

WYOMISSING AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: SPECIAL EDUCATION

ADOPTED: November 25, 1996

REVISED: ~~November 23, 2009~~

<p>1. Purpose Title 22 Sec. 4.28, 12.1, 12.4, 14.102, 14.104 34 CFR Sec. 300.1</p> <p>2. Definitions SC 502 Title 22 Sec. 14.101 20 U.S.C. Sec. 1401 34 CFR Sec. 300.8 Pol. 103.1</p> <p>Title 22 Sec. 14.131 34 CFR Sec. 300.320- 300.324</p>	<p style="text-align: center;">113. SPECIAL EDUCATION</p> <p>The District shall offer each student with a disability education programs and services that appropriately meet the student’s needs for educational, instructional, transitional and related services. A student who requires special education shall receive programs and services according to an individualized education program (IEP). The IEP shall provide access to the District’s general curriculum and participation in state and local assessments, including supplemental aids and services that permit the student to be educated, to the maximum extent appropriate, with their nondisabled peers. The District shall provide a continuum of placement options to appropriately meet the needs of students with disabilities.</p> <p>Students with disabilities - school-aged children within the jurisdiction of the District who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services. School-aged children who have identified disabilities but do not require special education may be entitled to accommodations or services or to enroll in courses of study in the District which serve students with disabilities pursuant to other law or Board policy.</p> <p>Individualized Education Program (IEP) - the written educational statement for each student with a disability that is developed, reviewed and revised in accordance with federal and state laws and regulations.</p> <p><u>Parent/Guardian – for purposes of this policy and board policies related to special education, parent/guardian shall have the definition of parent in IDEA statute and regulations, which includes a biological or adoptive parent of a child; a foster parent, unless prohibited by state law or regulations; a guardian authorized to act as the child’s parent, in accordance with law or regulations; an individual acting in the place of a parent, including a grandparent or other relative, with whom the child lives or an individual legally responsible for the child’s welfare; or an appointed surrogate parent, in accordance with law and regulations.</u></p>
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<p>3. Authority SC 1372 Title 22 Sec. 4.28, 12.1, 12.41, 14.101 et seq 20 U.S.C. Sec. 1400 et seq 29 U.S.C. Sec. 794 42 U.S.C. Sec. 12101 et seq 34 CFR Part 300</p>	<p>The Board directs that all students with disabilities shall be identified, evaluated, and provided with appropriate educational programs and services, in accordance with federal and state laws and regulations. The District shall establish and implement a system of procedural safeguards and parent/guardian notification as part of its Special Education Plan.</p>
<p>Title 22 Sec. 4.13, 14.104 Pol. 100</p>	<p>The District’s Special Education Plan shall include procedures for identifying and educating students with disabilities and shall be aligned with the Strategic Plan adopted by the Board.</p>
<p>SC 1372 Title 22 Sec. 14.104</p>	<p>The Board shall determine the facilities, programs, services and staff that shall be provided by the District for the instruction of students with disabilities, based upon the identified needs of the District’s special education population.</p>
<p>Title 22 Sec. 14.104</p>	<p>In order to maintain an effective Special Education Plan, the Board may participate in special education programs of Berks Intermediate Unit No. 14.</p>
<p>4. Delegation of Responsibility</p>	<p>The Superintendent or designee is directed to annually recommend to the Board the employment and retention of necessary <u>qualified</u> staff and provision of required facilities, programs and services to provide for the needs of students with disabilities.</p> <p>The Superintendent or designee shall develop procedures for evaluating the effectiveness of the District’s Special Education Plan and shall periodically report to the Board the criteria and results of such evaluation.</p>
<p>5. Guidelines Title 22</p>	<p>Each student with a disability shall be educated pursuant to an IEP which shall provide an appropriate education in the least restrictive environment, in accordance</p>

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<p>Sec. 4.28, 14.145 20 U.S.C. Sec. 1414 34 CFR Sec. 300.320- 300.327</p>	<p>with federal and state regulations.</p>
<p>Pol. 103, 103.1</p>	<p>The District prohibits discrimination based on disability. Students with disabilities are entitled to receive services and accommodations which will permit them to participate in District programs, services and activities as required by law.</p>
<p>Title 22 Sec. 14.104 34 CFR Sec. 300.201 et seq</p>	<p>The District’s Special Education Plan shall comply with the requirements of state and federal law and regulations. The District shall establish procedures to ensure the plan is updated and implemented as necessary. The Special Education Plan shall address:</p>
<p>Pol. 113.3</p>	<ol style="list-style-type: none"> 1. Educational plans. 2. Child find. 3. Identification of special education programs that operate in the District, those operated in the District by the Intermediate Unit, vocational schools and other agencies. 4. Staff and parent/guardian training. 5. Assessments. 6. Screening. 7. Criteria the District will use to identify specific learning disabilities. 8. Evaluation. 9. Re-evaluation. 10. Individualized Education Programs (IEPs), including examples of supplementary aids and services provided by the District. 11. Extended School Year services (ESY).
<p>Pol. 113.2</p>	<ol style="list-style-type: none"> 12. Behavior support.

<p>Pol. 113.1</p>	<p>13. A full continuum of educational placements and evidence that placements in other than regular education settings are not based on lack of resources, facilities, staff or for administrative convenience.</p> <p>14. Disciplinary placements.</p> <p>15. Facilities.</p> <p>16. Early intervening services, if provided by the District.</p> <p>17. Procedural safeguards.</p> <p>18. Confidentiality of information.</p> <p>19. Highly qualified staff.</p> <p>20. Maintenance of information concerning students with disabilities, services provided, performance and discipline data, and report information as required by the Secretary of the Department of Education.</p>
<p>Title 22 Sec. 14.104</p>	<p>If the District is identified with significant disproportionality, the Special Education Plan shall include prevention measures for inappropriate overidentification and disproportionate representation by race or ethnicity of children with disabilities.</p>
<p>Title 22 Sec. 14.121 34 CFR Sec. 300.111</p>	<p><u>Child Find/Outreach</u></p> <p>The Superintendent or designee shall ensure that the District annually conducts awareness and outreach programs and activities designed to reach District residents including parents/guardians of students with disabilities who are enrolled in the District, preschool-aged children, students who attend private schools, homeless children and children who are wards of the state.</p> <p>The District’s public awareness activities shall include annual publication of a written notice in newspapers and other media notifying residents about child identification activities; available special education services and programs and how to request them; and procedures used to ensure confidentiality of student information. Written information shall be published in District handbooks and on the District web site. Public awareness activities must include information regarding potential signs of developmental delays and other risk factors that could indicate disabilities.</p> <p>The Intermediate Unit shall be responsible for conducting child find activities necessary to provide equitable participation services to students with disabilities who are enrolled by their parents/guardians in private schools.</p>

<p>Title 22 Sec. 14.122 Pol. 209</p>	<p><u>Screening</u></p> <p>The District shall establish a system of screening, including hearing and vision screenings. Screenings shall be conducted at reasonable intervals to determine whether all students are performing based on grade-appropriate standards in core academic subjects.</p>
<p>Title 22 Sec. 15.9 34 CFR Sec. 300.611- 300.627</p>	<p><u>Confidentiality</u></p> <p>The District shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, storing, disclosing and destroying student records.</p> <p>District staff shall maintain the confidentiality of student records and personally identifiable information, as required by law, and regulations, <u>and Board policy</u>.</p> <p>The District may release, without parent/guardian consent, educational records that the District has designated as directory information.</p>
<p>Pol. 216</p>	<p>The District shall obtain written parent/guardian consent prior to releasing a student's educational record when prior consent is required by law, regulations or Board policy.</p> <p>The District shall notify parents/guardians prior to destroying personally identifiable information in a student's record that is no longer relevant or necessary for providing educational services to the student.</p> <p><u>Recording Of Meetings</u></p> <p>Except as specifically provided for within this policy, the District prohibits audio, video and electronic recording of meetings between parents/guardians and District teachers, paraprofessionals, program specialists, consultants or administrators.</p> <p>An attempt to record a meeting by a parent/guardian after a verbal prohibition by District staff shall result in immediate termination of the meeting and may result in ejection from District property and possible prosecution.</p> <p>The District shall permit audio recording of a meeting when a participant submits, at least five (5) days prior to the meeting, documentation that substantiates:</p> <ol style="list-style-type: none"> 1. Participant has a disability <u>or limited English proficiency</u> that significantly limits his/her ability to meaningfully understand or participate in the meeting's intended decision-making and recording is the only feasible means of

accommodating the limitation.

2. Individual has a legitimate interest in attending the meeting but for good cause is unable to do so, and recording is the only feasible means by which s/he can meaningfully understand and participate in the decision-making.

The District shall permit audio recording of a meeting between parents/guardians and District teachers, paraprofessionals, program specialists, consultants or administrators when the parent/guardian submits, at least five (5) days prior to the meeting, notification to the building principal of the intend to record the meeting.

The District may permit video taping of a meeting when written consent is given by all participants at the meeting.

When ~~an exception to recording~~ permission to record a meeting is granted, the District employee responsible for the meeting shall arrange to record the meeting by similar means. Such recording shall be considered part of the student's educational record and be subject to relevant law and regulations.

References:

School Code – 24 P.S. Sec. 502, 1371, 1372

State Board of Education Regulations – 22 PA Code Sec. 4.13, 4.28, 12.1, 12.4, 12.41, 14.101 et seq., 15.9

Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794

Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.

Family Educational Rights and Privacy, Title 34, Code of Federal Regulations – 34 CFR Part 99

Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300

Pennsylvania Training and Technical Assistance Network – www.pattan.net

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	Board Policy – 100, 103, 103.1, 113.1, 113.2, 113.3, 209, 216, 914
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WYOMISSING AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: DISCIPLINE OF STUDENTS
WITH DISABILITIES

ADOPTED: July 27, 1998

REVISED: ~~November 23, 2009~~

113.1. DISCIPLINE OF STUDENTS WITH DISABILITIES	
<p>1. Purpose Title 22 Sec. 14.133 Pol. 113, 113.2</p> <p>Title 22 Sec. 14.133, 14.143 34 CFR Sec. 300.530 Pol. 218, 233</p>	<p>The District shall develop and implement positive Behavior Support Plans and programs for students with disabilities who require specific interventions to address behaviors that interfere with learning.</p> <p>Students with disabilities who violate the Code of Student Conduct, or engage in inappropriate behavior, disruptive or prohibited activities and/or actions injurious to themselves or others, which would typically result in corrective action or discipline of students without disabilities, shall be disciplined in accordance with state and federal laws and regulations and Board policy and, if applicable, their Individualized Education Program (IEP) and Behavior Support Plan.</p>
<p>2. Definitions Pol. 113</p> <p>Title 22 Sec. 12.6 Pol. 233</p> <p>Title 22 Sec. 12.6 Pol. 233</p> <p>20 U.S.C. Sec. 1415(k) 34 CFR Sec. 300.530(g)</p>	<p>Students with disabilities - school-aged children within the jurisdiction of the District who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services.</p> <p>Suspensions from school - disciplinary exclusions from school for a period of one (1) to ten (10) consecutive school days.</p> <p>Expulsions from school - disciplinary exclusions from school by the Board for a period exceeding ten (10) consecutive school days and may include permanent exclusion from school.</p> <p>Interim alternative educational settings - removal of a student with a disability from his/her current placement. Interim alternative educational settings may be used by school personnel for up to forty-five (45) school days for certain infractions committed by students with disabilities. The IEP team shall determine the interim alternative educational setting; <u>however, this does not constitute a change in placement for a student with a disability.</u></p>

<p>3. Authority Title 22 Sec. 14.143 20 U.S.C. Sec. 1415(k) 34 CFR Sec. 300.530</p>	<p>The Board directs that the District shall comply with provisions and procedural safeguards of the Individuals With Disabilities Education Act (IDEA) and federal and state regulations when disciplining students with disabilities for violations of Board policy or District rules or regulations. No student with a disability shall be subjected to a disciplinary change in placement if the student’s particular misconduct is a manifestation of his/her disability. However, under certain circumstances a student <u>with a disability</u> may be placed in an interim alternative educational setting by school personnel or the IEP team could, if appropriate, change the student’s educational placement to one which is more restrictive than the placement where the misconduct occurred.</p>
<p>Title 22 Sec. 12.6(e) 20 U.S.C. Sec. 1412(a) 34 CFR Sec. 300.530(b), (d)</p>	<p><u>Provision Of Education During Disciplinary Exclusions</u></p> <p>During any period of expulsion, or suspension from school for more than ten (10) cumulative days in a year, or placement in an interim alternative educational setting for disciplinary reasons, a student with a disability shall continue to receive a free and appropriate education, in accordance with law.</p>
<p>4. Guidelines Title 22 Sec. 12.6, 14.143 20 U.S.C. Sec. 1415(k) 34 CFR Sec. 300.530, 300.536</p>	<p><u>Suspension From School</u></p> <p>A student with a disability may be suspended for ten (10) consecutive and fifteen (15) cumulative days of school per school year, for the same reasons and duration as a student without a disability. Such suspension shall not constitute a change in the student’s educational placement. Also, use of interim alternative educational settings permitted by law does not constitute a change in educational placement for these purposes.</p>
<p>Title 22 Sec. 14.143 34 CFR Sec. 300.530</p>	<p><u>Changes In Educational Placement/Manifestation Determinations</u></p> <p>For disciplinary exclusions which constitute a change in educational placement, the District shall first determine whether the student’s behavior is a manifestation of his/her disability. Expulsion, or exclusion from school for more than fifteen (15) cumulative days in a year, or patterns of suspensions for substantially identical behaviors constitute changes in educational placements requiring a manifestation determination. For students with mental retardation, any disciplinary suspension or expulsion is a change in educational placement.</p>

<p>Title 22 Sec. 14.143 34 CFR Sec. 300.530(c) Pol. 218, 233</p>	<p>A student with a disability whose behavior is not a manifestation of his/her disability may be disciplined in accordance with Board policy, District rules and regulations in the same manner and to the same extent as students without disabilities.</p>
	<p><u>Parent/Guardian Appeals From Disciplinary Actions/Request For Hearing By District For Students Who Are A Danger To Themselves Or Others</u></p>
<p>20 U.S.C. Sec. 1415(k) 34 CFR Sec. 300.532</p>	<p>A due process hearing may be requested by a parent/guardian of a student with a disability who disagrees with a disciplinary placement or manifestation determination, or by the District if the District believes that the current placement is substantially likely to result in injury to the student or others. On parent/guardian appeal, or when the District requests a due process hearing, the hearing officer may return the student to the placement from which s/he was removed or order his/her removal to an appropriate interim alternative educational setting for up to forty-five (45) school days if the hearing officer determines that maintaining the child's current placement is substantially likely to result in an injury to the student or others.</p>
<p>20 U.S.C. Sec. 1415(k) 34 CFR Sec. 300.533</p>	<p>Placement during appeals of disciplinary actions shall be in the interim alternative educational setting pending the decision of the hearing officer or expiration of the time period set for the disciplinary exclusion from the student's regular placement unless the District and the parent/guardian agree otherwise.</p>
<p>20 U.S.C. Sec. 1415(k) 34 CFR Sec. 300.534</p>	<p>Students who have not been identified as disabled may be subject to the same disciplinary measures applied to students without disabilities if the District did not have knowledge of the disability. If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation shall be expedited.</p>

<p>20 U.S.C. Sec. 1415(k) 34 CFR Sec. 300.530(g)</p> <p>18 U.S.C. Sec. 930 20 U.S.C. Sec. 1415(k) 34 CFR Sec. 300.530(i) Pol. 218.1</p> <p>20 U.S.C. Sec. 1415(k) 21 U.S.C. Sec. 812(c) 34 CFR Sec. 300.530(i) Pol. 227</p> <p>18 U.S.C. Sec. 1365(h)(3) 20 U.S.C. Sec. 1415(k) 34 CFR Sec. 300.530(i)</p>	<p><u>Administrative Removal To Interim Alternative Educational Setting For Certain Infractions</u></p> <p>School personnel may remove a student with a disability, including mental retardation, to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student’s disability if the student:</p> <ol style="list-style-type: none"> 1. Carries a weapon to or possesses a weapon at school, on school property, or at school functions under the jurisdiction of the District. For purposes of this provision, weapon is defined as a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than two and one-half (2 ½) inches in length. 2. Knowingly possesses or uses illegal drugs, as defined by law, or sells or solicits the sale of a controlled substance, as defined by law, while at school, on school property, or at school functions under the jurisdiction of the District. 3. Has inflicted serious bodily injury upon another person while at school, on school property, or at school functions under the jurisdiction of the District. For purposes of this provision, serious bodily injury means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
<p>20 U.S.C. Sec. 1415(k) 34 CFR Sec. 300.535</p>	<p><u>Referral To Law Enforcement And Reporting Requirements</u></p> <p>The District shall report crimes committed by a student with a disability to the appropriate authorities in the same manner as it reports crimes committed by students without disabilities <u>and in accordance with applicable law.</u></p> <p><u>When reporting a crime committed by a student with a disability to the appropriate authorities, the District shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. The District shall transmit copies of the student’s special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act.</u></p>

The Superintendent shall report incidents committed by students with disabilities to the Office of Safe Schools in accordance with Board policy, law and regulations.

References:

School Code – 24 P.S. Sec. 510

State Board of Education Regulations – 22 PA Code Sec. 12.6, 14.133, 14.143

Crimes Code, Possession of Firearms and Dangerous Weapons –
18 U.S.C. Sec. 930

Crimes Code, Definition, Serious Bodily Injury – 18 U.S.C. Sec. 1365(h)(3)

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

Controlled Substances Act – 21 U.S.C. Sec. 812

Individuals With Disabilities Education, Title 34, Code of Federal Regulations –
34 CFR Part 300

Board Policy – 113, 113.2, 218, 218.1, 227, 233

113.1. DISCIPLINE OF STUDENTS WITH DISABILITIES - Pg. 6

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WYOMISSING AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: SCREENING AND
EVALUATIONS FOR
STUDENTS WITH
DISABILITIES

ADOPTED: March 28, 2005

REVISED: ~~January 24, 2011~~

<p>1. Purpose Title 22 Sec. 14.122, 14.123, 14.124, 14.125, 14.133 20 U.S.C. Sec. 1414 34 CFR Sec. 300.226, 300.301- 300.311, 300.502, 300.530 Pol. 113, 113.2</p> <p>2. Authority Title 22 Sec. 14.122 34 CFR Sec. 300.226 Pol. 209</p> <p>34 CFR Sec. 300.226</p>	<p style="text-align: center;">113.3. SCREENING AND EVALUATIONS FOR STUDENTS WITH DISABILITIES</p> <p>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.</p> <p>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.</p> <p>Regular education intervention 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.</p>
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<p>Title 22 Sec. 14.133 34 CFR Sec. 300.530 Pol. 113, 113.1, 113.2</p>	<p>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:</p> <ol style="list-style-type: none"> 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 a student is suspended for ten (10) consecutive or fifteen (15) cumulative days of school, 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.
<p>Title 22 Sec. 14.123 20 U.S.C. Sec. 1414 34 CFR Sec. 300.300- 300.311, 300.502</p>	<p>FBAs may also constitute part of the initial evaluation to determine eligibility for special education.</p> <p>The District shall comply with requirements of state and federal laws and regulations when conducting evaluations.</p> <p>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.</p> <p>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.</p>

<p>Title 22 Sec. 14.124 20 U.S.C. Sec. 1414 34 CFR Sec. 300.303- 300.306</p>	<p>A re-evaluation of a student who currently has an IEP shall be conducted as required by state and federal law and regulations.</p>
<p>3. Guidelines</p> <p>Title 22 Sec. 14.122, 14.123</p>	<p><u>Parent/Guardian Requests</u></p> <p>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, the employee will contact the Special Education office who shall provide a copy of the permission to evaluate form to the parents/guardians within ten (10) calendar days of the oral request.</p>
<p>Title 22 Sec. 14.123 20 U.S.C. Sec. 1414 34 CFR Sec. 300.301- 300.311, 300.502</p>	<p>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.</p> <p><u>Appropriate Evaluations</u></p> <p>An appropriate evaluation shall use a variety of assessment tools and strategies to gather relevant functional, developmental and academic information about a student.</p> <p>An appropriate evaluation shall include:</p> <ol style="list-style-type: none"> 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. <p>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 regular education intervention services and scientific research-based instruction and/or include such assessments as part of his/her evaluation.</p>

<p>Title 22 Sec. 14.125 34 CFR Sec. 303.307- 300.311</p>	<p>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.</p> <p>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.</p> <p>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 authoritatively recognized professional principles and ethical tenets. S/He shall report any factor that might affect the validity of any results obtained.</p> <p>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.</p> <p>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.</p> <p>The evaluator shall hold an active Pennsylvania 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.</p> <p>The evaluator shall prepare and sign a full report of the evaluation containing:</p> <ol style="list-style-type: none">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.
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<p>Title 22 Sec. 14.124 34 CFR Sec. 300.302</p>	<p>3. Complete summary of all information obtained or reviewed from sources other than testing conducted by the evaluator.</p> <p>4. Specific recommendations for educational programming and placement, if possible.</p> <p><u>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.</u></p> <p><u>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.</u></p> <p><u>Re-Evaluations</u></p> <p>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. 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, mental retardation, multiple disabilities, other health impairment, specific learning disability and traumatic brain injury.</p> <p>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.</p>
<p>34 CFR Sec. 300.502</p>	<p><u>Independent Educational Evaluations</u></p> <p>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.</p> <p>A written request for an independent educational evaluation at District expense shall</p>

be immediately forwarded to 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.

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.

References:

State Board of Education Regulations – 22 PA Code Sec. 14.122, 14.123, 14.124, 14.125, 14.133

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300

Board Policy – 113, 113.1, 113.2, 209

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SECTION: PROGRAMS
TITLE: CONFIDENTIALITY OF SPECIAL EDUCATION STUDENT INFORMATION

ADOPTED:
REVISED:


<p>1. Authority Pol. 113</p> <p>34 CFR Sec. 300.611-300.627</p> <p>34 CFR Sec. 300.520, 300.625</p> <p>2. Definitions 34 CFR Sec. 300.611</p> <p>34 CFR Sec. 99.3</p> <p>20 U.S.C. Sec. 1232g 34 CFR Sec. 99.3 Pol. 216</p> <p>34 CFR Sec. 99.3, 300.32</p>	<p style="text-align: center;">113.4. CONFIDENTIALITY OF SPECIAL EDUCATION STUDENT INFORMATION</p> <p>The Board recognizes the need to protect the confidentiality of personally identifiable information in the education records of students with disabilities.</p> <p>The district shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, retaining, disclosing and destroying student special education records, in accordance with Board policy, state requirements, and federal and state law and regulations.</p> <p>The rights provided by this policy apply to parents/guardians of students who receive special education programming and services from the district or an outside program provided through the district.</p> <p>Destruction shall mean the physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.</p> <p>Disclosure shall mean to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.</p> <p>Education Records, for purposes of this policy, shall include the records and information covered under the definition of education records in the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations.</p> <p>Personally identifiable information includes, but is not limited to:</p> <ol style="list-style-type: none"> 1. The name of a student, the student's parents/guardians or other family members.
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<p>4. Guidelines</p> <p>34 CFR Sec. 99.10, 300.613</p> <p>34 CFR Sec. 99.4, 300.613</p> <p>34 CFR Sec. 99.10, 300.613</p>	<ol style="list-style-type: none"> 2. The address of the student or student’s family. 3. A personal identifier, such as the student's social security number, student number, or biometric record. 4. Other indirect identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name. 5. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty. 6. Information requested by a person who the district reasonably believes knows the identity of the student to whom the education record relates. <p><u>Parental Access Rights</u></p> <p>The district shall permit parents/guardians to inspect and review any education records relating to their child(ren) that are collected, retained, or used by the district in connection with providing special education services to the student.</p> <p>The district shall comply with a parental request to inspect and review education records without unnecessary delay and before any meeting regarding an Individualized Education Program (IEP); any impartial due process hearing relating to the identification, evaluation, educational placement, or the provision of a free and appropriate public education (FAPE) to a student; a hearing related to the discipline of the student; and a resolution meeting.</p> <p>The district shall presume a parent/guardian has authority to inspect and review records relating to his/her child unless it has been provided documentation that the requesting parent/guardian does not have this authority under applicable state law.</p> <p>The district shall comply with a parental request for review within forty-five (45) days following receipt of the request.</p> <p>A parent’s/guardian’s right to inspect and review education records includes the right to:</p> <ol style="list-style-type: none"> 1. A response from the district to reasonable requests for explanations and interpretations of the records;
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113.4. CONFIDENTIALITY OF SPECIAL EDUCATION STUDENT INFORMATION - Pg. 3

	<ol style="list-style-type: none"> 2. Request that the district provide copies of the records if failure to provide copies would effectively prevent the parent/guardian from exercising the right to inspect and review the records; and 3. Have a representative inspect and review the records.
<p>34 CFR Sec. 99.12, 300.615</p>	<p>If an education record includes information on more than one (1) student, the parents/guardians shall have access only to the information relating to their child or shall be informed of the information in the record.</p>
<p>34 CFR Sec. 300.616</p>	<p>The district shall provide parents/guardians, upon request, a list of the types and locations of education records collected, maintained, or used by the district.</p>
<p>34 CFR Sec. 99.11, 300.617</p>	<p><u>Fees</u></p> <p>The district may charge a fee for copies of records that are made for parents/guardians so long as the fee does not effectively prevent parents/guardians from exercising their right to inspect and review those records.</p> <p>The district shall not charge a fee to search for or to retrieve information in response to a parental request.</p>
<p>34 CFR Sec. 300.614</p>	<p><u>Record Of Access</u></p> <p>The district shall keep a record of parties obtaining access to education records collected, maintained, or used in providing special education to students with disabilities, except access by parents/guardians and authorized district employees.</p> <p>The district's record of access shall include the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.</p>
<p>34 CFR Sec. 99.20, 300.618</p>	<p><u>Amendment Of Records Upon Parental Request</u></p> <p>If a parent/guardian believes that information in the student's education records is inaccurate, misleading or violates the privacy or other rights of the student, the parent/guardian may request that the district amend the information.</p> <p>The district shall decide whether to amend the information within a reasonable period of time from receipt of the request.</p> <p>If the district declines to amend the information in accordance with a parental request, the district shall inform the parent/guardian of the refusal and advise the parent/guardian of the right to a hearing.</p>

<p>34 CFR Sec. 99.21, 300.510- 300.516, 300.619</p>	<p><u>Records Hearing</u></p> <p>The district shall, on request, provide parents/guardians with an opportunity for a hearing to challenge information in the student’s education records to ensure that the information is not inaccurate, misleading, or otherwise in violation of the student’s privacy or other rights. The district recognizes that parents/guardians who believe that there is a due process violation relating to an alleged violation of confidentiality may also request a special education due process hearing.</p>
<p>34 CFR Sec. 99.22, 300.621</p>	<p><u>Hearing Procedures</u></p> <p>A hearing to challenge information in education records must meet the following requirements:</p> <ol style="list-style-type: none"> 1. The district shall hold the hearing within a reasonable time after receiving the request for a hearing. 2. The district shall give the parent/guardian reasonable advanced written notice of the date, time, and place of the hearing. 3. The hearing may be conducted by any individual, including a district official, who does not have a direct interest in the outcome of the hearing. 4. The district shall give the parent/guardian a full and fair opportunity to present relevant evidence. The parent/guardian may, at his/her own expense, be assisted or represented by one (1) or more individuals of his/her choice, including an attorney. 5. The district shall inform parents/guardians of its decision in writing within a reasonable period of time after the hearing. 6. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.
<p>34 CFR Sec. 99.21, 300.620</p>	<p><u>Result Of Hearing</u></p> <p>If, as a result of the hearing, the district decides that the information is inaccurate, misleading, or otherwise in violation of the student’s privacy or other rights, the district shall amend the information accordingly and inform the parent/guardian in writing.</p>

	<p>If, as a result of the hearing, the district decides that the information is not inaccurate, misleading, or otherwise in violation of the student’s privacy or other rights, the district shall inform the parent/guardian of the parent’s/guardian’s right to place in the student’s records a statement commenting on the information and/or providing any reasons for disagreeing with the district’s decision.</p> <p>Any explanation placed in the student’s records shall be:</p> <ol style="list-style-type: none"> 1. Maintained by the district as part of the student’s records as long as the record or contested portion is maintained by the district; and 2. Included with the record or contested portion if the record or contested portion are disclosed to any party. <p><u>Storage, Retention And Destruction Of Information</u></p> <p>34 CFR Sec. 300.623 The district shall store all education records and personally identifiable information of students receiving special education services in such a way as to protect the confidentiality and integrity of the records and information, prevent unauthorized access to and disclosure of records and information, and ensure compliance with other legal and regulatory requirements regarding records retention.</p> <p>34 CFR Sec. 300.623 The district shall maintain, for public inspection, a current listing of the names and positions of those district employees who have access to personally identifiable information.</p> <p>Pol. 216 In order to comply with state compliance monitoring requirements, the district shall maintain education records for students receiving special education services for at least six (6) years.</p> <p>34 CFR Sec. 300.624 The district shall inform parents/guardians when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the student. After notice, such information shall be destroyed upon parental request.</p> <p>34 CFR Sec. 99.10 No education record shall be destroyed if there is an outstanding request to inspect or review the record or if a litigation hold exists.</p> <p>34 CFR Sec. 300.624 The district { } shall  { } may</p>
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113.4. CONFIDENTIALITY OF SPECIAL EDUCATION STUDENT INFORMATION - Pg. 6

<p>34 CFR Sec. 300.623</p>	<p>maintain a permanent record of the student's name, address, and phone number, his/her grades, attendance record, classes attended, grade level completed, and year completed.</p> <p>The district shall ensure the destruction of education records in a manner that protects the confidentiality and privacy rights of the student and his/her family.</p>
<p>34 CFR Sec. 99.30, 99.31, 300.622 Pol. 113.1, 113.2, 216</p>	<p><u>Disclosure To Third Parties</u></p> <p>The district shall obtain parental consent before disclosing personally identifiable information to parties other than school district officials with a legitimate educational interest or other educational institutions that provide special education services to the student for the purposes of meeting a requirement of law or regulation unless the information is contained in education records and the disclosure is permitted without parental consent under law and regulations.</p>
<p>34 CFR Sec. 300.622</p>	<p>Parental consent must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.</p>
<p>34 CFR Sec. 300.622</p>	<p>If a student is enrolled, or is going to enroll in a private school that is not located in the district of the parent's/guardian's residence, parental consent must be obtained before any personally identifiable information about the student is released between officials in the district where the private school is located and officials in the district of the parent's/guardian's residence.</p>
<p>5. Delegation of Responsibility 34 CFR Sec. 300.623</p>	<p>In order to maintain the confidentiality of the educational records and personally identifiable information of students with disabilities, the Board designates the</p> <p>{ } Superintendent</p> <p>{  } Director of Special Education</p> <p>{ } _____</p> <p>to coordinate the district's efforts to comply with this policy and applicable laws and regulations.</p>
<p>34 CFR Sec. 300.623</p>	<p>All district employees collecting or using personally identifiable information shall receive training or instruction regarding Board policy, administrative regulations, and state and federal law and regulations regarding confidentiality of education records and personally identifiable information.</p>

References:

Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.

Family Educational Rights and Privacy, Title 34, Code of Federal Regulations –
34 CFR Part 99

Individuals With Disabilities Education, Title 34, Code of Federal Regulations –
34 CFR Part 300

Pennsylvania Department of Education Individuals with Disabilities Education Act
Part B LEA Policies and Procedures under 34 C.F.R. §§300.101 - 300.176
(2009)

Bureau of Special Education Letter to School Entities on Retention Of Records,
Dated November 9, 2009

Board Policy – 113, 113.1, 113.2, 113.3, 216

PSBA New 7/11

WYOMISSING AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: EXTRACURRICULAR
ACTIVITIES

ADOPTED: November 25, 1996

REVISED: ~~November 20, 2006~~

<p>122. EXTRACURRICULAR ACTIVITIES</p>	
<p>1. Purpose</p>	<p>The Board believes that the District's goals and objectives are best achieved by a diversity of learning experiences, some of which are more appropriately conducted outside the regular curricular program of the schools.</p> <p>All learning experiences offered by the schools, curricular and extracurricular, shall be planned and integrated toward attainment of the District's educational objectives.</p>
<p>2. Definition Title 22 Sec. 12.1</p>	<p>For purposes of this policy, extracurricular activities shall be those programs that are sponsored or approved by the Board and are conducted wholly or partly outside the regular school day; are marked by student participation in the processes of initiation, planning, organizing, and execution; and are equally available to all students who voluntarily elect to participate.</p>
<p>3. Authority SC 511 20 U.S.C. Sec. 4071 et seq Pol. 103</p>	<p>The Board shall make school facilities, supplies and equipment available and shall assign staff members for the support of extracurricular activities for students. Such availability and assignment shall be in accordance with the Equal Access Act.</p> <p>Any extracurricular activity shall be considered under the sponsorship of this Board when it has been approved by the Board after considering the recommendation of the Superintendent.</p> <p>The Board shall maintain the program of extracurricular activities at no cost to participating students, except that:</p>
<p>Pol. 110</p>	<ol style="list-style-type: none"> 1. The Board's responsibility for provision of supplies shall carry the same exemptions as listed in the Board's policy on regular school supplies. 2. Students may assume all or part of the costs for travel and attendance at extracurricular events and trips.

<p>Pol. 218</p>	<p><u>Off-Campus Activities</u></p> <p>This policy shall also apply to student conduct that occurs off school property and would violate the Code of Student Conduct if <u>any of the following circumstances exist</u>:</p> <p>1. There is a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities.</p> <p>1. <u>The conduct occurs during the time the student is traveling to and from school or traveling to and from school-sponsored activities, whether or not via school district furnished transportation.</u></p> <p>2. The student is a member of an extracurricular activity and has been notified that particular off-campus conduct could result in exclusion from such activities.</p> <p>3. Student expression or conduct materially and substantially disrupts the operations of the school, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school.</p> <p>4. The conduct has a direct nexus to attendance at school or a school-sponsored activity, such as an agreement to complete a transaction outside of school that would violate the Code of Student Conduct. <u>for example, a transaction conducted outside of school pursuant to an agreement made in school, that would violate the Code of Student conduct if conducted in school.</u></p> <p>5. The conduct involves the theft or vandalism of school property.</p> <p>6. <u>There is otherwise a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities.</u></p>
<p>4. Delegation of Responsibility</p>	<p>The Superintendent or designee shall annually prepare, approve and present to the Board for its consideration a program of extracurricular activities.</p>
<p>5. Guidelines</p>	<p>Guidelines shall ensure that the program of extracurricular activities:</p> <ol style="list-style-type: none"> 1. Assesses the needs and interests of and is responsive to District students. 2. Involves students in developing and planning extracurricular activities. 3. Ensures provision of competent guidance and supervision by staff. 4. Guards against exploitation of students. 5. Provides a variety of experiences and diversity of organizational models.

<p>Title 22 Sec. 12.1, 12.4</p> <p>20 U.S.C. Sec. 4071 et seq</p>	<p>6. Provides for continuing evaluation of the program and its components.</p> <p>7. Ensures that all extracurricular activities are open to all students and that all students are fully informed of the opportunities available to them.</p> <p><u>Equal Access Act</u></p> <p>The District shall provide secondary students the opportunity for noncurriculum related student groups to meet on the school premises during noninstructional time for the purpose of conducting a meeting within the limited open forum on the basis of religious, political, philosophical, or other content of the speech at such meetings. Such meetings must be voluntary, student-initiated, and not sponsored in any way by the school, its agents or employees. Noninstructional time is the time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends.</p> <p>The meetings cannot materially and substantially interfere with the orderly conduct of the educational activities in the school.</p> <p>The Superintendent or designee shall establish the length of sessions, number per week, and other limitations deemed reasonably necessary.</p> <p>The District retains the authority to maintain order and discipline on school premises in order to protect the well-being of students and employees and to ensure that student attendance at such meetings is voluntary.</p> <p>References:</p> <p>Equal Access Act – 20 U.S.C. Sec. 4071 et seq</p> <p>School Code – 24 P.S. Sec. 511</p> <p>State Board of Education Regulations – 22 PA Code Sec. 12.1, 12.4</p> <p>Board Policy – 103, 110, 218</p>
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122. EXTRACURRICULAR ACTIVITIES - Pg. 4

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SECTION: PUPILS

TITLE: WEAPONS OR THEIR REPLICAS

ADOPTED: November 25, 1996

REVISED: ~~January 26, 2004~~

WYOMISSING AREA SCHOOL DISTRICT

218.2. WEAPONS OR THEIR REPLICAS	
1. Purpose	The Board recognizes the importance of a safe school environment relative to the educational process. Possession of weapons in the school setting is a threat to the safety of students and staff and is prohibited by law.
2. Definitions SC 1317.2	<p>Weapon - the term shall include but not be limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, <u>replica of a weapon</u>, and/or any other tool, device, substance, instrument or implement capable of inflicting serious bodily injury.</p> <p>Possessing <u>Possession</u>- a student is in possession of a weapon when the weapon is found on the person of the student; in the student's locker; under the student's control while on school property, on property being used by the school, at any school function or activity, at any school event held away from the school, or while the student is coming to or from school.</p>
3. Authority SC 1317.2	The Board prohibits students from possessing and bringing weapons and replicas of weapons into any school district buildings, onto school property, to any school-sponsored activity, and onto any public vehicle providing transportation to school or a school-sponsored activity <u>or while the student is coming to or from school</u> .
SC 1317.2 Pol. 233	The school district <u>Board</u> shall expel for a period of not less than one (1) year any student who violates this weapons policy. Such expulsion shall be given in conformance with formal due process proceedings required by law. The Superintendent may recommend modifications of such expulsion requirement on a case-by-case basis.
4. Delegation of Responsibility SC 1317.2	<p><u>The Superintendent or designee shall react promptly to information and knowledge concerning weapons on school property. Such action shall be in compliance with state law and regulation and with the procedures set forth in the memorandum of understanding with local law enforcement officials.</u></p> <p>The Superintendent or designee shall <u>immediately</u> report the discovery of any weapon prohibited by this policy to the student's parents and to local law enforcement officials <u>and inform the student's parent/guardian.</u></p>

SC 1317.2	<p>The Superintendent or designee shall report all incidents relating to expulsion for possession of a weapon to the Department of Education.</p> <p><u>The Superintendent shall annually, by July 31, report all incidents involving acts of violence or possession of a weapon to the Office of Safe Schools on the required form in accordance with state law and regulation.</u></p>
SC 1303-A	<p>The Superintendent or designee shall be responsible to develop a memorandum of understanding with local law enforcement officials that sets forth procedures to be followed when an incident occurs involving an act of violence or possession of a weapon by any person on school property.</p>
SC 1303-A	<p>Acts of violence or possession of a weapon in violation of this policy shall be reported to the Office of Safe Schools on the required form at least once each year.</p>
20 U.S.C. Sec. 1400 et seq	<p>In the case of a student with disabilities, the Superintendent <u>or District</u> shall take all necessary steps to comply with the Individuals With Disabilities Education Act.</p>
Pol. 226	<p><u>Search</u></p>
Pol. 226	<p>The school district administrators or designee will conduct searches according to Policy 226.</p>
5. Guidelines	<p><u>Seizure and Forfeiture</u></p>
	<p>Any weapon or replica brought, carried, possessed, located, stored, accessed, or used by a student or person on school district property is subject to seizure or forfeiture by the school district or law enforcement authorities in accordance with law.</p>
	<p>Students, staff and parents shall be informed at least annually concerning this policy.</p>
SC 1317.2	<p>An exception to this policy may be made by the Superintendent, who shall prescribe special conditions or procedures to be followed.</p>
	<p>Weapons under the control of law enforcement personnel are permitted.</p>
18 U.S.C. Sec. 921, 922	<p>In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in, on, or within 1,000 feet of school grounds is prohibited. Violations shall be reported to the appropriate law enforcement agency.</p>
	<p><u>Transfer Students</u></p>

218.2. WEAPONS OR THEIR REPLICAS - Pg. 3

<p>SC 1304-A Pol. 216.1</p> <p>SC 1317.2</p> <p>School Code 1303-A, 1304-A, 1317.2</p> <p>18 U.S.C. Sec. 921, 922</p> <p>20 U.S.C. Sec. 1400 et seq</p> <p>20 U.S.C. Sec. 7151</p> <p>20 U.S.C. Sec. 7114</p> <p>Board Policy 226, 233</p>	<p>At registration and as a condition of admission to the school, the parent/guardian or other person having control or charge of a student shall provide a sworn statement or affirmation stating whether the student was previously or is presently suspended or expelled from any public or private school of this Commonwealth or any other state for an act or offense involving weapons, alcohol or drugs or for the willful infliction of injury to another person or for any act of violence committed on school property. The registration shall include the name of the school from which the student was</p> <p>expelled or suspended for the above-listed reasons with the date of expulsion or suspension and shall be maintained as part of the student's disciplinary record.</p> <p>Any willful false statement made under this section shall be a misdemeanor of the third degree.</p> <p>When the school district receives a student who transfers from a public or private school during an expulsion period for an offense involving a weapon, the district may assign that student to an alternative assignment or may provide alternative education, provided the assignment does not exceed the expulsion period.</p>
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218.2. WEAPONS OR THEIR REPLICAS - Pg. 4

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(NEW)



SECTION: PUPILS

TITLE: TERRORISTIC THREATS

ADOPTED:

REVISED:

218.2. TERRORISTIC THREATS	
<p>1. Purpose</p>	<p>The Board recognizes the danger that terroristic threats by students presents to the safety and welfare of district students, staff and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat.</p>
<p>2. Definitions 18 Pa. C.S.A. Sec. 2706</p>	<p>Terroristic threat - shall mean a threat communicated either directly or indirectly to commit any crime of violence with the intent to terrorize another; to cause evacuation of a building, place of assembly or facility of public transportation; or to otherwise cause serious public inconvenience, or cause terror or serious public inconvenience with reckless disregard of the risk of causing such terror or inconvenience.</p>
<p>3. Authority</p> <p>20 U.S.C. Sec. 1400 et seq Pol. 113.1</p>	<p>The Board prohibits any district student from communicating terroristic threats directed at any student, employee, Board member, community member or school building.</p> <p>In the case of a student with disabilities, the district shall take all steps required to comply with the Individuals with Disabilities Education Act and Board policy.</p> <p>{ } If a student is expelled for making terroristic threats, the Board may require, prior to readmission, that the student provide competent and credible evidence that the student does not pose a risk of harm to others.</p>
<p>4. Delegation of Responsibility Title 22 Sec. 12.2</p>	<p>Staff members and students shall be made aware of their responsibility for informing the building principal regarding any information or knowledge relevant to a possible or actual terroristic threat.</p> <p>The building principal shall immediately inform the Superintendent after receiving a report of such a threat.</p>

<p>SC 1302.1-A Pol. 805</p>	<p>The Superintendent or designee shall react promptly to information and knowledge concerning a possible or actual terroristic threat. Such action shall be in compliance with state law and regulation and with the procedures set forth in the memorandum of understanding with local law enforcement officials.</p>
<p>SC 1303-A</p>	<p>The Superintendent shall be responsible for developing administrative regulations to implement this policy.</p>
	<p>The Superintendent shall annually, by July 31, report all incidents of terroristic threats to the Office of Safe Schools on the required form in accordance with state law and regulation.</p>
	<p>References:</p>
	<p>School Code – 24 P. S. Sec. 1302.1-A, 1303-A</p>
	<p>State Board of Education Regulations – 22 PA Code Sec. 12.2</p>
	<p>Terroristic Threats – 18 Pa. C.S.A. Sec. 2706</p>
	<p>Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.</p>
	<p>Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300</p>
	<p>Board Policy – 000, 113.1, 233, 805</p>
	<p>PSBA Revision 5/11</p>

WYOMISSING AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: TOBACCO USE

ADOPTED: November 25, 1996

REVISED: [August 25, 2003](#)

222. TOBACCO USE	
1. Purpose	The Board recognizes that tobacco use by students presents a health and safety hazard that can have serious consequences for both users and nonusers and the safety and environment of the schools.
2. Definition 18 PA C.S.A. Sec. 6306.1	For purposes of this policy, tobacco use shall be defined as use and/or possession of a lighted or unlighted cigarette, cigar and pipe; other lighted smoking product; and smokeless tobacco in any form.
3. Authority 20 U.S.C. Sec. 7181 et seq Title 22 Sec. 12.3 35 P.S. 1223.5 18 PA C.S.A. Sec. 6306.1	<p>The Board prohibits tobacco use and possession by students at any time in a school building and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.</p> <p>The Board prohibits tobacco use and possession by students at school-sponsored activities that are held off school property.</p> <p>The school district may initiate prosecution of a student who possesses or uses tobacco in violation of this policy.</p>
4. Delegation of Responsibility	<p>The Superintendent or designee shall annually notify students, parents and staff about the district's tobacco use policy by publishing such policy in the student handbook, parent newsletters, posted notices, and other efficient methods.</p> <p>The Superintendent or designee shall develop procedures to implement this policy.</p>
5. Guidelines SC 1303-A	<p>If, because of circumstances, a staff member is convinced that a student was using tobacco, actual observation of use is not necessary for a student to be disciplined. <u>A staff member's written or oral report of student use will be accepted as documentation for the student to be disciplined.</u></p> <p><u>The Superintendent shall annually, by July 31, report all incidents of possession, use or and sale of tobacco in violation of this policy by any person on school property shall be reported to the Office of Safe Schools on the required form at least once each year in accordance with state law and regulation..</u></p>

<p>18 PA C.S.A. Sec. 6306.1</p> <p>PA Code Title 22 Sec. 12.3</p> <p>18 PA C.S.A. Sec. 6306.1</p> <p>School Code 510, 1303-A</p> <p>35 P.S. 1223.5</p> <p>20 U.S.C. Sec. 7181 et seq</p> <p>20 U.S.C. Sec. 7114</p>	<p>A student convicted of possessing or using tobacco in violation of this policy may be fined up to \$50 plus court costs or admitted to alternative adjudication in lieu of imposition of a fine.</p>
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222. TOBACCO USE - Pg. 3

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WYOMISSING AREA SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENTS AND THE POLICE

ADOPTED: November 25, 1996

REVISED: ~~February 24, 1997~~

	<p style="text-align: center;">225. STUDENTS AND THE POLICE</p> <p>1. Purpose The Board recognizes that compulsory attendance laws impose on the Board the custodianship of the public school children of the district while they are present in the schools, even when the police are involved.</p> <p>2. Authority When police request permission to interview a student at school, the principal shall inform the Superintendent <u>or designee</u> and attempt to inform the student's parents <u>or guardians</u>. In addition, the principal or his/her representative shall be present throughout the proceedings.</p> <p>Whenever the Superintendent or delegate <u>designee</u> has determined that the police have a legitimate purpose in interrogating a child within the confines of a school building, <u>permission to interview the student shall be granted on condition that</u> the principal or his/her representative shall be present throughout the proceedings.</p> <p>When the police request permission to arrest a student at school, the principal shall: inform the Superintendent <u>or designee</u>; attempt to inform the student's parents; request and inspect the arrest warrant; and contact the school district's solicitor where appropriate.</p> <p>No <u>A</u> child shall <u>only</u> be released to police authorities without a warrant, or without appropriate evidence or without written parental permission <u>of a parent or guardian, or under any circumstance where the Superintendent or designee deems it appropriate. In addition, a child may be released to police authorities</u> except in the event of emergency or for the protection of health, safety or welfare, as determined by the principal.</p>
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SECTION: PUPILS
 TITLE: ~~PREVENTION OF INAPPROPRIATE~~
 RELATIONSHIPS BETWEEN
 ADULTS AND STUDENTS

ADOPTED:
 REVISED:

<p>1. Purpose</p> <p>2. Authority 43 P.S. Section 951 et seq., 20 U.S.C. Section 1681 et seq., 42 U.S.C. Sec. 2003 et seq.,</p> <p>3. Definitions</p> <p>4. Delegation of Responsibility</p> <p>5. Guidelines</p>	<p>248.1 PREVENTION OF INAPPROPRIATE RELATIONSHIPS BETWEEN ADULTS AND STUDENTS</p> <p>Inappropriate relationships between adults and students are unacceptable at the Wyomissing Area School District. The purpose of this policy is to describe and give examples of the types of behaviors between adults and unrelated students which are inappropriate so that there is no ambiguity about what behaviors are unacceptable.</p> <p>Adult includes administrative <u>all</u> employees, professional employees, classified employees, coaches, advisors, volunteers, and third parties who provide services to students on behalf of the District (<u>“Adults”</u>).</p> <p>Responsibility for protecting students from sexual misconduct, and <u>avoidance of</u> avoiding inappropriate relationships between students and adults is shared by the district superintendent, school board, teachers, professional employees, staff, and district volunteers, parents, guardians and students. Shared responsibility does not mean equal responsibility, however. Administrators, teacher, and other employees <u>All Adults</u> can protect themselves from misunderstandings and false accusations by adhering to the following rules on communicating <u>interacting</u> with students.</p> <p>Adults’ communications with students must be transparent, accessible to supervisors, and professional in content and tone at all times.</p> <p>1. In-person Communication with Students</p>
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SECTION: PUPILS
TITLE: PREVENTION OF INAPPROPRIATE
RELATIONSHIPS BETWEEN
ADULTS AND STUDENTS

ADOPTED:
REVISED:

- a. Conversations with students should focus on matters related to instruction and school activities. Adults should not initiate discussions about their own private lives, their personal business, or the intimate details of the private lives of unrelated students or people. It is appropriate for Adults to discuss students' interests, hobbies, activities, etc. in order to engage the student in instruction and school activities. Adults may not behave (including having conversations) with students in ways that could be interpreted as flirtatious, romantic or sexual.
- b. Adults may not share sexually explicit or obscene jokes-or engage in verbal "kidding" of a sexual nature-
- c. Private, one-on-one conversations with students should take place in a place where the student and Adult can be seen, but not necessarily heard by other Adults – such as in a classroom with the hallway door open, in a hallway, or on an athletic field.
- d. Adults may not conduct an ongoing series of one-on-one meetings with an individual student without the knowledge of the principal.

2. Electronic Communications with Students

- a. Under most circumstances, one-on-one electronic communications between an Adult and an individual student must be by way of accounts, systems and platforms provided by or accessible to the District, building principal and those in Central Administration (that is, the District's telephone and computer systems).
- b. Adults are prohibited from using personal wireless communication devices to text individual students and are prohibited from interacting one-on-one with any students through personal online social-networking sites-
- c. All e-contacts with students should be through the District's computer and telephone system, except in emergency situations.
- d. All contact messages by coaches and advisors with team or club members shall be sent to all participating team or club members, except for messages concerning medical or academic privacy matters, in which case the messages will be copied to the school principal and, in the case of teams, the Assistant Principal/Athletic Director.

SECTION: PUPILS
TITLE: PREVENTION OF INAPPROPRIATE
RELATIONSHIPS BETWEEN
ADULTS AND STUDENTS

ADOPTED:
REVISED:

e. Adults may not knowingly engage in online gaming with students unrelated to instruction.

3. Physical Contact - Physical contact between Adults and students should always be public, nonsexual and appropriate to the circumstances.

a. Physical contact between ~~an adult~~ Adults and students that is appropriate in the early elementary grades, such as a spontaneous hug, is not appropriate with-older children.

b. Physical contact meant to encourage or reassure students, such as a hand on the shoulder or a pat on the back, should be brief and unambiguous in meaning.

4. Relationships and Social Interactions with Students

~~Relationships which invade the student's personal space and personal life are prohibited. Examples of such invasion and include, but are not limited to:~~
Establishing intimate, personal relationships with students is prohibited.
Examples of prohibited Adult conduct include, but is not limited to:

a. Taking an undue interest in a student (i.e., having a "special" friend or a "special relationship" with a particular student

b. Giving gifts of money to a student without cause and administrative approval.

c. Engaging in peer-like behavior with students ~~(i.e., being "cool" by acting like one of the kids).~~

d. ~~Being overly "touchy" with students~~ Touching students without appropriate reason.

~~e. Not providing equal opportunities and access to staff for all students with the exception of students with positive behavior support plans.~~

e. Getting the student out of class repeatedly to visit the teacher or to accompany the teacher for some task.

SECTION: PUPILS
TITLE: PREVENTION OF INAPPROPRIATE
RELATIONSHIPS BETWEEN
ADULTS AND STUDENTS

ADOPTED:
REVISED:

- f. Talking to the students about the Adult's problems such as financial, health or marital problems.
- g. Telling the student the Adult's "secrets" and having "secrets" with the student.
- ~~i.h.~~ Initiating conversation with the child-student about the child's-student's personal problems to the extent that the Adult becomes a confidant of the student when it is not the Adult's assigned responsibility to do so.
- i. Being alone with the student behind closed doors at school, excluding counselors, psychologists, nurses and any individual whose job description requires a one-on-one setting with the student.
- j. Taking the student on outings without another adult present.
- ~~h.k.~~ Giving students rides in the teacher's-Adult's personal vehicle without approval of the building principal or designee or the parent/guardian
- ~~m.l.~~ Initiating or extending contact with students beyond the school day for personal purposes (including but not limited to a professional employee's tutoring for pay a student currently enrolled in a class taught by the professional employee).
- ~~n.m.~~ Using eE-mail, text-messaging or websites to discuss personal topics or interests with students.
- ~~o.n.~~ Invading the student's privacy (i.e. being alone with the student in a bathroom, or locker-room, or discussing the student's dating relationships, sexual orientation, or sexual experiences).
- ~~p.o.~~ Telling sexual jokes-in the presence of students.
- ~~q.p.~~ Engaging in talk containing sexual innuendo or banter in the presence of students.
- ~~r.q.~~ Talking about sexual topics that are not specifically and directly related to the curriculum.
- ~~s.r.~~ Showing sexually explicit images and/or pornography to students.

SECTION: PUPILS
TITLE: PREVENTION OF INAPPROPRIATE
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ADOPTED:
REVISED:

~~t.s.~~ Any type of inappropriate physical contact with a student or any other conduct that might be considered harassment under the Board's policy on Harassment and Sexual Harassment of Students (see Policy 248).

t. Singling out a particular student or students for personal attention and friendship beyond the ordinary professional staff-student relationship.

~~y.u. Socializing~~ Being present where students are consuming alcohol, drugs or tobacco.

v. For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, ~~staff members~~ Adults are expected to refer the student to appropriate guidance/counseling staff. ~~In either case, staff involvement should be limited to a direct connection to the student's school performance.~~ school resource.

w. Sending or accompanying students on the Adult's personal or professional errands unrelated to any educational purpose.

x. Disclosing the Adult's personal, sexual, family, employment concerns, or other private matters to one or more students.

~~z.y. Addressing students, or p~~ Permitting students to address Adults by their first names, or with personalized terms of endearment, pet names, or otherwise in an overly familiar manner.

~~aa-z.~~ Socializing or spending time with students alone, without the permission of the parent/guardian (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling, and recreational activities) outside of school sponsored events, except as participants in organized community activities.

aa. Giving a student a ride alone in a vehicle in a non-emergency situation requires notification to both the parent/guardian and direct supervisor ~~within 24 hours after occurrence.~~ prior to the occurrence or if not possible, then within 24 hours after the occurrence.

bb. The initiation or the conduct of carrying out romantic or sexual relationships between District employees or volunteers and students are

SECTION: PUPILS
TITLE: PREVENTION OF INAPPROPRIATE
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ADULTS AND STUDENTS

ADOPTED:
REVISED:

strictly prohibited, regardless of the age of the student or the proximity in the age of the District employee or volunteer and the student.

5. Reporting Apparent Violations

Students and their parents/guardians are strongly encouraged to notify the superintendent, principal or other administrator of concerns that this Policy has been violated in letter or spirit.

All District employees Adults and independent contractors are required to promptly notify the superintendent, principal ~~(or other administrator)~~, if they become aware of a situation that may constitute a violation of this policy.

6. Disciplinary Action

District employees' violations of this policy may result in a disciplinary action up to and including dismissal. For licensed or certified employees and independent contractors, the violation may also be reported to the Pennsylvania Department of Education. Violations involving sexual or other abuse will also result in referral to Child Protective Services and/or law enforcement in accordance with the Boards' policy on Reporting Child Abuse and Neglect.

Volunteers who violate this policy will be prohibited from volunteering for an appropriate period of time, as determined by the superintendent or designee.

7. Training Awareness

All Adults will review this policy and direct any questions to ~~with~~ their immediate supervisor within 90 days of the adoption of this Policy, ~~and no later than every three years thereafter.~~ Adults who begin working or volunteering for the District after the initial training shall receive training within three months of beginning their positions with the District by the Human Resources Generalist.

At the beginning of each school year, students and their parents/guardians will be notified of the existence of this policy, and of their shared responsibility to prevent inappropriate relationships between adults and students.

8. Dissemination of Policy

This policy shall be included on the District website and shall be described in all District employee, student and volunteer handbooks.

SECTION: PUPILS
TITLE: ~~PREVENTION OF INAPPROPRIATE~~
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ADULTS AND STUDENTS

ADOPTED:
REVISED:

	The policy and any procedures developed to implement the policy shall be given to all adults via e-mail or hard copy at least once a year.

SECTION: ADMINISTRATIVE
EMPLOYEES

TITLE: TOBACCO USE

ADOPTED: November 25, 1996

REVISED: ~~August 25, 2003~~

WYOMISSING AREA SCHOOL DISTRICT

323. TOBACCO USE	
1. Purpose	The Board recognizes that tobacco use during school hours and on school property presents a health and safety hazard that can have serious consequences for the user and the nonuser and the safety of the schools.
2. Definition 18 PA C.S.A. Sec. 6306.1	For purposes of this policy, tobacco use shall mean all use of tobacco, including cigars, cigarettes, pipes and smokeless tobacco.
3. Authority 20 U.S.C. Sec. 7181 et seq 35 P.S. 1223.5	<p>The Board prohibits tobacco possession, use and sale by administrative employees in a school building and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.</p> <p>The Board prohibits tobacco use by administrative <u>District</u> employees at school-sponsored activities that are held off school property.</p>
4. Guidelines	The district shall annually notify employees about the district's tobacco use policy by publishing such in handbooks, newsletters, posted notices and other efficient methods.
SC 1303-A	<u>The Superintendent shall annually, by July 31, report all incidents of possession, use and sale of tobacco by any person on school property shall be reported to the Office of Safe Schools on the required form at least once each year in accordance with state law and regulation.</u>
Pol. 317	Violations of this policy are subject to disciplinary action.

WYOMISSING AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: FISCAL OBJECTIVES

ADOPTED: November 25, 1996

REVISED: [May 27, 2008](#)

601. FISCAL OBJECTIVES	
<p>1. Purpose</p>	<p>The Board recognizes its responsibility to district taxpayers to ensure that public monies which it expends are utilized for delivery of the educational program in a manner that mandates full value to the taxpayers, and that adequate procedures and records are established to ensure that end.</p>
<p>2. Authority SC 439, 601, 602, 609, 610, 631, 634, 672, 687, 690, 751, 807.1, 1155 53 P.S. Sec. 6926.311</p>	<p>The Board has the authority and responsibility to prepare and adopt the budget, approve bids, levy taxes, approve each expenditure of the district, and incur debt in accordance with law.</p> <p><u>The district shall submit an annual financial report to the Secretary of Education by October 31 of each year, in accordance with law and the reporting standards established by the Pennsylvania Department of Education.</u></p>
<p>3. Delegation of Responsibility</p>	<p>To meet the goals of this policy, the Board directs the Director of Business Affairs to establish sound accounting procedures based upon recommendations of the district auditor and state and federal government, institute effective business practices, and recommend appropriate equipment and technology when necessary.</p> <p>The Director of Business Affairs shall review the financial operations monthly, report to the Board on effectiveness and recommended improvements, and prepare administrative procedures for sound district and school fiscal operations.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 218, 439, 601, 602, 609, 610, 631, 634, 672, 687, 690, 751, 807.1, 1155</p> <p>Taxpayer Relief Act – 53 P.S. Sec. 6926.301 et seq.</p>

WYOMISSING AREA SCHOOL DISTRICT

SECTION: FINANCES

TITLE: DISTRICT AUDIT - PUBLIC

ADOPTED: November 25, 1996

REVISED: [August 25, 2008](#)

619. DISTRICT AUDIT - PUBLIC	
<p>1. Purpose SC 408, 2401 65 P.S. Sec. 67.101 et seq Pol. 801</p>	<p>The Board recognizes the importance of the right of the public to have access to the public records of the District. This includes public financial records. The public has the right under law to inspect and procure copies of the annual audit conducted by the District's accountants and the audit conducted by the Commonwealth's Auditor General's office.</p>
<p>2. Authority SC 437, 2401, 2408</p>	<p>The Board shall retain an independent certified public accountant to conduct an annual District audit in conformance with prescribed and legal standards. The completed audit shall be presented to the Board for its examination and approval.</p> <p>The Board also recognizes its obligation as an elected body to represent the best interests of all of its constituents. Therefore, the Board will make the results of both the District's external accountants' audit and the Auditor General's audit available to the public at the business office of the District.</p> <p><u>The Superintendent and Board Secretary shall annually, by December 31, submit a signed statement to the Pennsylvania Department of Education certifying that the financial statements of the school district have been properly audited pursuant to law and that in the independent auditor's opinion, the financial information submitted in the annual financial report is materially consistent with the audited financial statements. If the financial information is not deemed materially consistent, the district shall submit a revised annual financial report no later than December 31.</u></p>
<p>Pol. 801</p>	<p>The Board believes that the two (2) available audits provide adequate safeguards for the public interest. Therefore, special audits by special interest groups are not permitted.</p> <p>The Board recognizes that certain information shall not be made available to the public such as:</p>
<p>Pol. 324, 424, 524</p>	<p>1. Personnel records.</p>
<p>Pol. 216</p>	<p>2. Student records.</p>

3. Labor relations negotiations records.
4. Property acquisition negotiation information.
5. Records regarding actions of a criminal justice nature.
6. Other records not considered public records.

References:

School Code – 24 P.S. Sec. 408, 437, 504, 511, 1337, 2401, 2408, 2432, 2441

Right-To-Know Law – 65 P.S. Sec. 67.101 et seq.

Board Policy – 216, 324, 424, 524, 801

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SECTION: PROPERTY

TITLE: SERVICE ANIMALS IN SCHOOLS

ADOPTED: November 23, 2009

REVISED: ~~May 23, 2011~~

WYOMISSING AREA SCHOOL DISTRICT

718. SERVICE ANIMALS IN SCHOOLS	
1. Purpose	The Board adopts this policy to ensure that individuals with disabilities are permitted to participate in and benefit from District programs, activities and services, and to ensure that the District does not discriminate on the basis of disability.
2. Definition 28 CFR Sec. 35.104	Service animal means any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability.
28 CFR Sec. 35.136	Miniature horses may be utilized as service animals if: <ol style="list-style-type: none"> 1. The miniature horse is individually trained to do work or perform tasks for the benefit of an individual with a disability. 2. The facility can accommodate the type, size and weight of the miniature horse. 3. The presence of the miniature horse does not compromise the safe operation of the facility.
28 CFR Sec. 35.104	The work or tasks performed by a service animal shall be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.
28 CFR Sec. 35.104	The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.

<p>3. Authority 43 P.S. Sec. 953 29 U.S.C. Sec. 794 42 U.S.C. Sec. 12101 et seq 28 CFR Sec. 35.130</p>	<p>The Board shall permit individuals with disabilities to use service animals in District buildings; on District property; and on vehicles that are owned, leased or controlled by the School District, upon request and submission of required documentation.</p>
<p>4. Guidelines</p>	<p><u>Admission Of Service Animals To Schools</u></p> <p>An individual with a disability may submit a request to bring a service animal to school for educational or employment purposes. However, there is no automatic right to be accompanied by a service animal in the school setting.</p>
<p>28 CFR Sec. 35.130</p>	<p>Before a service animal shall be allowed in a District building, or on District property or vehicles, the owner or handler of the animal shall submit to the building principal a written request and the following documentation from a certified professional:</p>
<p>28 CFR Sec. 35.136</p>	<p>1. Diagnosis of the specific disability.</p>
<p>28 CFR Sec. 35.136</p>	<p>2. Verification of the need for a service animal.</p>
<p>28 CFR Sec. 35.136</p>	<p>3. Description of the function(s) the service animal is expected to perform in relation to the individual's disability.</p>
<p>3 P.S. Sec. 459-201</p>	<p>4. Current license.</p>
<p>3 P.S. Sec. 455.1 et seq</p>	<p>5. Current veterinary health certificate.</p>
<p>3 P.S. Sec. 455.1 et seq</p>	<p>6. Proof of current vaccinations and immunizations of the service animal.</p>
<p>3 P.S. Sec. 455.1 et seq</p>	<p>7. Validation that animal has been trained/certified to serve the purpose for which the request is submitted.</p>
<p>3 P.S. Sec. 455.1 et seq</p>	<p>8. Requirements for care, feeding, exercise and normal body functions for the animal so proper areas can be designated.</p>

	<p>Trained guide, hearing and service animals shall be permitted in District buildings and on District property and vehicles for noneducational reasons under the following circumstances:</p> <ol style="list-style-type: none"> 1. Totally or partially blind individuals may be accompanied by a trained guide dog. 2. Deaf or hearing impaired individuals may be accompanied by a trained hearing dog. 3. Mobility impaired or other disabled individuals may be accompanied by a trained service dog. 4. Individuals conducting training of a guide, hearing or service dog may be accompanied for the purpose of school business by a dog in training, but training shall not normally occur in the classroom during instructional time. <p><u>Admission To Public Events</u></p> <p>Individuals with disabilities may be accompanied by their service animals while on District property for events that are open to the general public. This right of access does not extend to the schools generally or to other activities that are not open to the general public.</p> <p>School administrators may inquire of the owner or handler of an animal whether the animal is a trained service animal and the specific tasks that the animal has been trained to perform, but shall not ask questions about an individual's disability.</p> <p>The District shall not require an owner or handler of a service animal to pay an extra charge for the animal to attend events for which a fee is charged.</p> <p>The owner or handler of a service animal shall be solely responsible for:</p> <ol style="list-style-type: none"> 1. Supervision and care of the animal, including any feeding, exercising, clean up and stain removal. 2. Leashing and properly restraining the animal at all times. 3. Damages to District buildings, property and vehicles caused by the animal. 4. Injuries to students, employees, volunteers and visitors caused by the animal.
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43 P.S.
Sec. 953
28 CFR
Sec. 136
Pol. 904

28 CFR
Sec. 35.136

28 CFR
Sec. 35.136

5. Delegation of
Responsibility

28 CFR
Sec. 35.136

5. Annual submission of documentation of vaccinations and immunizations.

The building principal shall receive and forward to the Director of Special Education ~~and Superintendent~~ each completed request by an individual with a disability to be accompanied by a service animal. The ~~Superintendent~~ Director of Special Education shall respond to the request.

District staff shall not ask questions about an individual's disability.

District administrators may exclude a service animal from District buildings, property and vehicles under the following circumstances:

1. Presence of the animal poses a direct threat to the health and safety of others.
2. Owner or handler is unable to control the animal.
3. Presence of the animal significantly disrupts or interferes with the educational process.
4. Presence of the animal would require a fundamental alteration to the program.

The Superintendent or designee shall develop and disseminate administrative regulations to implement Board policy and accommodate individuals with disabilities requesting use of a service animal in District buildings and on District property and vehicles.

The designated administrator shall ensure that all individuals involved in a situation where a service animal will regularly accompany an owner or handler in District buildings or on District property or vehicles are informed of the Board policy and administrative regulations governing this issue. Involved individuals can include administrators, appropriate employees, student and parent/guardian.

References:

Rabies Prevention and Control in Domestic Animals and Wildlife Act –
3 P.S. Sec. 455.1 et seq.

The Dog Law – 3 P.S. Sec. 459-201

Pennsylvania Human Relations Act – 43 P.S. Sec. 953

Section 504 of the Rehabilitation Act – 29 U.S.C. Sec. 794

Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.

Nondiscrimination on the Basis of Disability, Title 28, Code of Federal
Regulations – 28 CFR Part 35

Federal Equal Employment Opportunity Commission Regulations, Title 29, Code of
Federal Regulations – 29 CFR Part 1630

Board Policy – 000, 103, 103.1, 104, 113, 707, 904, 906

