardians, employees, independent contractors, vendors, and the public. The publication shall include the position, office address and telephone number of the Compliance Officer.

This policy shall be posted in every district building in areas accessible to employees.

Employees shall receive a copy of this policy upon employment with the district. ~~(9)(10)(11)(12)~~

An initial training shall be provided for all current administrative, professional and classified employees. Subsequent reviews shall be held annually.

The administration shall be responsible to provide training for students and district employees regarding unlawful harassment.

Each employee shall be responsible to maintain a working environment free from all forms of unlawful harassment.

The building principal or designee shall be responsible to complete the following duties when receiving a complaint of unlawful harassment:

1. Inform the employee or third party of the right to file a complaint and the complaint procedure.
2. Notify the complainant and the accused of the progress at appropriate stages of the procedure.

3. Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint.

Guidelines

Complaint Procedure – Employee/Third Party

Step 1 – Reporting

An employee or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building principal.

If the building principal is the subject of a complaint, the employee or third party shall report the incident directly to the Compliance Officer.

The complainant is encouraged to use the report form available from the building principal, but oral complaints shall be acceptable.

Step 2 – Investigation

Upon receiving a complaint of unlawful harassment, the building principal shall immediately notify the Compliance Officer. The Compliance Officer shall authorize the building principal to investigate the complaint, unless the building principal is the subject of the complaint or is unable to conduct the investigation.

The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.

Step 3 – Investigative Report

The building principal shall prepare and submit a written report to the Compliance Officer within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.

The complainant and the accused shall be informed of the outcome of the investigation, including the recommended disposition of the complaint.

Step 4 – District Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases and will not recur. District staff shall document the corrective action taken and, when not prohibited by law, inform the complainant.

Disciplinary actions shall be consistent with Board policies, administrative regulations and procedures, applicable collective bargaining agreements, and state and federal laws.

If it is concluded that an employee has knowingly made a false complaint under this policy, such employee shall be subject to disciplinary action [8]

Appeal Procedure

1. If the complainant is not satisfied with a finding of no violation of the policy or with the recommended corrective action, s/he may submit a written appeal to the Compliance Officer within fifteen (15) days.
2. The Compliance Officer shall review the investigation and the investigative report and may also conduct a reasonable investigation.
3. The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the building principal who conducted the initial investigation.

State and Federal Resources

In addition to the above, individuals who believe they have been subjected to harassment may file a formal complaint with either or both of the government agencies set forth below:

- 1 The United States Equal Employment Opportunity Commission
William S. Moorhead Federal Building
1000 Liberty Avenue, Suite 1112
Pittsburgh, Pennsylvania 15222-4106
Telephone: 412-395-5902 (If agency individual known) or 1-800-669-4000
TTY: 412 - 395-5904
- 2 The Pennsylvania Human Relations Commission
Pittsburgh Regional Office
301 Fifth Avenue
Suite 390, Platt Place
Pittsburgh, PA 15222-2440

Please note that each of the agencies has a short period of 180 days for filing a claim.

Using the district's grievance procedure shall not prohibit individuals from filing a complaint with the provided agencies [13]

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Book	Policy Manual
Section	300 Employees
Title	Drug and Substance Abuse
Number	351
Status	From PSBA
Legal	1. 35 P.S. 780-101 et seq
	2. 41 U.S.C. 8101
	3. 24 P.S. 111
	4. 41 U.S.C. 8103
	5. 24 P.S. 527
	6. 41 U.S.C. 8103
	7. 24 P.S. 1302.1-A
	8. 24 P.S. 1303-A
	9. 22 PA Code 10.2
	10. 22 PA Code 10.21
	11. 35 P.S. 780-102
	12. Pol. 805.1
	41 U.S.C. 8101 et seq
	Pol. 317

Purpose

The Board recognizes that the misuse of drugs by administrative, professional and classified employees is a serious problem with legal, physical and social implications for the whole school community and is concerned about the problems that may be caused by drug use by district employees, especially as the use relates to an employee's safety, efficiency and productivity.

The primary purpose and justification for any district action will be for the protection of the health, safety and welfare of students, staff and school property.

Definitions

Drugs - shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act. [1]

Conviction - a finding of guilt, including a plea of nolo contendere, an imposition of sentence, or both by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes [2]

Criminal Drug Statute - a federal or state criminal statute involving the manufacture, distribution, dispensation, use or possession of a controlled substance. [2]

Drug-free Workplace - the site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance [2]

Authority

The Board requires that each administrative, professional and classified employee be given notification that, as a condition of employment, the employee will abide by the terms of this policy and notify the district of any criminal drug statute conviction for a violation occurring in the workplace immediately, but no later than seventy-two (72) hours, after such conviction. [3][4]

Any employee convicted of delivery of a controlled substance or convicted of possession of a controlled substance with the intent to deliver shall be terminated from his/her employment with the district. [5][1]

Delegation of Responsibility

The Superintendent or designee shall distribute a copy of this policy to all employees.

A statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the employee's workplace shall be provided by the Superintendent or designee and shall specify the actions that will be taken against the employee for violation of this policy, up to and including termination and referral for prosecution. [4][6]

Within ten (10) days after receiving notice of the conviction of a district employee, the district shall notify any federal agency or department that is the grantor of funds to the district. [4]

The district shall take appropriate personnel action within thirty (30) days of receiving notice against any convicted employee, up to and including termination, or require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency. [4][6]

In establishing a drug-free awareness program, the Superintendent or designee shall inform employees about [4]

1. Dangers of drug abuse in the workplace.
2. Board's policy of maintaining a drug-free workplace.
3. Availability of drug counseling, drug rehabilitation, and employee assistance programs.
4. Penalties that may be imposed for drug abuse violations occurring in the workplace.

The district shall make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy. [4]

Guidelines

The Superintendent or designee shall immediately report incidents involving the possession, use or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act by any employee while 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. [7][8][9][10][11][12]

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of possession, use or sale of controlled substances or drug paraphernalia to the Office for Safe Schools on the required form. [8][12]

Book	Policy Manual
Section	300 Employees
Title	Employee Assistance Program
Number	353
Status	From PSBA
Legal	1. 24 P.S. 510 2. Pol. 317 3. Pol. 351 4. Pol. 340

Purpose

The Board recognizes the need to provide confidential, professional counseling for staff members who have personal problems that may or could affect job performance through a wide range of services including assessment, short-term counseling, referral, monitoring and follow-up.

The Board supports an Employee Assistance Program, or EAP, to address the problem of dealing effectively with deteriorating employee performance. The EAP shall be intended to retain talent, increase effectiveness of employees and stabilize costs related to absenteeism and hospitalization.

Definitions

Employee Assistance Program - shall be defined as a full-service employee assistance program that exists to promote individual and organizational development. The EAP provides confidential, professional counseling for staff members experiencing personal problems that may or could affect job performance through a wide range of services including assessment, short-term counseling, referral, monitoring and follow-up.

Authority

Board authorizes the utilization of the Employee Assistance Program by district employees.

Guidelines

Administrative, professional and classified employees may obtain assistance through the EAP through one (1) of the following:

1 Self-Referral -

Administrative, professional and classified employees or immediate family and/or household members may seek assistance by calling the EAP directly. In these cases, all communication between the Employee Assistance Program staff and the employee shall be held in the strictest confidence, unless the employee requests that others be notified or if the law requires disclosure.

2 Supervisory Recommendation, or Voluntary Use -

In cases when an employee shall be evidencing personal difficulties and performance has not yet been affected, the supervisor may encourage self-referral to the EAP. In most cases, the employee shall call the EAP for an appointment. The supervisor shall not hear from the EAP, since self-referrals shall be confidential.

To make a recommendation to the EAP, the supervisor may:

- Encourage staff members to seek counseling, inform employees about the services provided by the EAP and applicable location, provide the staff member with an EAP brochure and communicate how to schedule an appointment.
- Assist a staff member in visiting the EAP by obtaining the staff member's permission to call the EAP to schedule an appointment.

3 Formal Supervisory Referral, or Voluntary Use -

Supervisors shall be encouraged to make a Formal Supervisory Referral to the EAP before or at the beginning of the Corrective Action process. If the employee refuses the offer of assistance, the supervisor shall remind the employee that the supervisor and the employer shall focus on the work performance with the goal of meeting performance expectations. If the employee agrees to accept the assistance, the supervisor shall call the EAP to arrange an appointment for the employee. The EAP counselor shall ask the supervisor about the performance difficulty, the consequences that have been discussed and the expected time line for improvement.

During the first EAP session, the EAP counselor shall review the supervisor's observation of the work performance problem. For Formal Supervisory Referrals only, the EAP counselor shall provide the following feedback to the employer after obtaining a Release of Information from the employee:

- Whether the employee retained the EAP appointment.
- Whether the employee shall be working on a plan to resolve his/her personal problem or declines further participation.

4 Mandatory Referral -

Under very specific and serious circumstances, supervisors may require the employee to undergo EAP assessment and treatment planning. These circumstances include threats to the safety of the employee, threats to other employees or threats to the safety of the workplace related to the employee's behavior, conduct, actions, verbal threats or behavior.

In addition, Mandatory Referral to the EAP shall be required when an employee admits to a supervisor of having a chemical dependency problem, even if no evidence of use, diversion or theft of controlled substances at work. Lastly, a Mandatory Referral to the EAP can be used as part of the corrective action process when the employee's demonstrated behavior negatively affects students, colleagues or the work environment.[3][4]

Before a Mandatory Referral shall be made, the supervisor shall contact the Superintendent or designee to discuss his/her observations and plan(s). Upon meeting with the EAP counselor, the employee shall be informed that all content of the sessions shall be kept confidential and that the counselor shall call the supervisor and provide the following information:

- Whether the employee has or has not attended the EAP sessions.
- Whether the employee shall be following the recommended plan of action.

Information regarding the nature of the problem or the plan of action shall not be revealed. The employee may choose to accept or reject an offer or recommendation for treatment services with the understanding that the decision concerning such recommendations shall be reported to the referring supervisor. A refusal to attend required EAP sessions may result in disciplinary action, in accordance with Board policy.[2]

Book	Policy Manual
Section	00 Programs
Title	Screening and Evaluations for Students With Disabilities
Number	113.3
Status	Active
Legal	<p>1. 32 PA Code 14.122</p> <p>2. 22 PA Code 14.123</p> <p>3. 32 PA Code 14.124</p> <p>4. 22 PA Code 14.125</p> <p>5. 32 PA Code 13.133</p> <p>6. 20 U.S.C. 1414</p> <p>7. 34 CFR 300.326</p> <p>8. 34 CFR 300.301-300.311</p> <p>9. 34 CFR 300.502</p> <p>10. 34 CFR 300.530</p> <p>11. Pol. 113</p> <p>12. Pol. 113.2</p> <p>13. Pol. 209</p> <p>14. Pol. 113.1</p> <p>15. 34 CFR 300.300-300.311</p> <p>16. 34 CFR 300.503</p> <p>17. 34 CFR 300.303-300.306</p> <p>18. 34 CFR 300.307-300.311</p> <p>19. 34 CFR 300.303</p> <p>20. PA Ass'n for Retarded Children (PARC) v. Com. of Pa., 343 F. Supp. 279 (E.D. Pa. 1975)</p> <p>20 U.S.C. 1400 et seq.</p> <p>34 CFR Part 300</p> <p>Pennsylvania Training and Technical Assistance Network (PATTAN)</p>
Adopted	May 18, 2015

Purpose

The Board adopts this policy to define the minimum requirements for screening; educational evaluations conducted to determine eligibility for special education services; instructional levels and programming requirements for students with disabilities; including functional behavioral assessments; and requirements for independent educational evaluations [1][2][3][4][5][6][7][8][9][10][11][12]

Authority

The Board shall adopt a system of screening that may include early intervening services and must be designed to accomplish identification and initial screening for students prior to district referral for a special education evaluation. The system shall provide support to staff to improve working effectively with students in the general education curriculum, identify students who may require special education services and programs, and must include hearing and vision screening and screening at reasonable intervals to determine whether students are performing at grade appropriate levels in core academic subjects. [1][2][13]

Early intervening services shall comply with the requirements of state and federal law and regulations in order to address academic concerns or behaviors that may be impeding success, but which can be resolved through research-based intervention programs in the regular education setting. [7]

The Board authorizes the use of functional behavioral assessments (FBAs) as an evaluation to gather information to understand the purpose of the student's behaviors and to assist with developing a positive Behavior Support Plan. FBAs must be conducted when: [5][10][11][14][12]

1. A student's behavior interferes with his/her learning or the learning of others and information is necessary to provide appropriate educational programming.
2. A student's behavior violates the Code of Student Conduct and is determined to be a manifestation of a student's disability.
3. A student is placed in an interim alternative educational placement for a qualifying reason permitting such placement for up to forty-five (45) school days for certain offenses.
4. The school contacts law enforcement regarding a student who already has a positive Behavior Support Plan.

FBAs may also constitute part of the initial evaluation to determine eligibility for special education.

The district shall comply with requirements of state and federal laws and regulations when conducting evaluations. [2][6][15][9][16]

An appropriate evaluation of a student, whether conducted by district staff or individuals not employed by the district, shall consist of the administration of all testing and the use of all assessment procedures required to determine the existence of all legally defined disabilities reasonably suspected by district staff, parents/guardians, or the evaluator. An appropriate evaluation shall assist in determining the content of the IEP to enable a student with a disability to be involved in and progress in the general curriculum.

A student shall be assessed in all areas related to the suspected disability including, as appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.

A re-evaluation of a student who currently has an IEP shall be conducted as required by state and federal law and regulations. [3][6][17][16]

Guidelines

Parent/Guardian Requests

Parents/Guardians may request an evaluation at any time. The parent/guardian request must be in writing. If a request is made orally to any professional employee or administrator, that individual shall provide a copy of the permission to evaluate form to the parents/guardians within ten (10) calendar days of the oral request. [1][2]

The evaluation shall be completed and a copy of the evaluation report presented to parents/guardians no later than sixty (60) calendar days after receipt of written parent/guardian consent for an evaluation, exclusive of the period following the last day of the spring school term to the first day of the subsequent fall term.

Appropriate Evaluations

An appropriate evaluation shall use a variety of assessment tools and strategies to gather relevant functional, developmental and academic information about a student. [2][6][8][9]

An appropriate evaluation shall include:

1. Testing and assessment techniques required in light of information currently available from previous evaluations.
2. Information from parents/guardians and school staff familiar with the performance of the student.
3. The student's education records.

The evaluator shall review all such sources of information prior to conducting testing and assessment. The evaluator shall review assessments conducted by others that indicate how the student is responding to early intervening services and scientific research-based instruction and/or include such assessments as part of his/her evaluation.

To the extent that the results of such instructional assessments are inconsistent with the results of norm or criterion-referenced testing and assessments that the evaluator has administered, the evaluator shall explain the reason for the inconsistency in his/her report, if possible.

When assessing the presence of a specific learning disability, the evaluation shall be consistent with procedures adopted by the district and comply with state and federal law and regulations. [4][18]

Testing and assessment procedures shall be selected and administered to yield valid measurement or assessment of the construct or quality they purport to measure or assess. The evaluator shall administer any testing or assessment procedures in a manner consistent with the requirements and recommendations of the publisher of the test or procedure and in compliance with applicable and authoritative

All assessments and evaluation materials shall be selected and administered so as not to be discriminatory on a racial or cultural basis. Where feasible, assessments and evaluations shall be administered in a language and form most likely to provide accurate information about the student.

The evaluation shall include an observation of the student in an educational setting, unless the student is not currently in such a setting. The evaluator shall obtain information concerning the performance of the student directly from at least one (1) current teacher of the student, unless s/he does not have a current teacher.

The evaluator shall hold an active certification that qualifies the evaluator to conduct that type of evaluation. If certification is not issued for the particular area of professional practice in which the evaluator is lawfully engaged, the evaluator shall hold such license or other credentials as required for the area of professional practice under state law.

The evaluator shall prepare and sign a full report of the evaluation containing:

1. Clear explanation of the testing and assessment results.
2. Complete summary of all test scores, including, for all standardized testing administered, all applicable full scale or battery scores, domain or composite scores, and subtest scores reported in standard, scaled, or T-score format.
3. Complete summary of all information obtained or reviewed from sources other than testing conducted by the evaluator.
4. Identification of all special education and related services needs and relevant information that directly assists persons in determining the educational needs of the student.
5. Specific, individualized recommendations for consideration by the IEP team for educational programming and placement to enable the student to participate as appropriate in the general education curriculum in the least restrictive environment, as defined by federal and state law and regulations.

Re-Evaluations

Re-evaluations shall be conducted within the timeframes required by state and federal laws and regulations unless the parent/guardian and the district agree in writing that a re-evaluation is unnecessary. For students with intellectual disability, the re-evaluation cannot be waived. The group of qualified professionals that reviews the evaluation materials to determine whether the child is a student with a disability shall include a certified school psychologist when evaluating a student for autism, emotional disturbance, intellectual disability, multiple disabilities, other health impairment, specific learning disability and traumatic brain injury.[3][19][20]

Copies of the re-evaluation report shall be disseminated to parents/guardians at least ten (10) days prior to the meeting of the IEP team unless this requirement is waived in writing.

Independent Educational Evaluations

A parent/guardian who disagrees with the results or content of an evaluation performed or obtained by the district may request an independent educational evaluation at district expense. A parent/guardian is entitled to only one (1) independent educational evaluation at public expense each time the district conducts an evaluation with which the parent/guardian disagrees. The independent educational evaluation must arise from parents'/guardians' disagreement with the district's most recent evaluations or re-evaluations of the student. The district shall be entitled to a copy of all results of independent educational evaluations conducted at public expense. If an oral request for an independent educational evaluation is made to a professional employee or administrator, that person shall inform the parent/guardian that the request must be in writing. If the native language of the parent/guardian is other than English, the requirement that the parent/guardian make his/her request in writing shall be conveyed by whatever means practicable and, where feasible, in the native language of the parent/guardian.[2]

A written request for an independent educational evaluation at district expense shall be immediately forwarded to the Special Education Director, who may, upon receipt of the written parent/guardian request, ask that the parent/guardian state his/her reasons for disagreement with the evaluation conducted or proposed by the district. The district cannot require the parent/guardian to do so, and the refusal of the parent/guardian shall not delay the process required by this policy.

The criteria under which the independent educational evaluation at public expense is obtained must be the same as the criteria used by the district in conducting an appropriate evaluation, including the location of the evaluation and the qualifications of the examiner, to the extent those criteria are consistent with the parent's/guardian's right to an independent educational evaluation at public expense. The qualified examiners who conduct the independent educational evaluation may not be employed by the public agency responsible for the education of the student.

Within ten (10) school days of receipt of a request for an independent educational evaluation in writing from a parent/guardian, the Special Education Director shall either initiate a due process hearing to show that the district's evaluation is appropriate and notify the parent/guardian in writing that s/he has done so or issue to the parent/guardian correspondence containing:

1. Assurance that the district will pay for an independent educational evaluation as long as the evaluation meets all of the requirements of an appropriate evaluation and is in compliance with this policy.
2. Statement that the district will not pay for the evaluation until it receives directly from the evaluator a complete copy of a report of that evaluation and determines that the evaluation is in compliance with this policy.
3. Request that the parents/guardians consider accessing reimbursement for all or part of the evaluation from public or private sources of insurance or reimbursement, together with a clear assurance that the parent/guardian is not required to do so and that the district will pay any cost not covered by such sources.
4. Directions that the parent/guardian is responsible for arranging for the evaluation and ensuring that the evaluator contacts the Special Education Director to arrange for payment of the evaluation.

Upon request, the district shall provide to parents/guardians information about where an independent educational evaluation may be obtained.

If the evaluation has already been conducted and paid for, the district shall issue correspondence advising the parent/guardian that the district will not reimburse the parent/guardian for the evaluation until it receives a complete and unredacted copy of the report of the evaluation and determines that the evaluation is in compliance with this policy. The district shall require documentation substantiating that the parent/guardian paid for or incurred the obligation to pay for the evaluation without reimbursement from a public or private source of insurance or reimbursement.

The Special Education Director shall send the correspondence to the parent/guardian by certified mail or by other independently verifiable means of conveyance and enclose a copy of this policy.

The Special Education Director shall maintain a list of qualified independent evaluators in each of the various disciplines commonly relied upon to provide education-related evaluations and assessments and shall promptly make that list available to any parent/guardian who requests it.

Book	Policy Manual
Section	100 Programs
Title	Screening and Evaluations for Students With Disabilities
Number	113.3 Vol III 2015
Status	From PSBA
Legal	<p>1. 22 PA Code 14.123</p> <p>2. 22 PA Code 14.123</p> <p>3. 22 PA Code 14.124</p> <p>4. 22 PA Code 14.125</p> <p>5. 22 PA Code 14.123</p> <p>6. 20 U.S.C. 1413</p> <p>7. 34 CFR 300.226</p> <p>8. 34 CFR 300.301-300.311</p> <p>9. 34 CFR 300.502</p> <p>10. 34 CFR 300.510</p> <p>11. Pol. 113</p> <p>12. Pol. 113.2</p> <p>13. Pol. 209</p> <p>14. Pol. 113.1</p> <p>15. 34 CFR 300.300-300.311</p> <p>16. 34 CFR 300.503</p> <p>17. 34 CFR 300.303-300.306</p> <p>18. 34 CFR 300.307-300.311</p> <p>19. 34 CFR 300.303</p> <p>20. PA Ass'n for Retarded Children (PARC) v. Com. of Pa., 343 F. Supp. 279 (E.D. Pa. 1975)</p> <p>21. Pol. 138</p> <p>20 U.S.C. 1400 et seq</p> <p>34 CFR Part 300</p> <p>Pennsylvania Training and Technical Assistance Network (PaTTAN)</p>

Purpose

The Board adopts this policy to define the minimum requirements for screening, educational evaluations conducted to determine eligibility for special education services, instructional levels and programming requirements for students with disabilities, including functional behavioral assessments; and requirements for independent educational evaluations. [1][2][3][4][5][6][7][8][9][10][11][12]

Authority

The Board shall adopt a system of screening that may include early intervening services and must be designed to accomplish identification and initial screening for students prior to district referral for a special education evaluation. The system shall provide support to staff to improve working effectively with students in the general education curriculum, identify students who may require special education services and programs, and must include hearing and vision screening and screening at reasonable intervals to determine whether students are performing at grade appropriate levels in core academic subjects. [1][7][13]

Early intervening services shall comply with the requirements of state and federal law and regulations in order to address academic concerns or behaviors that may be impeding success, but which can be resolved through research-based intervention programs in the regular education setting. [7]

The Board authorizes the use of functional behavioral assessments (FBAs) as an evaluation to gather information to understand the purpose of the student's behaviors and to assist with developing a positive Behavior Support Plan. FBAs must be conducted when [5][10][11][14][12]

1. A student's behavior interferes with his/her learning or the learning of others and information is necessary to provide appropriate educational programming.
2. A student's behavior violates the Code of Student Conduct and is determined to be a manifestation of a student's disability.
3. A student is placed in an interim alternative educational placement for a qualifying reason permitting such placement for up to forty-five (45) school days for certain offenses.
4. The school contacts law enforcement regarding a student who already has a positive Behavior Support Plan.

FBAs may also constitute part of the initial evaluation to determine eligibility for special education.

The district shall comply with requirements of state and federal laws and regulations when conducting evaluations. [2][6][15][9][16]

An appropriate evaluation of a student, whether conducted by district staff or individuals not employed by the district, shall consist of the administration of all testing and the use of all assessment procedures required to determine the existence of all legally defined disabilities reasonably suspected by district staff, parents/guardians, or the evaluator. An appropriate evaluation shall assist in determining the content of the IEP to enable a student with a disability to be involved in and progress in the general curriculum.

A student shall be assessed in all areas related to the suspected disability including, as appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.

A re-evaluation of a student who currently has an IEP shall be conducted as required by state and federal law and regulations. [3][6][17][16]

Guidelines

Parent/Guardian Requests

Parents/Guardians may request an evaluation at any time. The parent/guardian request must be in writing. If a request is made orally to any professional employee or administrator, that individual shall provide a copy of the permission to evaluate form to the parents/guardians within ten (10) calendar days of the oral request. [1][2]

The evaluation shall be completed and a copy of the evaluation report presented to parents/guardians no later than sixty (60) calendar days after receipt of written parent/guardian consent for an evaluation, exclusive of the period following the last day of the spring school term to the first day of the subsequent fall term.

Appropriate Evaluations

An appropriate evaluation shall use a variety of assessment tools and strategies to gather relevant functional, developmental and academic information about a student. [2][6][8][9]

An appropriate evaluation shall include:

1. Testing and assessment techniques required in light of information currently available from previous evaluations.
2. Information from parents/guardians and school staff familiar with the performance of the student.
3. The student's education records.

The evaluator shall review all such sources of information prior to conducting testing and assessment. The evaluator shall review assessments conducted by others that indicate how the student is responding to early intervening services and scientific research-based instruction and/or include such assessments as part of his/her evaluation.

To the extent that the results of such instructional assessments are inconsistent with the results of norm or criterion-referenced testing and assessments that the evaluator has administered, the evaluator shall explain the reason for the inconsistency in his/her report, if possible.

When assessing the presence of a specific learning disability, the evaluation shall be consistent with procedures adopted by the district and comply with state and federal law and regulations. [4][18]

Testing and assessment procedures shall be selected and administered to yield valid measurement or assessment of the construct or quality they purport to measure or assess. The evaluator shall administer any testing or assessment procedures in a manner consistent with the requirements and recommendations of the publisher of the test or procedure and in compliance with applicable and authoritative recognized professional principles and ethical tenets. S/He shall report any factor that might affect the validity of any results obtained.

All assessments and evaluation materials shall be selected and administered so as not to be discriminatory on a racial or cultural basis. Where feasible, assessments and evaluations shall be administered in a language and form most likely to provide accurate information about the student.

The evaluation shall include an observation of the student in an educational setting, unless the student is not currently in such a setting. The evaluator shall obtain information concerning the performance of the student directly from at least one (1) current teacher of the student, unless s/he does not have a current teacher.

The evaluator shall hold an active certification that qualifies the evaluator to conduct that type of evaluation. If certification is not issued for the particular area of professional practice in which the evaluator is lawfully engaged, the evaluator shall hold such license or other credentials as required for the area of professional practice under state law.

The evaluator shall prepare and sign a full report of the evaluation containing:

1. Clear explanation of the testing and assessment results.
2. Complete summary of all test scores, including, for all standardized testing administered, all applicable full scale or battery scores, domain or composite scores, and subtest scores reported in standard, scaled, or T-score format.
3. Complete summary of all information obtained or reviewed from sources other than testing conducted by the evaluator.
4. Identification of all special education and related services needs and relevant information that directly assists persons in determining the educational needs of the student.
5. Specific, individualized recommendations for consideration by the IEP team for educational programming and placement to enable the student to participate as appropriate in the general education curriculum in the least restrictive environment, as defined by federal and state law and regulations.

Re-Evaluations

Re-evaluations shall be conducted within the timeframes required by state and federal laws and regulations unless the parent/guardian and the district agree in writing that a re-evaluation is unnecessary. For students with intellectual disability, the re-evaluation cannot be waived. The group of qualified professionals that reviews the evaluation materials to determine whether the child is a student with a disability shall include a certified school psychologist when evaluating a student for autism, emotional disturbance, intellectual disability, multiple disabilities, other health impairment, specific learning disability and traumatic brain injury. [3][19][20]

Copies of the re-evaluation report shall be disseminated to parents/guardians at least ten (10) days prior to the meeting of the IEP team unless this requirement is waived in writing.

Independent Educational Evaluations

A parent/guardian who disagrees with the results or content of an evaluation performed or obtained by the district may request an independent educational evaluation at district expense. A parent/guardian is entitled to only one (1) independent educational evaluation at public expense each time the district conducts an evaluation with which the parent/guardian disagrees. The independent educational evaluation must arise from parents'/guardians' disagreement with the district's most recent evaluations or re-evaluations of the student. The district shall be entitled to a copy of all results of independent educational evaluations conducted at public expense. If an oral request for an independent educational evaluation is made to a professional employee or administrator, that person shall inform the parent/guardian that the request must be in writing. If the native language of the parent/guardian is other than English, the requirement that the parent/guardian make his/her request in writing shall be conveyed by whatever means practicable and in the native language of the parent/guardian. [9][21]

A written request for an independent educational evaluation at district expense shall be immediately forwarded to the Director of Special Education, who may, upon receipt of the written parent/guardian request, ask that the parent/guardian state his/her reasons for disagreement with the evaluation conducted or proposed by the district. The district cannot require the parent/guardian to do so, and the refusal of the parent/guardian shall not delay the process required by this policy.

The criteria under which the independent educational evaluation at public expense is obtained must be the same as the criteria used by the district in conducting an appropriate evaluation, including the location of the evaluation and the qualifications of the examiner, to the extent those criteria are consistent with the parent's/guardian's right to an independent educational evaluation at public expense. The qualified examiners who conduct the independent educational evaluation may not be employed by the public agency responsible for the education of the student.

Within ten (10) school days of receipt of a request for an independent educational evaluation in writing from a parent/guardian, the Director of Special Education shall either initiate a due process hearing to show that the district's evaluation is appropriate and notify the parent/guardian in writing that s/he has done so or issue to the parent/guardian correspondence containing:

1. Assurance that the district will pay for an independent educational evaluation as long as the evaluation meets all of the requirements of an appropriate evaluation and is in compliance with this policy.
2. Statement that the district will not pay for the evaluation until it receives directly from the evaluator a complete copy of a report of that evaluation and determines that the evaluation is in compliance with this policy.
3. Request that the parents/guardians consider accessing reimbursement for all or part of the evaluation from public or private sources of insurance or reimbursement, together with a clear assurance that the parent/guardian is not required to do so and that the district will pay any cost not covered by such sources.
4. Directions that the parent/guardian is responsible for arranging for the evaluation and ensuring that the evaluator contacts the Director of Special Education to arrange for payment of the evaluation.

Upon request, the district shall provide to parents/guardians information about where an independent educational evaluation may be obtained.

If the evaluation has already been conducted and paid for, the district shall issue correspondence advising the parent/guardian that the district will not reimburse the parent/guardian for the evaluation until it receives a complete and unredacted copy of the report of the evaluation and determines that the evaluation is in compliance with this policy. The district shall require documentation substantiating that the parents/guardians paid for or incurred the obligation to pay for the evaluation without reimbursement from a public or private source of insurance or reimbursement.

The Director of Special Education shall send the correspondence to the parent/guardian by certified mail or by other independently verifiable means of conveyance and enclose a copy of this policy.

The Director of Special Education shall maintain a list of qualified independent evaluators in each of the various disciplines commonly relied upon to provide education-related evaluations and assessments and shall promptly make that list available to any parent/guardian who requests it.

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Last Modified by Elizabeth Flood on November 9, 2015

Book	Policy Manual
Section	100 Programs
Title	Tutoring
Number	116
Status	Active
Legal	<ul style="list-style-type: none"> 1. 22 PA Code 11.22 2. 22 PA Code 11.22 3. 24 P.S. 1327 4. 22 PA Code 11.31
Adopted	June 15, 2015

Purpose

The Board recognizes that some students may require special help beyond the regular classroom program.

Guidelines

Wherever possible within the working day, each teaching staff member shall assist assigned students in the remediation of individual learning difficulties. [1]

In cases where extra help is desirable and the parents/guardians request such assistance, the building principal or designee may recommend that the parents/guardians secure tutorial services for the student from a list of available tutors maintained by the school.

Excusal From School

Upon the written request of the parent/guardian, a student may be excused during school hours for tutoring in a field not offered in the district curriculum if such excusal does not interfere with the student's regular program of studies. [2]

The tutor's qualifications must be approved by the Superintendent.

The district may establish reasonable conditions for excusal of a student for such tutoring.

Private Tutoring

The instructional program for students not enrolled in public schools due to private tutoring by a qualified tutor shall comply with state law and regulations. [3][4]

The parent/guardian shall provide written assurance that all instructional requirements are being met.

When the Superintendent receives a complaint that a student is not being provided the required instruction or that a student is not making satisfactory progress, the Superintendent may request evidence of the student's academic progress and documentation that instruction is being provided for the required number of days and hours. [4]

Evidence of satisfactory progress may include samples of student work, assignments, progress reports, report cards and evaluations. Documentation of instructional time may include logs maintained by the tutor or parent/guardian, attendance records, or other records indicating the dates and time instruction was provided. [4]

Last Modified by Rhonda Caldwell on June 25, 2015

Book	Policy Manual
Section	100 Programs
Title	Tutoring
Number	116 Vol III 2015
Status	From PSBA
Legal	1.22 PA Code 4.12 2.22 PA Code 4.52 3.22 PA Code 11.22 4.24 P.S. 1327 5.22 PA Code 11.31 6.24 P.S. 111 7.23 Pa. C.S.A. 6344 24 P.S. 1205.1 24 P.S. 1332 24 P.S. 1333 22 PA Code 11.33 23 Pa. C.S.A. 6301 et seq

Purpose

The Board recognizes that some students may require special help beyond the regular classroom program

Guidelines

Wherever possible within the working day, each teaching staff member shall assist assigned students in the remediation of individual learning difficulties.[1][2]

{ } In cases where extra help is desirable and the parents/guardians request such assistance, the building principal or designee may recommend that the parents/guardians secure tutorial services for the student from a list of available tutors maintained by the school.

Excusal From School

Upon the written request of the parent/guardian, a student may be excused during school hours for tutoring in a field not offered in the district curriculum if such excusal does not interfere with the student's regular program of studies.[3]

The tutor's qualifications must be approved by the Superintendent.[3]

The district may establish reasonable conditions for excusal of a student for such tutoring.[3]

Private Tutoring

The instructional program for students not enrolled in public schools due to private tutoring by a properly qualified private tutor shall comply with state law and regulations.[4][5]

A properly qualified private tutor shall mean a person who is certified by the Commonwealth to teach in Pennsylvania public schools; who is teaching one (1) or more children who are members of a single family; who provides the majority of instruction to such child or children; and who is receiving a fee or other consideration for instructional services.[4]

Each private tutor shall file with the Superintendent a copy of his/her Pennsylvania certification, state and federal criminal history information and child abuse history clearance. No person who would be disqualified from school employment by the provisions of 24 P.S. § 1-111(e) may be a private tutor.[6][4][7]

Annually, the parent/guardian shall provide written assurance to the Superintendent that all instructional requirements are being met.[5]

When the Superintendent receives a complaint that a student is not being provided the required instruction or that a student is not making satisfactory progress, the Superintendent may request evidence of the student's academic progress and documentation that instruction is being provided for the required number of days and hours.[5]

Evidence of satisfactory progress may include samples of student work, **assessments**, progress reports, report cards and evaluations. Documentation of instructional time may include logs maintained by the tutor or parent/guardian, attendance records, or other records indicating the dates and times instruction was provided.[5]

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Last Modified by Elizabeth Flood on November 9, 2015

Book	Policy Manual
Section	100 Programs
Title	Assessments
Number	127
Status	Active
Legal	<u>1. 22 PA Code 3.52</u> <u>2. 22 PA Code 4.12</u> <u>3. 22 PA Code 4.51</u> 4 Pol 100 <u>5. 22 PA Code 12.41</u> <u>6. 22 PA Code 4.4</u> 7 Pol 919 <u>8. 20 V.S.C. 6311</u> <u>22 PA Code 402.1</u> <u>22 PA Code 102.3</u>
Adopted	August 17, 2015

Purpose

The Board recognizes its responsibility to develop and implement an assessment plan that will determine the degree to which students are achieving academic standards and provide information for improving the educational program to positively impact student achievement. [1]

Authority

The Board shall approve an assessment plan for use in district schools that is aligned with the adopted academic standards and state assessments. The assessment plan shall be described in the district's Comprehensive Plan. [2][3][11][4]

The Board reserves the right to review district assessment measures and to approve those that serve a legitimate purpose without infringing upon the personal rights of the students or parents/guardians. [1][5]

The Board shall grant requests by parents/guardians to review the state assessments two (2) weeks prior to their administration, during regular district office hours. The district shall ensure the security of the assessment documents. [6]

The Board shall grant parents/guardians the right to have their child excused from state assessments that conflict with their religious beliefs, upon receipt of a written request to the Superintendent. [6]

Delegation of Responsibility

The Superintendent or designee shall recommend methods of assessment and evaluation based on his/her professional judgment, generally accepted professional practice, and staff input.

The Superintendent or designee shall annually disseminate to parents/guardians and the public information regarding student assessment results, as required by federal and state law and regulations. [7]

The Superintendent shall recommend improvements in the educational program, curriculum and instructional practices based upon student assessment results.

Guidelines

Parents/Guardians shall receive information regarding their child's state assessment scores and may obtain an explanation of assessment results from qualified school personnel. [8]

The district shall provide assistance to students not attaining academic standards at the proficient level. The district shall inform students and parents/guardians about how to access such assistance. [1][5]

Last Modified by Rhonda Caldwell on September 3, 2015

Book	Policy Manual
Section	100 Programs
Title	Assessment System
Number	127 Vol III 2015
Status	From PSBA
Legal	1. 22 PA Code 3.12 2. 22 PA Code 4.51 3. 22 PA Code 3.52 4 Pol 102 5. 22 PA Code 12.41 6. 22 PA Code 4.4 7. 20 U.S.C. 6311 8 Pol 138 9 Pol 212 10 Pol 103 1 11 Pol 113

Purpose

The Board recognizes its responsibility to develop and implement an assessment **system** that will determine the degree to which students are achieving academic standards and provide information for improving the educational program.

Authority

The Board shall approve an assessment **system** for use in district schools to **assess individual attainment of state and local academic standards, and to identify those students not attaining academic standards and provide assistance. The Board shall approve an assessment system at least once every six (6) years, which shall be implemented no later than one (1) year after the approval date.**~~[(1)](2)](3)](4]~~

The Board reserves the right to review district assessment measures and to approve those that serve a legitimate purpose without infringing upon the personal rights of the students ~~or parents/guardians.~~ ~~[(3)](5]~~

The Board **directs the Superintendent or designee** to grant requests to review ~~state assessments~~ from parents/guardians to **determine whether the state assessments conflict with the parents'/guardians' religious beliefs.** Parent/Guardian requests shall be submitted at least two (2) weeks prior to the administration of state assessments. The district shall ensure the security of the assessment documents.~~[(6]~~

If, upon inspection of a state assessment, a parent/guardian finds the assessment to be in conflict with their religious beliefs, the parent/guardian shall have the right to have their child excused from that state assessment, upon written request to the Superintendent stating the objection.~~[(6]~~

Delegation of Responsibility

The Superintendent or designee shall ~~recommend~~ **various** methods of assessment and evaluation based on his/her professional judgment, generally accepted professional practice, staff input **and state regulations.**~~[(1)](2)](3]~~

The Superintendent or designee shall **provide summary information** to the public regarding student **achievement, including results of assessments, in accordance with federal and state law and regulations.**~~[(3]~~

The Superintendent or designee shall provide information regarding the achievement of academic standards to the PA Department of Education when requested; such information shall not include student names, identification numbers or individually identifiable information.~~[(3]~~

The Superintendent ~~or designee~~ shall recommend improvements in the educational program, curriculum and instructional practices based upon student assessment results.~~[(3]~~

Guidelines

Parents/Guardians shall ~~receive~~ information regarding their child's state assessment scores and may obtain an explanation of assessment results from qualified school personnel.~~[(7)](8)](9]~~

The district shall ~~provide assistance~~ to students not attaining academic standards at the proficient level. The district shall inform students and parents/guardians about how to access such assistance.~~[(3)](5]~~

Students with disabilities and students participating in ESL/Bilingual Education programs shall participate in assessments, with appropriate accommodations when necessary.~~[(2)](10]~~
~~[(11)](8]~~

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Last Modified by Elizabeth Flood on November 9, 2015

Book	Policy Manual
Section	100 Programs
Title	Home Education Programs
Number	137
Status	Active
Legal	1.24 P.S. 1327 2.24 P.S. 1327.1 3.22 PA Code 11.21a 24 P.S. 111 Pol. 203 Pol. 209
Adopted	August 17, 2015
Last Revised	March 21, 2016

Authority

Home education programs for students of compulsory school age residing in the school district shall be conducted in accordance with state law and regulations. [1][2][3]

Definitions

Appropriate Education - a program consisting of instruction in the required subjects for the time required by law and in which the student demonstrates sustained progress in the overall program. [2]

Hearing Examiner - shall not be an officer, employee or agent of the Department of Education or of the school district or intermediate unit of residence of the child in the home education program. [2]

Home Education Program - a program conducted in compliance with law by the parent/guardian or person having legal custody of a child. A home education program shall not be considered a nonpublic school under the provisions of law. [2]

Supervisor - the parent/guardian or person having legal custody of a child who is responsible for providing instruction, provided that such person has a high school diploma or its equivalent [2]

Delegation of Responsibility

The Superintendent or designee shall develop and distribute regulations for registering and monitoring home education programs.

The Board shall provide a hearing by a qualified and impartial hearing examiner within thirty (30) days after the Superintendent has notified the supervisor that it has been determined that appropriate education is not occurring in the home education program and the program is out of compliance. [2]

Last Modified by Michele Bloch on April 6, 2016

Book	Policy Manual
Section	100 Programs
Title	Home Education Programs
Number	137 Vol III 2015
Status	From PSBA
Legal	<p>1.24 P.S. 1322</p> <p>2.24 P.S. 1322.1</p> <p>3.22 PA Code 11.31a</p> <p>24 P.S. 111</p> <p>22 PA Code 11.33</p> <p>Pol. 203</p> <p>Pol. 209</p>

Authority

Home education programs for students of compulsory school age residing in the school district shall be conducted in accordance with state law and regulations.[1][2][3]

Definitions

Appropriate education - a program consisting of instruction in the required subjects for the time required by law and in which the student demonstrates sustained progress in the overall program.[2]

Hearing examiner - shall not be an officer, employee or agent of the Department of Education or of the school district or intermediate unit of residence of the child in the home education program.

Home education program - a program conducted in compliance with law by the parent/guardian or person having legal custody of a child. A home education program shall not be considered a nonpublic school under the provisions of law.

Supervisor - the parent/guardian or person having legal custody of a child who is responsible for providing instruction, provided that such person has a high school diploma or its equivalent.

Delegation of Responsibility

The Superintendent or designee shall develop and distribute administrative regulations for registering and monitoring home education programs.

Guidelines

Notarized Affidavit

Prior to the commencement of the home education program, and annually thereafter on August 1, the parent/guardian or other person having legal custody of the child or children shall file a notarized affidavit with the Superintendent setting forth the information required by law.[2]

Instructional Program

The instructional program for home education students shall include such courses as required by law.[2]

Loan of Instructional Materials

At the request of the supervisor, the district shall lend to the home education program copies of the school's planned courses, textbooks and curriculum materials appropriate to the student's age and grade level.[2]

Student Portfolio and Evaluations

For each student participating in the home education program, the supervisor shall:[2]

1. Maintain a portfolio of records and materials.
2. Provide an annual written evaluation of the student's educational progress.

Graduation Requirements

The following minimum courses in grades 9 through 12 are established as a requirement for graduation in a home education program: four (4) years of English; three (3) years of mathematics; three (3) years of science; three (3) years of social studies; and two (2) years of arts and humanities.[2]

Diplomas

Students who complete all of the graduation requirements of the home education program shall receive a high school diploma issued by the supervisor or an approved diploma-granting organization.[2]

Students With Disabilities

A home education program meets compulsory attendance requirements for a student with a disability only when the program addresses the specific needs of the student and is approved by a teacher with a valid Pennsylvania certificate to teach special education, a licensed clinical psychologist or a certified school psychologist. Written notice of such approval must be submitted with the required affidavit.[1]

The supervisor may request that the school district or intermediate unit of residence provide services that address the specific needs of a student with a disability.[1]

When the provision of services is agreed to by both the supervisor and the school district or intermediate unit, all services shall be provided in district schools or in a private school licensed to provide such programs and services.[1]

Appropriate Education/Compliance Determination

A home education evaluator shall certify that an appropriate education is occurring in the home education program. The supervisor shall submit the certification to the Superintendent by June 30 of each year. If the supervisor fails to submit the certification, the Superintendent shall send a letter to the supervisor notifying the supervisor that s/he has ten (10) days to submit the certification.[2]

If the Superintendent has a reasonable belief at any time during the school year that appropriate education may not be occurring in the home education program, s/he may submit a letter to the supervisor requiring an evaluation be conducted and that an evaluator's certification stating that an appropriate education is occurring be submitted to the district by the supervisor within thirty (30) days. The letter shall include the basis for the Superintendent's reasonable belief.[2]

If the Superintendent has a reasonable belief that the home education program is out of compliance, s/he shall submit a letter to the supervisor requiring a certification be submitted within thirty (30) days indicating the program is in compliance. The letter shall include the basis for the Superintendent's reasonable belief.[2]

As required by law, all letters shall be sent by certified mail, return receipt requested, and the time for submission of the requested documentation begins upon receipt of the letter.[2]

Hearings

If the supervisor fails to submit a certification as required, the Board shall provide a hearing by a qualified and impartial hearing examiner within thirty (30) days.[2]

If the hearing examiner finds that an appropriate education is not taking place in the home education program, the home education program will be determined out of compliance; and the student will be enrolled promptly in a district school, a nonpublic school or a licensed private academic school.[2]

Appeal

The supervisor or Superintendent may appeal the decision of the hearing examiner to the Secretary of Education, Commonwealth Court or Court of Common Pleas. The home education program may continue during the appeals process.[2]

Transfers

If a home education program is relocating to another Pennsylvania school district, the supervisor must request from the Superintendent a letter of transfer for the home education program. The request must be made by registered mail thirty (30) days prior to relocation.[2]

The Superintendent shall issue the letter of transfer within thirty (30) days after receipt of the supervisor's registered mail request.[2]

The supervisor shall file the letter of transfer with the Superintendent of the new district of residence.[2]

If a home education program is out of compliance, the Superintendent shall inform the home education supervisor and Superintendent of the new district of residence of this status and the reason for denial of the transfer letter.^[2]

If a home education program is in hearing procedures, the Superintendent shall inform the home education supervisor, hearing examiner and Superintendent of the new district of residence of this status and the reason for denial of the transfer letter.^[2]

If the Superintendent is informed of pending proceedings related to a home education program relocating to the district, s/he shall continue the home education program until the appeal process is finalized.^[2]

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Book	Policy Manual
Section	100 Programs
Title	Limited English Proficiency Program
Number	138
Status	Active
Legal	<p>1. 22 PA Code 4.26</p> <p>2. 20 U.S.C. 6801 et seq</p> <p>3. Pol 103</p> <p>4. Pol 103.1</p> <p>5. 24 P.S. 1205.1</p> <p>6. 24 P.S. 1205.2</p> <p>7. 22 PA Code 4.13</p> <p>8. Pol 100</p> <p>9. Pol 333</p> <p>10. 22 PA Code 11.11</p> <p>11. Pol 200</p> <p>12. Pol 113</p> <p>13. 20 U.S.C. 6812</p> <p>14. 20 U.S.C. 6826</p> <p>15. 20 U.S.C. 6842</p> <p>16. Pol 102</p> <p>17. Pol 217</p> <p>18. 24 U.S.C. 1703</p> <p>19. Pol 122</p> <p>20. Pol 123</p> <p>21. 20 U.S.C. 6841</p> <p>22. Pol 304</p> <p>23. 20 U.S.C. 7012</p> <p>24. CFR Part 200</p> <p>Pol 000</p>

Adopted August 17, 2015
Last Revised March 21, 2016

Purpose

In accordance with the Board's philosophy to provide a quality educational program to all students, the district shall provide an appropriate planned instructional program for identified students whose dominant language is not English. The goal of the program shall be to increase the English language proficiency of eligible students so that they can attain the academic standards adopted by the Board and achieve academic success. Students who have Limited English Proficiency (LEP) will be identified, assessed and provided appropriate services.

Authority

The Board shall adopt a program of educational services for each student whose dominant language is not English. The program shall include bilingual/bicultural or English as a Second Language instruction. The program shall be based on effective research-based theory, be implemented with sufficient resources and appropriately trained staff, and be evaluated periodically. [1][2][3][4]

The Board shall include a description of the LEP program in its Strategic Plan and appropriate training for professional staff in its Professional Education Plan. [5][6][7][8][9]

The Board may contract with Allegheny Intermediate Unit No. 3 for Limited English Proficiency services and programs.

Delegation of Responsibility

The Superintendent or designee shall implement and supervise an LEP program that ensures appropriate LEP instruction in each school and complies with federal and state laws and regulations.

The Superintendent or designee, in conjunction with appropriate stakeholders, shall develop regulations regarding the LEP program.

Guidelines

The district shall establish procedures for identifying and assessing the needs of students whose dominant language is not English. The Home Language Survey shall be completed for each student enrolled in the district and be filed in the student's permanent record folder through graduation. [10][12][11]

The LEP program shall be designed to provide instruction that meets each student's individual needs, based on the assessment of English proficiency in listening, speaking, reading and writing. Adequate content area support shall be provided while the student is learning English, to assure achievement of academic standards.

Students who are English language learners may be eligible for special education services once it has been determined that the disability exists and this disability is not solely due to lack of instruction or proficiency in the English language. Students participating in LEP programs who are eligible for special education services shall continue receiving LEP instruction at the appropriate proficiency and developmental level. [12]

Students participating in LEP programs shall be required, with accommodations, to meet established academic standards and graduation requirements adopted by the Board. [13][14][15][16][17]

Students shall have access to and be encouraged to participate in all academic and extracurricular activities available in the district. [18][19][20]

The LEP program shall be evaluated for effectiveness as required, based on the attainment of English proficiency, and shall be revised when necessary. [13][14][21]

Certified professional employees and appropriate support staff, when necessary, shall provide the LEP program. [22][9]

At the beginning of each school year, the district shall notify parents/guardians of students qualifying for LEP programs regarding the instructional program and parental options, as required by law. Parents/Guardians will be regularly apprised of their student's progress. Communications with parents/guardians shall be in the language understood by the parents/guardians, whenever possible. [23]

The district shall maintain an effective means of outreach to encourage parental involvement in the education of their children. [13][14][23]

Last Modified by Michele Bloch on April 6, 2016

Book	Policy Manual
Section	100 Programs
Title	English as a Second Language/Bilingual Education Program
Number	138 Vol III 2015
Status	From PSBA
Legal	<p>1. 42 U.S.C. 2000d et seq</p> <p>2. Pol 102</p> <p>3. Pol 103</p> <p>4. 22 PA Code 4.26</p> <p>5. 20 U.S.C. 6801 et seq</p> <p>6. Pol 103.1</p> <p>7. Pol 100</p> <p>8. Pol 333</p> <p>9. 22 PA Code 13.11</p> <p>10. Pol 200</p> <p>11. Pol 304</p> <p>12. 20 U.S.C. 6812</p> <p>13. 20 U.S.C. 6826</p> <p>14. 20 U.S.C. 6841</p> <p>15. Pol 113</p> <p>16. Pol 114</p> <p>17. 20 U.S.C. 6842</p> <p>18. 22 PA Code 4.51</p> <p>19. 22 PA Code 4.51a</p> <p>20. 22 PA Code 4.51b</p> <p>21. 22 PA Code 4.51c</p> <p>22. 22 PA Code 4.52</p> <p>23. Pol 127</p> <p>24. Pol 217</p> <p>25. 20 U.S.C. 1793</p> <p>26. Pol 115</p> <p>27. Pol 122</p> <p>28. Pol 123</p> <p>29. 20 U.S.C. 2012</p> <p>30. Pol 212</p> <p>34 CFR Part 200</p> <p>Pol. 105.1</p>

Purpose

In accordance with the Board's philosophy to provide a quality educational program to all students, the district shall provide an appropriate planned instructional program for identified students whose dominant language is not English. The goal of the program shall be to increase the English language proficiency of eligible students so that they can attain the academic standards adopted by the Board and achieve academic success. Students who have Limited English Proficiency (LEP) shall be identified, assessed and provided instruction, and shall be provided an equal opportunity to achieve their maximum potential in educational programs and extracurricular activities, consistent with federal and state laws and regulations.[1][2][3]

Authority

The Board shall approve a written program plan of educational services for students whose dominant language is not English. The program plan shall include English as a Second Language (ESL) or bilingual/bicultural instruction. The ESL/Bilingual Education program shall be based on effective research-based theory, implemented with sufficient resources and appropriately trained staff, and evaluated periodically.[3][4][5][6]

The Board may address LEP students and programs in the district's comprehensive planning process, and shall include appropriate training for professional staff in the Professional Development Plan as necessary to provide an appropriate ESL/Bilingual Education program in compliance with law and regulations.[7][8]

The Board may contract with _____ Intermediate Unit No. _____ for ESL/Bilingual Education services and programs.

Delegation of Responsibility

The Superintendent or designee shall implement and supervise an ESL/Bilingual Education program that ensures appropriate instruction in each school and complies with federal and state laws and regulations.

The Superintendent or designee, in conjunction with appropriate stakeholders, shall develop administrative regulations regarding the ESL/Bilingual Education program.

Guidelines

The district shall establish procedures for identifying and assessing the needs of students whose dominant language is not English. The Home Language Survey shall be completed for each student upon enrollment in the district, and shall be filed in the student's permanent record folder through graduation.[5][9][10]

The ESL/Bilingual Education program shall be designed to provide instruction that meets each student's individual needs, based on the assessment of English proficiency in listening, speaking, reading and writing. Adequate content area support shall be provided while the student is learning English, to assure achievement of academic standards.[2]

Certified employees and appropriate support staff, when necessary, shall provide the ESL/Bilingual Education program. The district shall ensure that all teachers in the ESL/Bilingual Education program hold the appropriate certification and can demonstrate academic language proficiency both in English and in the language used for instruction in their classroom.[11]

The ESL/Bilingual Education program shall be evaluated periodically to ensure all components are aligned and working effectively to facilitate the acquisition of the English language and achievement of academic standards, and shall be revised when necessary to ensure greater student achievement.[12][13][14]

Students who are English Language Learners (ELL) may be eligible for special education services when they have been identified as a student with a disability and it is determined that the disability is not solely due to lack of instruction or proficiency in the English language.[6][15]

Students who are ELL may be eligible for gifted education services, when identified in accordance with law, regulations and Board policy. The district shall ensure that assessment of a student for gifted education services screens for intervening factors, such as LEP, that may be masking gifted abilities.[16]

Students participating in ESL/Bilingual Education programs who are eligible for special education services shall continue receiving ESL/Bilingual Education instruction, in accordance with their Individualized Education Program (IEP) or Gifted Individualized Education Plan (GIEP), at the appropriate proficiency and developmental level.[6][15][16]

Students participating in ESL/Bilingual Education programs shall be required, with accommodations, to participate in assessments and meet established academic standards and graduation requirements adopted by the Board.[2][12][13][14][17][18][19][20][21][22][23][24]

Students shall have access to and be encouraged to participate in all academic and extracurricular activities available to district students.[25][26][27][28]

Students shall exit from the ESL/Bilingual Education program in accordance with state required exit criteria.[13]

The district shall monitor ELL who exit from the ESL/Bilingual Education program.[14]

Family Engagement and Communication

Communications with parents/guardians shall be in the mode and language of communication preferred by the parents/guardians.[1][29]

At the beginning of each school year, or within fourteen (14) days of enrollment during the school year, the district shall notify parents/guardians of students enrolled in ESL/Bilingual Education programs regarding the instructional program provided to their student.[29]

Teachers/educators shall be regularly appraised of their student's progress, including achievement of academic standards and assessment results. (22)(30)

Parents/Guardians shall be notified of their right to opt the student out of supplemental ESL/Bilingual Education programs/opportunities provided through federal funding, in accordance with applicable law. (29)

The district shall notify parents/guardians of students in ESL/Bilingual Education programs within thirty (30) days, or within fourteen (14) days of enrollment, if the district fails to meet annual measurable performance objectives, as required by law. (29)

The district shall maintain an effective means of outreach to encourage parental involvement in the education of their children. (12)(13)(29)

NOTES:

If the district does not receive Title III federal funding, policy may be revised based on advice of school solicitor.

If district has three (3) employee sections, remember to change the policy cites in the policy and references.

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Last Modified by Elizabeth Flood on November 9, 2015

Book	Policy Manual
Section	200 Pupils
Title	Reporting Student Progress
Number	212
Status	Active
Legal	1. Pol 216 24 P.S. 510 24 P.S. 1531 24 P.S. 1532 22 PA Code 4.11 Pol 102 Pol 127 Pol 138
Adopted	October 18, 2004
Last Revised	April 18, 2016

Purpose

The Board believes that cooperation between school and home is a vital ingredient in the growth and education of each student. The Board acknowledges the school's responsibility to keep parents/guardians informed of student welfare and academic progress and also recognizes the effects of federal and state laws and regulations governing student records. [1]

Authority

The Board directs establishment of a system of reporting student progress that requires all appropriate staff members, as part of their professional responsibility, to comply with a reporting system which includes academic progress reports, report cards, and parent/guardian conferences with teachers.

Delegation of Responsibility

The Superintendent or designee, in collaboration with designated staff members, shall develop regulations for reporting student progress to parents/guardians.

Guidelines

Various methods of reporting, appropriate to grade level and curriculum content, shall be utilized.

Both student and parent/guardian shall receive ample warning of a pending grade of failure, or one that would adversely affect the student's academic status.

Scheduling of parent/teacher conferences shall occur at times that ensure the greatest degree of participation by parents/guardians.

Report cards shall be issued at intervals of not less than nine (9) weeks.

Progress reports may be issued at the mid-point of each nine (9) week period.

Review and evaluation of methods of reporting student progress to parents/guardians shall be conducted on a periodic basis.

Last Modified by Michele Bloch on April 27, 2016

Book	Policy Manual
Section	200 Pupils
Title	Reporting Student Progress
Number	212 Vol III 2015
Status	From PSBA
Legal	1. Pol. 216 2. 24 P.S. 1531 3. 24 P.S. 1532 4. 22 PA Code 4.11 5. Pol. 127 24 P.S. 510 Pol. 102 Pol. 138

Purpose

The Board recognizes that communication between school and home is a vital component in the growth and education of each student. The Board acknowledges the school's responsibility to keep parents/guardians informed of student welfare and academic progress. [1]

Authority

The Board directs that the district's instructional program shall include a system of measuring all students' academic progress. [2][3][4][5]

The Board directs the Superintendent to establish a system of reporting student progress that includes academic progress reports, grade reports, and parent/guardian conferences with teachers.

Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations for reporting student progress to parents/guardians.

All appropriate staff members, as part of their professional responsibility, shall comply with the systems established for measuring and reporting student progress. [2][3]

Guidelines

- { } Various methods of reporting, appropriate to grade level and curriculum content, shall be utilized.
- { } Both student and parent/guardian shall receive ample warning of a pending grade of failure, or one that would adversely affect the student's academic status.
- { } Scheduling of parent-teacher conferences shall occur at times that ensure the greatest degree of participation by parents/guardians.
- { } Grade reports shall be issued at intervals of not less than _____.
- { } Review and evaluation of methods of reporting student progress to parents/guardians shall be conducted on a periodic basis.

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Last Modified by Elizabeth Flood on November 9, 2015

REPORT FORM FOR COMPLAINTS OF UNLAWFUL HARASSMENT

Complainant: _____
 Home Address: _____
 Home Phone: _____
 School Building: _____
 Date of Alleged Incident(s): _____

Alleged harassment was based on: (circle those that apply)

Race	Color	National Origin
Gender	Age	Disability
Religion	Sexual Orientation	

Name of person you believe violated the district's unlawful harassment policy:

If the alleged discrimination was directed against another person, identify the other person:

Describe the incident as clearly as possible, including what force, if any, was used; verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved. Attach additional pages if necessary: _____

When and where incident occurred: _____

List any witnesses who were present: _____

This complaint is based on my honest belief that _____ has harassed me or another person. I certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge.

 Complainant's Signature

 Date

 Received By

 Date