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Book	Policy Manual
Section	100 Programs
Title	Migrant Students
Number	142
Status	From PSBA
Legal	<u>1. 24 P.S. 1326</u> <u>2. 24 P.S. 1327</u> <u>3. 20 U.S.C. 6391 et seq</u> <u>4. 34 CFR 200.81-200.88</u> 5. Pol. 105 6. Pol. 112 7. Pol. 113 8. Pol. 114 9. Pol. 115 10. Pol. 333 <u>22 PA Code 403.1</u>

### **Authority**

The Board establishes a program to address the needs and provide appropriate services to migrant students attending district schools.[1][2][3][4]

### **Guidelines**

The district program for migrant students shall include procedures to:

1. Identify migrant students and assess their educational and related health and social needs.
2. Ensure migrant students have the appropriate educational opportunities to meet the same academic standards required of all students.
3. Provide a full range of services to migrant students including applicable Title I programs, special education, gifted education, vocational education, language programs, counseling programs and elective classes.[5][6][7][8][9]
4. Provide parents/guardians an opportunity for meaningful participation in the program.
5. Provide advocacy and outreach programs for migrant students and their families.
6. Provide professional development for district staff.[10]

**The district shall provide materials to parents/guardians regarding their role in improving the academic achievement of their child.**

**Delegation of Responsibility**

The Superintendent or designee shall develop procedures to notify and involve parents/guardians in the development, implementation and evaluation of the district's program for migrant students.

Last Modified by Elizabeth Flood on December 3, 2014

Book	Policy Manual
Section	100 Programs
Title	Standards for Persistently Dangerous Schools
Number	143
Status	From PSBA
Legal	<u>1. 22 PA Code 403.6</u> <u>2. 20 U.S.C. 7912</u> <u>3. 22 PA Code 403.2</u> <u>4. 24 P.S. 1303-A</u> <u>24 P.S. 2603-B</u> <u>22 PA Code 403.1</u>

### **Purpose**

The Pennsylvania Department of Education, as required by the Unsafe School Choice Option provision of the No Child Left Behind Act (Section 9532), hereby adopts the following standards for identifying persistently dangerous schools.[1][2]

### **Definitions**

As used in these standards, the following terms shall be defined as provided herein:[3]

**Dangerous incidents** - shall include both weapons possession incidents resulting in arrest (guns, knives or other weapons) and violent incidents resulting in arrest (homicide, kidnapping, robbery, sexual offenses and assaults) as reported on the Violence and Weapons Possession Report (PDE-360).

**Department** - shall mean the Pennsylvania Department of Education.

**Local Educational Agency or LEA** - shall include a school district, an area vocational-technical school, an intermediate unit or a charter school.

**Persistently dangerous school** - shall mean any public elementary, secondary or charter school that meets any of the following criteria in the most recent school year and in one (1) additional year of the two (2) years prior to the most recent school year:

1. For a school whose enrollment is 250 or less - at least five (5) dangerous incidents.
2. For a school whose enrollment is between 251 to 1,000 - a number of dangerous incidents that represents at least two percent (2%) of the school's enrollment.
3. For a school whose enrollment is over 1,000 - twenty (20) or more dangerous incidents.

**Safe public school** - shall mean a public school that has not been designated as a

persistently dangerous school under these standards or that has had such designation removed by the Department.

### **Guidelines**

#### **Student Opportunity to Transfer**

1. Except as provided below, a student who attends a persistently dangerous school must be offered the opportunity to transfer to a safe public school within the LEA, including a charter school.
2. A student who attends a persistently dangerous school may apply to transfer at any time while the school maintains that designation.

### **Delegation of Responsibility**

#### **Department of Education's Responsibilities**

1. The Department shall identify those schools that meet or exceed the criteria for a persistently dangerous school by analyzing the Annual Report on School Violence and Weapons Possession (PDE-360). In identifying persistently dangerous schools, the Department will use the most recent data available to it from the reporting LEA, and will take all reasonable steps to verify that the data is valid and reliable.
2. After review and verification of PDE-360 data, the Department shall promptly inform an LEA when any of its schools meets the definition of persistently dangerous school.
3. The Department shall provide technical assistance to the LEA in developing a corrective action plan. The Department shall review proposed corrective action plans submitted by LEAs and shall approve suitable corrective action plans.
4. After approval of the corrective action plan, the Department shall conduct a site visit to each persistently dangerous school to assess the school's progress in implementing the plan. If no significant improvement is observed, the Department may require the LEA to submit a revised corrective action plan for that school.
5. The Department shall reassess a school's designation as persistently dangerous at the end of the school year during which its corrective action plan is completed.
6. During the reassessment described above, the Department shall remove the designation if the school no longer meets the definition of persistently dangerous school.

#### **LEA's Responsibilities**

1. Pursuant to Pennsylvania's Safe Schools Act, all school entities as defined by the Act must report to the Department all incidents involving acts of violence; possession of a weapon; or the possession, use, or sale of a controlled substance, alcohol, or tobacco by any person on school property or at school-sponsored events or on school transportation to and from school or school-sponsored activities.[4]
2. Within ten (10) school days of receiving notification by the Department, an LEA shall notify the parent or legal guardian of each student who attends the school that the

Department has identified the school as persistently dangerous.

3. The LEA shall offer all students who attend the school the opportunity to transfer to a safe public school, including a charter school, within the LEA.
4. The notification and offer to transfer shall state that no student is required to transfer to another school.
5. Upon receipt of an application to transfer, the LEA shall transfer the student within thirty (30) calendar days.
6. When considering a student's request to transfer to another school, the LEA should take into account the particular needs of the student and the parent/guardian.
7. To the extent possible, the LEA should allow the student to transfer to a school that is making adequate yearly progress, and one that is not identified as being in school improvement, corrective action, or restructuring.
8. A charter school only has to accept a student who meets its admission criteria if space is available.
9. If there is not another safe school within the LEA to which students may transfer, the LEA is encouraged, but not required, to establish an agreement with a neighboring LEA to accept the transfer of students.
10. The LEA must submit a corrective action plan to the Department within thirty (30) calendar days of receiving notification that a school has been identified as persistently dangerous.
11. The LEA must receive approval from the Department for its corrective action plan and shall implement all steps contained in its corrective action plan within the time periods specified in that plan.
12. After the Department has notified an LEA that a school is no longer identified as a persistently dangerous school, the LEA is encouraged to permit students who transferred to complete their education at their new school. LEAs may not require students to return to their original school if the students are enrolled in a charter school.

Last Modified by Elizabeth Flood on December 3, 2014

Book	Policy Manual
Section	100 Programs
Title	Standards for Victims of Violent Crimes
Number	144
Status	From PSBA
Legal	<u>1. 22 PA Code 403.6</u> <u>2. 20 U.S.C. 7912</u> <u>3. 22 PA Code 403.2</u> <u>24 P.S. 2603-B</u> <u>22 PA Code 403.1</u>

## **Purpose**

The Pennsylvania Department of Education, as required by the Unsafe School Choice Option provision of the No Child Left Behind Act (Section 9532), hereby adopts the following standards for a student who becomes a victim of a violent criminal offense while in or on the grounds of the public elementary or secondary school that s/he attends.[1][2]

## **Definitions**

As used in these standards, the following terms shall be defined as provided herein:[3]

**Local Educational Agency or LEA** - shall include a school district, an area vocational-technical school, an intermediate unit or a charter school.

**Safe public school** - shall mean a public school that has not been designated as a persistently dangerous school under the standards for identifying persistently dangerous schools or that has had such designation removed by the Department.

**Victim or student victim** - shall mean the student against whom a violent criminal offense has been perpetrated while the student was in or on the grounds of the public elementary or secondary school that s/he attends.

**Violent criminal offense** - is defined as any of the following offenses that are set forth in Title 18 of the Pennsylvania Consolidated Statutes:

1. Kidnapping.
2. Robbery.
3. Aggravated assault (on the student).
4. Rape.
5. Involuntary deviate sexual intercourse.

6. Sexual assault.
7. Aggravated indecent assault.
8. Indecent assault.
9. Attempt to commit any of the following: homicide, murder or voluntary manslaughter.

## **Guidelines**

### **Student Opportunity to Transfer**

1. Except as provided below, a student who becomes a victim of a violent criminal offense while in or on the grounds of the public elementary or secondary school that s/he attends, must be offered the opportunity to transfer to a safe public school within the LEA, including a charter school.
2. In order for a student victim to be entitled to transfer to another school under these standards, the violent criminal offense first must be reported to law enforcement authorities by the student, the student's parent/guardian, or school officials.
3. A student victim (or his/her parent/guardian) may apply to the LEA to transfer to another school within thirty (30) calendar days after the incident is reported to school authorities.

## **Delegation of Responsibility**

### **LEA's Responsibilities**

1. Within ten (10) calendar days of receiving notice of the violent criminal offense, the LEA shall notify the student victim that s/he has the right to transfer to a safe public elementary or secondary school within the LEA, including a public charter school.
2. The notification and offer to transfer shall state that no student is required to transfer to another school.
3. Upon receipt of an application to transfer, the LEA should transfer the student as soon as possible, and shall transfer the student within ten (10) calendar days after receiving the application.
4. When considering a student's request to transfer to another school, the LEA should take into account the particular needs of the student and the parent/guardian.
5. To the extent possible, the LEA should allow the student to transfer to a school that is making adequate yearly progress, and one that is not identified as being in school improvement, corrective action, or restructuring.
6. A charter school only has to accept a student who meets its admission criteria if space is available.
7. If there is not another safe school within the LEA to which students may transfer, the

LEA is encouraged, but not required, to establish an agreement with a neighboring LEA to accept the transfer of students.

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Book	Policy Manual
Section	100 Programs
Title	Student Services
Number	146
Status	From PSBA
Legal	<u>1. 22 PA Code 4.13</u> <u>2. 22 PA Code 12.41</u> 3. Pol. 100 4. Pol. 112 5. Pol. 113 6. Pol. 209 7. Pol. 210 8. Pol. 210.1 <u>9. 24 P.S. 1547</u> <u>10. 22 PA Code 12.42</u> 11. Pol. 236 12. Pol. 115 13. Pol. 227 Pol. 209.1 Pol. 235.1 Pol. 808

### **Authority**

The Board **directs that every six (6) years, the district shall develop** a written plan for implementing a comprehensive and integrated K-12 program of student services, based on the needs of students. **The plan shall be made available for public inspection and comment in the district's administrative offices and the nearest public library for a minimum of twenty-eight (28) days prior to approval by the Board.**<sup>[1][2][3]</sup>

The Board directs that the student services plan shall be reviewed and revised as necessary.<sup>[2]</sup>

### **Guidelines**

Services offered by community agencies in district schools shall be coordinated by and be under the general direction of the school district.<sup>[2]</sup>

The following categories of services shall be provided by the district and included in the student services plan:<sup>[2]</sup>

1. Developmental services that address students' needs throughout their district

enrollment, which include: guidance counseling, psychological services, health services, home and school visitor services, and social work services that support students in addressing academic, behavioral, health, personal and social development issues.[4][5][6][7][8]

2. Diagnostic, intervention and referral services for students experiencing problems attaining educational achievement appropriate to their learning potential.
3. **Consultation and coordination services for students who are experiencing chronic problems that require multiple services by teams or specialists.**

**The district shall plan and provide for a Student Assistance Program (SAP) in accordance with applicable law and regulations.[9][10][11]**

The district's student services shall:[2]

1. Be an integral part of the instructional program at all levels of the school system.
2. Provide information to students and parents/guardians about the educational opportunities of the school's instructional program and how to access those opportunities.
3. Provide career information and assessments to inform students and parents/guardians about work and career options available to individual students.[4][12]
4. Provide basic health services required by law for students and provide information to parents/guardians about the health needs of their children.[6][7][8][13]

### **Delegation of Responsibility**

The Superintendent or designee shall be responsible to develop, implement and monitor a student services plan that complies with state regulations and is available to all students.

**The Superintendent or designee shall ensure that all persons delivering student services are specifically licensed or certified as required by law or regulations.[2]**

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Book	Policy Manual
Section	200 Pupils
Title	Enrollment of Students
Number	200
Status	From PSBA
Legal	<u>1. 24 P.S. 1301</u> <u>2. 24 P.S. 1302</u> <u>3. 22 PA Code 11.11</u> <u>4. 22 PA Code 11.41</u> <u>5. 22 PA Code 11.12</u> <u>6. 22 PA Code 12.1</u> <u>7. 24 P.S. 1303a</u> <u>8. 24 P.S. 1304-A</u> 9. Pol. 203 10. Pol. 216.1 11. Pol. 138 12. Pol. 251 13. Pol. 202 Pol. 201

### **Authority**

The Board shall enroll school age students eligible to attend district schools, in accordance with **applicable laws and regulations**, Board policy and **administrative** regulations.<sup>[1][2][3][4]</sup>

### **Definitions**

**School age** shall be defined as the period from the earliest admission age for the district's kindergarten program until graduation from high school or the end of the school term in which a student reaches the age of twenty-one (21) years, whichever occurs first.<sup>[1][5]</sup>

**District of residence** shall be defined as the school district in which a student's parents/guardians reside.<sup>[2][3]</sup>

### **Guidelines**

School age **resident students and eligible nonresident students** shall be entitled to attend district schools.<sup>[1][2][3][6]</sup>

The district shall not enroll a student until the parent/guardian has **submitted** proof of the student's age, residence, and immunizations **and a completed Parental Registration**

**Statement, as required by law and regulations.**<sup>[1][2][7][8][3][9][10]</sup>

The district shall administer a home language survey to all students enrolling in district schools for the first time.<sup>[3][11]</sup>

The district shall **normally** enroll a school age, eligible student the next business day, but no later than five (5) business days after application.<sup>[3]</sup>

The district shall immediately enroll identified homeless students, even if the student or parent/guardian is unable to produce the required documents, in accordance with Board policy, laws and regulations.<sup>[12]</sup>

The district shall not inquire about the immigration status of a student as part of the enrollment process.<sup>[3]</sup>

Enrollment requirements and **administrative regulations** shall apply to nonresident students approved to attend district schools, in accordance with Board policy.<sup>[13]</sup>

**Delegation of Responsibility**

**The Superintendent or designee shall annually notify students, parents/guardians and staff about the district's admissions policy by publishing such policy in the student handbook, parent newsletters, district website and other efficient methods.**<sup>[4]</sup>

**The Superintendent or designee shall develop and disseminate administrative regulations for the enrollment of eligible students in district schools.**

Last Modified by Elizabeth Flood on April 15, 2015

Book	Policy Manual
Section	200 Pupils
Title	Admission of Students
Number	201
Status	From PSBA
Legal	<u>1. 24 P.S. 1301</u> <u>2. 22 PA Code 11.12</u> <u>3. 22 PA Code 11.41</u> <u>4. 24 P.S. 1304</u> <u>5. 24 P.S. 1326</u> <u>6. 22 PA Code 11.15</u> <u>7. 22 PA Code 11.16</u> <u>8. 22 PA Code 11.14</u> 9. Pol. 200 10. Pol. 203 <u>24 P.S. 503</u> <u>22 PA Code 4.41</u>

### **Authority**

The Board shall establish age requirements for the admission of students **to first grade and to kindergarten that** are consistent with **state** law and regulations.<sup>[1][2][3]</sup>

### **Guidelines**

#### First Grade

**Beginners** are students entering the lowest grade of the primary school above the kindergarten level. **Beginners** shall only be admitted to school during the first two (2) weeks of the annual school term. A child who is eight (8) years of age **shall be admitted to** school at any time during the school year.<sup>[4][5]</sup>

**The Board establishes the district's entry age for beginners as** not less than six (6) years **and no months** on September 1 **and not more than six (6) years before the first day of the school term.**<sup>[4][6]</sup>

**The Board may admit as a beginner a child who is five (5) years old and demonstrates readiness for entry by the first day of the school term, upon the written request of the parent/guardian, recommendation of the district psychologist, and approval of the Superintendent.**<sup>[7]</sup>

The Board is not required to admit as a beginner any child whose chronological age is less than the district's established admission age **for beginners.**<sup>[7]</sup>

### Kindergarten

**The Board establishes the district's entry age for kindergarten as not less than five (5) years and no months by September 1 and not more than five (5) years and six (6) months before the first day of the school term.[8]**

The Board is not required to admit as a kindergartener any child whose **chronological** age is less than the district's established admission age for kindergarteners.

### **Delegation of Responsibility**

The Superintendent or designee shall require that the parent/guardian of each student who registers for entrance to school shall submit proof of age, residency, and required immunizations.[9][10]

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Book	Policy Manual
Section	200 Pupils
Title	Eligibility of Nonresident Students
Number	202
Status	From PSBA
Legal	<u>1. 24 P.S. 501</u> <u>2. 24 P.S. 502</u> <u>3. 24 P.S. 503</u> <u>4. 24 P.S. 1301</u> <u>5. 24 P.S. 1316</u> 6. Pol. 200 <u>7. 24 P.S. 1302</u> <u>8. 22 PA Code 11.19</u> 9. Pol. 906 <u>10. 24 P.S. 2561</u> 11. Pol. 607 <u>12. 24 P.S. 1305</u> <u>13. 24 P.S. 1306</u> <u>14. 24 P.S. 1307</u> <u>15. 24 P.S. 1308</u> <u>16. 24 P.S. 1309</u> <u>17. 24 P.S. 1310</u> <u>18. 24 P.S. 2562</u> <u>19. 22 PA Code 11.18</u> 20. Pol. 251 <u>24 P.S. 1306.2</u> <u>24 P.S. 2503</u> <u>22 PA Code 11.41</u> Pol. 103 Pol. 103.1

**Purpose**

The Board shall operate district schools for the benefit of students residing in this district who are eligible for attendance.[1][2][3]

**Authority**

The Board may permit the admission of nonresident students in accordance with Board policy.[4][5][6]

The Board shall require that appropriate legal documentation showing dependency or guardianship or a sworn statement of full residential support be filed with the Board Secretary before an eligible nonresident student may be accepted as a student in district schools. The Board may require a resident to submit additional, reasonable information to substantiate a sworn statement, in accordance with guidelines issued by the Department of Education.[7][8]

The Board reserves the right to verify claims of residency, dependency and guardianship and to remove from school attendance a nonresident student whose claim is invalid.[7]

If information contained in the sworn statement of residential support is found to be false, the student shall be removed from school after notice is given of an opportunity to appeal the student's removal, in accordance with Board policy.[7][9]

The Board shall not be responsible for transportation to or from school for any nonresident student residing outside school district boundaries.

Tuition rates shall be determined **annually** in accordance with law. Tuition shall be charged monthly, in advance of attendance.[5][10][11]

## **Guidelines**

### Nonresident Children Placed in the District

Any child placed in the home of a district resident by a court or government agency shall be admitted to district schools and shall receive the same benefits and be subject to the same responsibilities as resident students.[12]

### Residents of Institutions

A child who is living in or assigned to a facility or institution for the care or training of children that is located within this district is not a legal resident of the district by such placement; but s/he shall be admitted to district schools, and a charge shall be made for tuition in accordance with law.[13][14][15][16][17][10][18][19]

### Future Residents

A student eligible for attendance whose parent/guardian has executed a contract to buy, build or rent a residence in this district for occupancy within the school year may be enrolled without payment of tuition.[5]

If the student does not become a resident of the district by the end of the period for which free attendance is given, tuition shall be required until residency is established.

Parents/Guardians of students who claim admission on the basis of future residency shall be required to demonstrate proof of the anticipated residency..

### Former Residents



Regularly enrolled students whose parents/guardians have moved out of the school district may be permitted to finish the school year with payment of tuition.[5]

#### Other Nonresident Students

A nonresident student may be admitted to district schools without payment of tuition where attendance is justified on the grounds that the student lives full-time and not just for the school year with district residents who have assumed legal dependency or guardianship or full residential support of the student.[7][8]

**The district shall immediately enroll homeless students, even if the student or parent/guardian is unable to produce the required documents, in accordance with Board policy, laws and regulations.[20]**

#### Delegation of Responsibility

The Superintendent or designee shall develop **administrative regulations** for the enrollment of nonresident students.

The Superintendent shall report to the Board for its information the enrollment of nonresident students.

Last Modified by Elizabeth Flood on April 15, 2015

Book	Policy Manual
Section	200 Pupils
Title	Communicable Diseases and Immunization
Number	203
Status	From PSBA
Legal	<u>1. 24 P.S. 1303a</u> <u>2. 28 PA Code 23.81 et seq</u> <u>3. 28 PA Code 23.85</u> <u>4. 22 PA Code 11.20</u> <u>5. 28 PA Code 23.83</u> <u>6. 28 PA Code 23.84</u> <u>7. 28 PA Code 27.77</u> 8. Pol. 200 9. Pol. 201 <u>10. 28 PA Code 23.86</u> <u>11. 28 PA Code 27.71</u> <u>12. 28 PA Code 27.72</u> 13. Pol. 204 <u>14. 28 PA Code 27.1</u> <u>15. 28 PA Code 27.2</u> <u>16. 28 PA Code 27.23</u> <u>17. 22 PA Code 4.29</u> <u>18. 22 PA Code 4.4</u> 19. Pol. 105.1 <u>20. 24 P.S. 1402</u> 21. Pol. 209 <u>22. 24 P.S. 1409</u> Pol. 105.2

### **Authority**

In order to safeguard the school community from the spread of certain communicable diseases, the Board requires that established policy and **administrative regulations** be followed **by students, parents/guardians and district staff.**<sup>[1][2]</sup>

### **Guidelines**

#### Immunization

All students shall be immunized against **specific** diseases in accordance with **state law and regulations**, unless specifically exempt for religious or medical reasons.

A certificate of immunization shall be maintained as part of the health record for each student, as required by the Pennsylvania Department of Health.[3]

**A** student who has not been immunized in accordance with state regulations shall **not** be admitted to or permitted to attend district schools, unless exempted for medical or religious reasons **or** provisionally admitted by the Superintendent.[1][4][5][6][3]

A student shall be exempt from immunization requirements whose parent/guardian objects in writing to such immunization on religious grounds or whose physician certifies that the student's physical condition contraindicates immunization.[1][4][5][6]

Monitoring of immunization requirements shall be the responsibility of the Superintendent or designee and the building principal and certified school nurse.[1]

**Students attending child care group settings located in a school, a pre-kindergarten program or an early intervention program operated by the district shall be immunized in accordance with the Advisory Committee on Immunization Practices (ACIP) standards.[7]**

The Superintendent **or designee** shall:

1. Annually review state standards for immunization and direct the responsible district personnel accordingly.
2. **Ensure that** parents/guardians **are informed** prior to a student's **admission** to school of the requirements for immunization, the requisite proof of immunization, exemption available for religious or medical reasons, and means by which such exemptions may be claimed.[1][5][6][3][8][9]
3. Investigate and recommend to the Board district-sponsored programs of immunization that may be warranted **to safeguard** the health of the school community. Such program **shall be** subject to Board approval and may be conducted in cooperation with local health agencies.

**The Superintendent or designee shall report immunization data on the required form to the Department of Health by October 15 of each year.[10]**

### Attendance

The Board authorizes that students who have been diagnosed by a physician or are suspected of having a disease by the school nurse shall be excluded from school for the period indicated by regulations of the Department of Health for certain specified diseases and infectious conditions.[11][12][13]

### Communicable Diseases

The school nurse shall report the presence of suspected communicable diseases to the appropriate local health authority, as required by the Department of Health.[14][15][16]

**The Superintendent or designee shall direct that health guidelines and universal precautions designed to minimize the transmission of communicable diseases be implemented in district schools.**

#### Health Records

A comprehensive health record shall be maintained for each student enrolled in the district. The record shall include the results of required tests, measurements, screenings, regular and special examinations, **and medical questionnaires.**<sup>[20][21]</sup>

All health records shall be confidential, and their contents shall be divulged only when necessary for the health of the student or to a physician at the written request of the parent/guardian.<sup>[22]</sup>

#### Education

Instruction regarding prevention of communicable and life-threatening diseases shall be provided by the schools in the educational program for all levels, in accordance with state regulations.<sup>[17]</sup>

Parents/Guardians shall be informed of and be provided opportunities during school hours to review all curriculum materials used in instruction **relative to communicable and life-threatening diseases.**<sup>[18][17][19]</sup>

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Book	Policy Manual
Section	200 Pupils
Title	HIV Infection
Number	203.1
Status	From PSBA
Legal	<u>1. 35 P.S. 7603</u> 2. Pol. 203 3. Pol. 204 4. Pol. 248 <u>5. 24 P.S. 1327</u> 6. Pol. 103 7. Pol. 103.1 <u>8. 35 P.S. 7607</u> <u>9. 24 P.S. 1329</u> <u>10. 22 PA Code 11.25</u> 11. Pol. 117 12. Pol. 124 <u>13. 24 P.S. 1330</u> <u>14. 24 P.S. 1409</u> <u>15. 22 PA Code 4.29</u> <u>16. 22 PA Code 4.4</u> 17. Pol. 105.1 18. Pol. 105.2 <u>24 P.S. 1301</u> <u>35 P.S. 7601 et seq</u>

### **Purpose**

The Board is committed to providing a safe, healthy environment for its students and employees. The purpose of this policy shall be to safeguard the health and well-being of students and staff while protecting the rights of the individual.

This policy is based on current evidence that HIV Infection is not normally transmissible by infected individuals within the school setting, except as noted in this policy.

### **Definitions**

**AIDS** - Acquired Immune Deficiency Syndrome.**[1]**

**HIV Infection** - refers to the disease caused by the HIV or human immunodeficiency virus.

**Infected students** - refers to students diagnosed as having HIV Infection, including those who are asymptomatic.

### **Authority**

This policy shall apply to all students in all programs conducted by the school district.

The Board directs that the established **Board policies and administrative regulations governing attendance and** school rules relative to illnesses and other diseases among students shall also apply to infected students.[2][3]

The Board shall not require routine screening tests for HIV Infection in the school setting, nor will such tests be a condition for school attendance.

### **Delegation of Responsibility**

The Superintendent or designee shall be responsible for **developing** and releasing all information concerning **HIV Infection and** infected students.

All district employees shall strive to maintain a respectful school climate and to prohibit physical or verbal harassment of any individual or group, including infected students.[4]

Building **principals** shall notify students, parents/guardians and employees about current Board policies concerning HIV Infection and shall provide reasonable opportunities to discuss the policy and related concerns.

### **Guidelines**

#### **Attendance**

Infected students have the same right to attend school and receive services as other students and shall be subject to the same policies and **administrative regulations**. HIV Infection shall not factor into decisions concerning **educational programs**, privileges or participation in any school-sponsored activity.[5][6][7]

School authorities shall determine the educational placement of infected students on a case-by-case basis by following **Board** policies and **administrative regulations** established for students with chronic health problems and students with disabilities.

When an infected student's parents/guardians voluntarily disclose information regarding the student's condition, the district employee who receives the information shall obtain the written consent of the parents/guardians to disclose the information to members of the Screening Team.[8]

A Screening Team comprised of the Superintendent or designee, building principal, certified school nurse, district physician, student's parents/guardians and attending physician shall evaluate the infected student's educational placement. Placement decisions shall be based on the student's need for accommodations or services.

First consideration must be given to maintaining the infected student in a regular

assignment. Any decision for an alternative placement must be supported by specific facts and data.

An infected student who is unable to attend school, as determined by a medical examination, shall be considered for homebound instruction or an alternative placement.[9][10][11][12]

An infected student may be excused from school attendance if the parent/guardian seeks such excusal based on the advice of medical or psychological experts treating the student. [9][13][3]

An infected student's placement shall be reassessed if there is a change in the student's need for accommodations or services.

#### Confidentiality

District employees who have knowledge of an infected student's condition shall not disclose any information without prior written consent of the student's parents/guardians, consistent with the requirements of the Pennsylvania Confidentiality of HIV-Related Information Act.[8]

All health records, notes and other documents referring to an infected student's condition shall be secured and kept confidential.[14][8]

#### Infection Control

All employees shall be required to consistently follow infection control/universal precautions in all settings and at all times, including playgrounds and school buses. Employees shall notify the Superintendent or designee, building principal and certified school nurse of all incidents of exposure to bodily fluids and when a student's health condition or behavior presents a reasonable risk of transmitting an infection.

The school district shall maintain reasonably accessible equipment and supplies necessary for infection control.

#### Staff Development

**The** district shall **provide opportunities for** employees **to** participate in **inservice** education **on HIV Infection**.

Designated district employees **may** receive additional, specialized training appropriate to their positions and responsibilities.

#### Prevention Education

The goals of HIV Infection prevention education shall be to promote healthy living and discourage the behaviors that put people at risk of acquiring HIV Infection. Prevention education shall be taught at every grade level **as part of the curriculum**, be appropriate to students' developmental maturity, and include accurate information about reducing the risk of HIV Infection.[15]

Prior to HIV **Infection**/AIDS instruction in the schools, the district shall inform parents/guardians that curriculum outlines and materials used in the instruction shall be

available for review.[16][15][17]

A student shall be excused from HIV **Infection**/AIDS education when the instruction conflicts with the religious beliefs or principles of the student or parents/guardians, upon the written request of the parents/guardians.[16][15][18]

Last Modified by Elizabeth Flood on April 15, 2015