

WEST CHESTER AREA SCHOOL DISTRICT

Policy Review Committee

March 20, 2023

6:00 pm

Spellman Education Center

AGENDA

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

Public Comment Protocol

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

West Chester Area School District public meetings are live streamed and recorded for the purpose of public broadcast and posting on the Internet. The West Chester Area School District disclaims responsibility for both images, statements and/or actions made by those in attendance at the recorded public meeting.

WEST CHESTER AREA SCHOOL DISTRICT
Policy Review Committee

Policy Review Committee Meeting Minutes

February 21, 2023

Spellman Education Center Board Room

Start: 5:40 pm – Finish: 6:05 pm

Attending Committee Members:

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

Other Board Members:

☒ Joyce Chester ☐ Daryl Durnell ☒ Karen Herrmann ☐ Kate Shaw ☒ Sue Tiernan

Administration:

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

Public Comment:

Name	Agenda Item
Judi DiFonzo	Policy 200: Enrollment of Students

Items on Agenda

- Approval of January 17, 2023 minutes
- Review and Approval of Revised Policy 200: Enrollment of Students
- Review and Approval of New Policy 202: Eligibility of Nonresident Students
- Review and Approval of New Administrative Guideline 200AG4: Residency Investigation/ Disenrollment Procedures
- Review and Approval of Revised Policy 000: Board Policy/Procedure/ Administrative Regulations Guidelines
- Review of Policy 001: Name and Classification
- Review of Policy 002: Authority and Powers
- Review and Approval of Revised Policy 003.1: Board-Superintendent Relations

Policy Review Committee Actions/Outcomes

Committee Agenda Items to be placed on February 27, 2023 Agenda for board approval:

Agenda Item	Vote
Approval of January 17, 2023 minutes	4-0
Approval of Revised Policy 200: Enrollment of Students	4-0

Agenda Item	Vote
Approval of New Policy 202: Eligibility of Nonresident Students	4-0
Approval of New Administrative Guideline 200AG4: Residency Investigation/Disenrollment Procedures	4-0
Approval of Revised Policy 000: Board Policy/Procedure/ Administrative Regulations Guidelines	4-0
Approval of Policy 001: Name and Classification	4-0
Approval of Revised Policy 003.1: Board-Superintendent Relations	4-0

Next Meeting: Monday, March 20, 2023



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

Purpose

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

Authority

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

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

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

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

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

5. Graduation.[19]

6. Registration deadlines.

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

Definitions

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

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

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

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

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

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

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

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

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

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

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

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

Delegation of Responsibility

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

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

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

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

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

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

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

Additional Responsibilities to Support Homeless Students-

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

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

Training

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

Additional Training to Support Homeless Students -

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

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

Guidelines

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

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

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

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

Enrollment

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

origin.[5][27]

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

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

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

Best Interest Determination -

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

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

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

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

Timeliness of Enrollment -

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

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

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

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

Grade Level Assignment -

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

Dispute Resolution

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

Dispute Resolution for Homeless Students -

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

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

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

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

Dispute Resolution for Students in Foster Care -

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

Education Records

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

Comparable Services

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

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

Transportation for Homeless Students

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

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

Transportation for Students in Foster Care -

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

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

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

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

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

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

Course Credit and Graduation

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

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

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

Keystone Diploma –

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

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

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

Students with Disabilities –

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

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

Legal

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

41. Pol. 918

42. Pol. 138

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

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

[22 PA Code 403.1](#)

[34 CFR Part 99](#)

[67 Fed. Reg. 10698](#)

PA Education for Homeless Children and Youth State Plan

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

Ensuring Educational Stability for Foster Care Youth - Transportation Plan Guide



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

Purpose

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

Authority

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

Definitions

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

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

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

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

- ~~1. Social security number.~~
- ~~2. Driver's license number or state identification card number issued instead of a driver's license.~~

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

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

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

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

Delegation of Responsibility

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

Guidelines

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

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

Purpose

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

Delegation of Responsibility

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

Definitions

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

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

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

(i) Social Security number.

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

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

(iv) Medical information.

(v) Health insurance information.

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

Guidelines

Data Security Controls

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

Access Controls

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

Backups

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

Vendors

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

Data Storage

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

Retention

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

Personal E-mail

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

Personal Electronic Devices

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

Data Breach

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

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

Risk Assessments

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

Penalties for Violations

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

Development of Administrative Guidelines

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

Legal

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

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

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

3. Pol. 801

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

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

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



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

Legislative

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

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

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

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

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

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

Executive

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

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

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

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

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

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

Review

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

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

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

Evaluation of Board Procedures and Goals

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

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

Legal

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

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

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

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

5. Pol. 000

6. Pol. 009

7. Pol. 006

8. Pol. 007

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

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

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

12. Pol. 003.1

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

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



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

Number

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

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

Qualifications

Each member of the Board shall meet the following qualifications:

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

Election

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

Vacancies

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

Temporary Vacancy—Active Military Service

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

Term

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

Removal

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

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

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

Expenses

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

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

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

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

Expenses for mileage shall be reimbursed at the IRS rate.

Orientation

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

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

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

Board Member Education/Training

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

Inservice Education

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

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

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

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

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

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

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

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

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

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

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

Membership in School Boards Associations –

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

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

Conference Attendance

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

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

Liability Insurance

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

Student Representation

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

Legal

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



Book	Policy Manual
Section	000 Local Board Procedures
Title	Organization
Code	005
Status	Review
Adopted	August 1, 2015
Last Reviewed	November 24, 2014

Organization Meeting

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

Order

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

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

Officers

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

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

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

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

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

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

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

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

Appointments

The Board shall have the authority to appoint:

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

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

Resolutions

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

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

Board Committees

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

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

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

A member may request or refuse appointment to a committee.

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

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

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

Members of committees shall serve until the committee is discharged.

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

Consultants

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

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

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

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

Legal

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



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

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

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

Board Standing Committees

Each standing committee has a chairperson.

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

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

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

Education Committee

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

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

Pupil Services Committee

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

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

Property & Finance Committee

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

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

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

Personnel Committee

The Board Personnel Committee convenes as needed. Due to the nature of many personnel items, as permitted by the Sunshine Act, these meetings may be held in executive sessions. Any items that are informational or require official action by the committee shall be presented to the public.

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

Policy Review Committee

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

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



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

Rules of Order

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

Quorum

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

Presiding Officer

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

Notice

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

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

property.[\[9\]](#)[\[10\]](#)

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

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

Agenda

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

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

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

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

Board Business Meetings -

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

Board Committee Meetings -

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

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

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

~~District Task Force Meetings -~~

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

Other Meetings -

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

Amendment to the Agenda

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

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

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

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

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

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

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

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

1. Conference sessions.
2. Executive sessions.

Regular Meetings

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

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

Special Meetings

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

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

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

Public Participation

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

Voting

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

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

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

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

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

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

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

- a. Fixing the length of school term.[\[18\]](#)
- b. Adopting textbooks recommended by the Superintendent.[\[18\]](#)[\[27\]](#)
- c. Appointing the district Superintendent and Assistant Superintendent(s).[\[18\]](#)[\[28\]](#)[\[29\]](#)
- d. Appointing teachers and principals.[\[18\]](#)
- e. Adopting the annual budget.[\[18\]](#)[\[30\]](#)
- f. Appointing tax collectors and other appointees.[\[18\]](#)[\[31\]](#)[\[32\]](#)

- g. Levying and assessing taxes.[\[18\]](#)[\[33\]](#)
- h. Purchasing, selling, or condemning land.[\[18\]](#)
- i. Locating new buildings or changing the location of old ones.[\[18\]](#)
- j. Adopting planned instruction.[\[18\]](#)[\[34\]](#)
- k. Establishing additional schools or departments.[\[18\]](#)
- l. Designating depositories for school funds.[\[18\]](#)[\[35\]](#)[\[36\]](#)
- m. Expending district funds.
- n. Authorizing the transfer of any unencumbered balance, or portion thereof, from one appropriation to another, or from one spending agency to another during the last nine (9) months of the fiscal year.[\[18\]](#)[\[20\]](#)[\[37\]](#)
- o. Entering into contracts of any kind, including contracts for the purchase of fuel or any supplies where the amount involved exceeds \$100 (including items subject to bid requirements).[\[18\]](#)[\[38\]](#)
- p. Fixing salaries or compensation of officers, teachers, or other appointees of the Board.[\[18\]](#)
- q. Combining or reorganizing into a larger school district.[\[39\]](#)
- r. Entering into contracts with and making appropriations to the intermediate unit for the district's proportionate share of the cost of services provided or to be provided by the intermediate unit.[\[18\]](#)
- s. Dismissing, after a hearing, a nontenured employee.[\[18\]](#)[\[40\]](#)[\[41\]](#)
- t. ~~Adopting a corporate seal for the district.~~[\[42\]](#)
- u. Determining the location and amount of any real estate required by the school district for school purposes.[\[18\]](#)[\[43\]](#)
- v. Vacating and abandoning property to which the Board has title.[\[18\]](#)[\[44\]](#)
- w. Determining the holidays, other than those provided by statute, to be observed by special exercises and those on which the schools shall be closed for the whole day.[\[45\]](#)
- x. Declaring that a vacancy exists on the Board by reason of the failure or neglect of a school director to qualify.[\[46\]](#)
- y. Adopting, amending, or repealing Board procedures and policy.[\[47\]](#)
- z. Appointing a school director to fill a vacancy on the Board.[\[18\]](#)[\[48\]](#)
- aa. Creating or increasing indebtedness.[\[18\]](#)

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

Minutes

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

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

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

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

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

Recess/Reconvene

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

Executive Session

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

The Board may discuss the following matters in executive session:

1. Employment issues.
2. Labor relations.
3. Purchase or lease of real estate.
4. Consultation with an attorney or other professional advisor regarding potential litigation or identifiable complaints that may lead to litigation.
5. Matters that must be conducted in private to protect a lawful privilege or confidentiality.
6. School safety and security, of a nature that if conducted in public, would be reasonably likely to impair the effectiveness of school safety measures or create a reasonable likelihood of jeopardizing

the safety or security of an individual or school, including a buildings, public utility, resource, infrastructure, facility or information storage system.[\[16\]](#)

Official actions based on discussions held in executive session shall be taken at a public meeting.

Work Sessions

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

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

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

Committee Meetings

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

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

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

1. If all four (4) committee members are present and all four (4) members vote in the affirmative, the item may be placed on the consent agenda.
2. If three (3) of the four (4) committee members are present and all three (3) members vote in the affirmative, the item may be placed on the consent agenda.

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

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

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

Legal

- [1. 24 P.S. 407](#)
- [2. 65 Pa. C.S.A. 701 et seq](#)
3. Pol. 006.2
- [4. 24 P.S. 422](#)
- [5. 24 P.S. 405](#)
- [6. 24 P.S. 426](#)
- [7. 24 P.S. 427](#)
- [8. 24 P.S. 428](#)
- [9. 65 Pa. C.S.A. 703](#)
- [10. 65 Pa. C.S.A. 709](#)
- [11. 24 P.S. 423](#)
- [12. 65 Pa. C.S.A. 712.1](#)
13. Pol. 903
- [14. 65 Pa. C.S.A. 707](#)
- [15. 24 P.S. 421](#)
- [16. 24 P.S. 425](#)
- [17. 24 P.S. 324](#)
- [18. 24 P.S. 508](#)
- [19. 24 P.S. 609](#)
- [20. 24 P.S. 687](#)
- [21. 24 P.S. 707](#)
- [22. 24 P.S. 803](#)
- [23. 24 P.S. 1129](#)
- [24. 24 P.S. 671](#)
- [25. 24 P.S. 634](#)
- [26. 24 P.S. 640](#)
27. Pol. 108
- [28. 24 P.S. 1071](#)
- [29. 24 P.S. 1076](#)
30. Pol. 604
31. Pol. 005
32. Pol. 606
33. Pol. 605
34. Pol. 107
- [35. 24 P.S. 621](#)
36. Pol. 608
37. Pol. 612
38. Pol. 610
- [39. 24 P.S. 224](#)
- [40. 24 P.S. 514](#)

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

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

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

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

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

46. Pol. 004

47. Pol. 003

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

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

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

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

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

53. Pol. 800

54. Pol. 801

55. Pol. 006

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

[24 P.S. 408](#)

[24 P.S. 1075](#)

[24 P.S. 1077](#)

[24 P.S. 1111](#)

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



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

Authority

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

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

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

Guidelines

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

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

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

Emergency Conditions

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

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

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

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

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

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

Legal

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

2. Pol. 805

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

4. Pol. 903



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

Purpose

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

Authority

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

Delegation of Responsibility

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

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

Guidelines

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

Call to Order/Pledge of Allegiance

Roll Call

Public Comment on Agenda Items

Approval of Minutes/Agenda

Superintendent's Report

Personnel Recommendations

Approval of Consent Agenda-

- Treasurer's Report

- Financial Report

School Board/Committee Reports

Other Business

Public Comments on Non-Agenda Items

Adjournment

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

postponement; for commitment; or for amendment.

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

Legal

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



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

Purpose

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

Authority

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

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

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

Notification

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

Procedure

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

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

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

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

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

Legal	1. Pol. 800
	Pol. 006
	Pol. 006.1

Policy Review Committee

TO: Board of School Directors
FROM: Kalia Reynolds, EdD *KMR*
SUBJECT: March 27 Policy Review Committee Consent Agenda Items
DATE: March 16, 2023

The following policies were first reading approved at the February board meeting and have no changes for the 2nd reading. Unless we hear otherwise, the following will appear under the Policy Review Committee as consent agenda items on the March 27, 2023 School Board agenda.

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

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



Book	Policy Manual
Section	200 Pupils
Title	Enrollment of Students
Code	200
Status	Second Reading
Adopted	August 1, 2015
Last Revised	July 27, 2020
Prior Revised Dates	12/15/2014, 4/23/2018, 8/2/2017, 9/6/2019

Authority

The district shall enroll ~~eligible~~ school age students **eligible** to attend district schools in accordance with ~~Board policy and~~ **applicable laws and regulations, Board policy and administrative guidelines.** The entitlement and requirements to secure enrollment shall apply equally to resident students residing with their parents/legal guardians; emancipated minors; nonresident students living with district residents who are supporting children gratis, including students residing in the district as the result of the military deployment of parents/guardians; children living with preadoptive parents who reside in the district; nonresident students living in facilities or institutions within the district; and nonresident students living in foster homes. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

Definitions

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

District of residence shall be defined as the school district in which a student's parent/legal guardian resides. [\[2\]](#)[\[3\]](#)

Beginners are students entering the lowest grade above kindergarten.

An ~~emancipated minor~~ shall be defined as a student under the age of twenty one (21) who has established a domicile apart from the continued control and support of a parent/guardian. Emancipation of a minor is a question of fact, which is not presumed, and is not solely dependent upon the employment status of the minor. The burden of establishing emancipation is on the student seeking emancipated status.

~~Homeless students~~ may reside in shelters, hotels, motels, cars, tents or be temporarily doubled up with a resident family because of a lack of housing. Homeless students lack a fixed, regular, and adequate nighttime residence. Included within the definition of ~~homeless students~~ are unaccompanied homeless youth. [\[6\]](#)

~~**Unaccompanied homeless youth** shall be defined as any child who is not in the physical custody of a parent/guardian, including a student who has run away from home, been thrown out of a home, abandoned, or separated from a parent/guardian.~~

Guidelines

School age resident students **and eligible nonresident students** children shall be entitled to attend the schools of their district of residence. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[14\]](#)

The district shall not enroll a student until the parent/guardian has submitted proof of student's age, residence, and immunizations, **and** a completed Parental Registration Statement, as required by law and regulations.

The district shall administer a home language survey to all students enrolling in the district's schools for the first time.

The district shall immediately enroll students experiencing homelessness, foster care and other forms of educational instability, even if the student or parent/guardian is unable to produce the required documents, in accordance with Board policy, law and regulation.

The district shall not inquire about the immigration status of a student as part of the enrollment process.

Enrollment requirements and administrative guidelines shall apply to nonresident students approved to attend district schools in accordance with Board policy.

Students with disabilities shall be entitled to attend district schools in accordance with their Individualized Education Program (IEP) and applicable state and federal laws and regulations.

School Age Requirements

Kindergarten –

Children are eligible for admission to kindergarten if they have attained the age of five (5) years on or before September 1. [\[7\]](#)

The district is not required to admit a child to kindergarten whose age is less than the district's established admission age for kindergarten students.

Beginners/First Grade –

Children are eligible for admission to **the district as beginners**/the first grade if they have attained the age of six (6) years on or before September 1. [\[8\]](#)[\[9\]](#)

They shall be admitted to school during the first two (2) weeks of the annual school term, and thereafter at the district's discretion, except (a) children who are six (6) years of age may begin school at any time during the school year; and (b) children who are six (6) years of age and have entered primary school in another public or private school and have transferred to a district public school may be admitted at any time during the school year. [\[8\]](#)[\[10\]](#)

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

A child moving into the district who is not eligible for admission as a beginner who was already attending first grade may be considered for first grade placement based on the child's previous experience and the program's compatibility with the district's program.

The district is not required to admit as a beginner any child whose age is less than the district's established admission age for beginners. [7]

Early Admission

~~The Board may admit into the first grade a child who is five (5) years old and demonstrates readiness for entry by the first day of the school term, upon the written request of the parent/guardian, recommendation of the district psychologist, and approval of the Superintendent. [11]~~

~~The Board is not required to admit into first grade any child whose age is less than the district's established admission age for first grade. [11]~~

~~Special exceptions may also be made for students not meeting the age requirements for admission, who transfer from programs in other school districts, in accordance with administrative guidelines.~~

The Superintendent or designee may make special exceptions for students not meeting the age requirements for admission, who transfer from program in other school districts, and may promulgate administrative guidelines.

Special Education (Note: Moves under next section on enrollment requirements)

~~District residents who (a) are eligible for special education in accordance with Chapter 14 of the regulations of the State Board of Education, or any successor regulations thereto; (b) are under the age of twenty one (21) and have a Graduation Equivalency Diploma (GED) and have not graduated from an accredited public or private high school program, shall remain eligible to receive free public education from the school district through the end of the school term of their twenty first year. [12][13]~~

Enrollment Requirements of Resident Students

~~School age children shall be entitled to attend the schools of their district of residence. [1][2][3][14]~~

~~The district shall normally enroll eligible school age students the next business day, but no later than five (5) business days after application. [3]~~

The district shall not enroll a student until the parent/guardian has supplied: [1][2][3][15][16]

1. Proof of child's age

Acceptable documentation includes: birth certificate, notarized copy of a birth certificate, baptismal certificate, copy of the record of baptism – notarized or duly certified and showing the date of birth, **notarized or attested** statement from the parents or another relative indicating the date of birth, a valid passport, or a prior school record indicating the date of birth.

2. Immunizations required by law

Acceptable documentation includes: either the child's immunization record, a written statement from the former school district, or from a medical office that the required immunizations have been administered, or that a required series is in progress, or verbal assurances from the former school district, or a medical office that the required immunizations have been completed, with records to follow.

3. Proof of residency

Acceptable documentation includes: a deed, a lease, **a multiple occupancy form (200AG3) when the parent/guardian is residing in the home of another district resident,** current utility bill, current credit card bill, property tax bill, vehicle registration, driver's license, or DOT identification card. The district may require that more than one (1) form of residency confirmation be provided. In verifying residency, the district shall require only such information as is deemed reasonable in light of a family's circumstances.

4. Parental Registration Statement

A sworn statement or affirmation attesting to whether the student has been or presently is suspended or expelled for offenses involving drugs, alcohol, or weapons; willful infliction of injury to another person; or any act of violence committed on school property must be provided for a student to be admitted to any school entity.~~[17]~~[18]

However, the district shall not deny or delay a student's enrollment based upon information contained in the student's certified disciplinary record or Parental Registration Statement, but may provide alternative education services to students who ~~have committed~~ **is currently expelled for a weapons offenses,** in accordance with applicable law.~~[19]~~

5. Home Language Survey

The district shall administer a home language survey to all students enrolling in the district's schools for the first time.~~[3]~~[20]

Upon enrollment, the district shall contact the student's former school and request a certified copy of the student's education **records,** and, if applicable, the student's discipline records. The district shall enroll eligible students within five (5) business days of application regardless of receipt of records from previous districts.~~[18]~~

~~Documentation that will be requested from former districts may include: (a) picture identification; (b) health or physical examination records; (c) academic records; (d) attendance records; (e) Individualized Education Program; and (f) other special education records.~~

Items that ~~will~~ **may** not be requested **as part of enrollment** are: (a) social security number; (b) the reason for the child's placement if not living with natural parents; (c) child's or parent's visa; (d) agency records; or ~~(except for the limited circumstances, permitted by law below)~~ (e) a court order or records relating to a dependency proceeding.

Homeless Students

~~In the case of homeless students, traditional concepts of residence and domicile do not apply. The district shall immediately enroll identified homeless students, even if the student or parent/guardian is unable to produce the required documents, in accordance with Board policy and applicable law.[6]~~

Emancipated Minor

Emancipated minors, **students under the age of twenty-one (21) who have established a residence apart from parent/guardian may** ~~and unaccompanied homeless students may enroll without any additional assistance from a parent/guardian.~~

Immigrant Students

~~The district shall not inquire as to the immigration status of a student as part of the enrollment process. A child's right to be admitted to school may not be conditioned on the child's immigration status. Students are to be enrolled following the same guidelines above.~~[\[3\]](#)

Custody Agreements

A student may only have one (1) school district of residence. If the parents of a child share joint custody and the child's time is evenly divided between the residences of each parent, the parents may select one (1) of the school districts and enroll the child in that district.[\[3\]](#)

When the parents of a student reside in different school districts, the student may attend the school district of residence of the parent with whom the student lives for a majority of the time, unless a court order or court approved custody agreement specifies otherwise.[\[3\]](#)

If the individual enrolling the child is relying on a court order or custody agreement as the basis for enrolling the child, the district may require submission of the court order or custody agreement. The district shall not require submission of a custody order or agreement as a condition of enrollment under any other circumstance.

Enrollment and Placement of Twins and Higher Order Multiple Siblings **(covered under policy 206)**

~~Twins or higher order multiple siblings shall be enrolled in the district in the same manner as all other students. Placement of twins or higher order multiple siblings in particular classrooms within the district shall be determined in accordance with applicable law.~~[\[21\]](#)[\[22\]](#)

Preadoptive and Adoptive Students **(moved to new Policy 202)**

~~Students living with preadoptive parents who are receiving adoption assistance subsidies, preadoptive foster payments, Supplemental Security Income (SSI), or Transitional Assistance for Needy Families (TANF), are entitled to attend public school within the district. Students living in preadoptive or adoptive situations are considered residents of the district and are entitled to all free school privileges accorded to resident students.~~[\[2\]](#)

Students of Military Personnel **(moved to new Policy 202)**

~~When residents are military personnel who are deployed and their children are living with relatives within the district, the students are entitled to attend school in the district. The students should be enrolled following the same guidelines as nonresident guardianship situations. See Students Living With Resident Adult Other Than Parent below for registration procedures.~~[\[2\]](#)

Special Education **(Note: moved here from last section)**

District residents who (a) are eligible for special education in accordance with Chapter 14 of the regulations of the State Board of Education, or any successor regulations thereto; (b) are under the age of twenty-one (21) and have a Graduation Equivalency Diploma (GED) and have not graduated from an accredited public or private high school program, shall remain eligible to receive free public education from the school district through the end of the school term of their twenty-first year.[\[12\]](#)[\[13\]](#)

Students and Families With Limited English Proficiency

Students and families with limited English proficiency will be provided translation and interpretation services to the extent needed to help the family understand the enrollment process and enroll the students properly.[\[20\]](#)

Address Confidentiality Program (ACP)

Some families may enroll a student using an ACP card which lists a post office box as their address. This is their legal address and school districts shall not require additional information regarding their residence. School records from the student's former school will be forwarded through the ACP. If there are questions about the family's eligibility for enrollment, contact the ACP at 1-800-563-6399.

Enrollment Requirements of Nonresident Students **Note: The following sections were MOVED TO NEW POLICY 202 Eligibility of Nonresident Students**

~~The Board shall require that appropriate legal documentation showing dependency or guardianship or a sworn statement of full residential support be filed with the Superintendent's designee before an eligible nonresident student may be accepted as a student in the district. The Board may require a resident to submit additional, reasonable information to substantiate a sworn statement, in accordance with guidelines issued by the Department of Education.~~[\[2\]](#)[\[23\]](#)

~~The Board reserves the right to verify claims of residency, dependency and guardianship, and to remove from school attendance a nonresident student whose claim is invalid.~~[\[2\]](#)

~~If information contained in the sworn statement of residential support is found to be false, the student shall be removed from school after notice is given of an opportunity to appeal the student's removal, in accordance with Board policy.~~[\[2\]](#)[\[24\]](#)

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

~~Tuition rates shall be determined in accordance with statute, if applicable.~~[\[25\]](#)[\[26\]](#)[\[27\]](#)

Students Living With Resident Adult Other Than Parent

~~When a student is living with a district resident, who is supporting the child without personal compensation (gratis), the child may attend the district's public schools of that resident.~~[\[2\]](#)

~~Before enrolling a new student who lives with a relative or friend of the family, the building principal or his/her designee shall refer the relative/other adult to the Assistant Superintendent. The Assistant Superintendent or his/her designee shall discuss the status of the unofficial guardianship with that person. If the Assistant Superintendent or his/her designee believes that the official/unofficial guardianship establishes the child's legal domicile in the district, s/he will ask the person to follow the requirements of this policy and complete and sign the necessary forms/affidavits. The person shall present the completed documentation to the Assistant Superintendent or his/her designee for review and approval before the student may be enrolled. Once the documentation is provided, the district will enroll the child and permit him/her to begin to attend school without delay, but in no case more than five (5) days.~~[\[2\]](#)[\[23\]](#)

~~A resident's receipt of Supplemental Security Income (SSI), Transitional Assistance for Needy Families (TANF), preadoptive or adoptive support, maintenance on public or private health insurance, support from the United States military or military personnel or child support payments shall not be deemed to be personal compensation or gain.~~

Students Placed in Resident's Home/Foster Care

~~Any child placed in the home of a district resident by a court or government agency shall be admitted to district schools and shall receive the same benefits and be subject to the same responsibilities as resident students.~~[\[28\]](#)

~~In addition, this includes students in foster care or awaiting foster care placement; although, the district will contact the Department of Children, Youth & Families for a Best Interest Determination (BID) meeting.~~

Students as Residents of Institutions

~~A child who is living in or assigned to a facility or institution for the care or training of children located within this district is not a legal resident of the district by such placement; but s/he shall be admitted to district schools, and a charge shall be made for tuition in accordance with statute.~~ [26][29][30][31][32][33][36][37]

Students Incarcerated in Adult Facilities

~~A juvenile who is eligible for educational services and is confined to an adult local correctional institution following conviction for a criminal offense shall receive educational services from the school district in the same manner and extent as an expelled student.~~ [34][35]

~~A juvenile who is eligible for educational services and is confined to an adult local correctional institution following a charge for a criminal offense shall receive educational services from the school district in the same manner and extent as a student placed in an alternative education program for disruptive students.~~ [34]

~~Students returning from a delinquency placement are entitled to an informal hearing prior to being placed in an alternative education program. The purpose of the hearing is to determine whether the student is currently fit to return to the regular classroom or meets the definition of a disruptive student.~~

Future Residents

~~All nonresident students entering school in September who will become residents by November 1 of the same school year shall be admitted tuition free for the months of September and October. In the event such students do not become residents until after November 1, the Superintendent shall waive tuition payments for the month during which the student becomes a resident of the area.~~ [25]

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

~~The Board reserves the right to verify such claims and to remove from school a nonresident student whose claim is invalid.~~ [2]

Former Residents

~~All resident students who cease to live within the boundaries of the district after April 1 shall be allowed to finish the school year at no tuition charge.~~ [25]

~~All resident students who cease to live within the boundaries of the district before April 1 may be allowed to finish the school year at no tuition charge, upon approval of the Superintendent or designee.~~

~~Any member of the senior class who ceases to be a resident before April 1 may be permitted to complete his/her senior year, tuition free, upon approval of the Superintendent or designee.~~

Delegation of Responsibility

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

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

Legal

- [1. 24 P.S. 1301](#)
- [2. 24 P.S. 1302](#)
- [3. 22 PA Code 11.11](#)
- [4. 22 PA Code 11.41](#)
- [5. 22 PA Code 11.12](#)
6. Pol. 251
- [7. 22 PA Code 11.14](#)
- [8. 24 P.S. 1304](#)
- [9. 22 PA Code 11.15](#)
- [10. 24 P.S. 1326](#)
- [11. 22 PA Code 11.16](#)
- [12. 22 PA Code 14.101 et seq](#)
13. Pol. 113
- [14. 22 PA Code 12.1](#)
- [15. 24 P.S. 1303a](#)
16. Pol. 203
- [17. 24 P.S. 1304-A](#)
18. Pol. 216.1
- [19. 24 P.S. 1317.2](#)
20. Pol. 138
- [21. 24 P.S. 1310.1](#)
22. Pol. 206
- [23. 22 PA Code 11.19](#)
24. Pol. 906
- [25. 24 P.S. 1316](#)
- [26. 24 P.S. 2561](#)
27. Pol. 607
- [28. 24 P.S. 1305](#)
- [29. 24 P.S. 1306](#)
- [30. 24 P.S. 1307](#)
- [31. 24 P.S. 1308](#)
- [32. 24 P.S. 1309](#)
- [33. 22 PA Code 11.18](#)
- [34. 24 P.S. 1306.2](#)
- [35. 24 P.S. 1318](#)
- [36. 24 P.S. 1310](#)
- [37. 24 P.S. 2562](#)
- [24 P.S. 503](#)
- [22 PA Code 4.41](#)



Book	Policy Manual
Section	200 Pupils
Title	Eligibility of Nonresident Students
Code	202
Status	Second Reading

Purpose

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

Authority

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

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

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

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

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

Tuition rates shall be determined annually in accordance with statute, if applicable. Tuition shall be charged monthly, in advance of attendance.

Guidelines

Nonresident Students may be admitted under the following circumstances:

Nonresident Students Living With Resident Adult Other Than Parent

When a student is living with a district resident, who is supporting the child without personal compensation (gratis), the student may attend the district's schools, provided the resident makes application and supplies required enrollment information.[\[2\]](#)

In addition to the required enrollment documentation, the district resident shall supply one of the following:

1. A sworn statement by the resident consistent with law; or
2. Appropriate legal documentation to show dependency or guardianship.

The district may require other information to be submitted by the resident to substantiate the sworn statement.[\[2\]](#)

Once the documentation is provided, the district will enroll the child and permit the student to begin to attend school without delay, but in no case more than five (5) school days.[\[2\]](#)[\[23\]](#)

A resident's receipt of Supplemental Security Income (SSI), Transitional Assistance for Needy Families (TANF), preadoptive or adoptive support, maintenance on public or private health insurance, support from the United States military or military personnel or child support payments shall not be deemed to be personal compensation or gain.

Nonresident Children Placed in Resident's Home

Any child placed in the home of a district resident by a court or government agency shall be admitted to district schools and shall receive the same benefits and be subject to the same responsibilities as resident students.[\[12\]](#)[\[13\]](#)

Residents of Institutions

A child who is living in or assigned to a facility or institution for the care or training of children that is located within ~~this~~ the district is not a legal resident of the district by such placement; but the student shall be admitted to district schools, and a charge shall be made for tuition in accordance with law.[\[10\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)

Incarcerated Juveniles

A juvenile who is eligible for educational services and is confined to an adult local correctional institution following conviction for a criminal offense shall receive educational services from the school district in the same manner and extent as an expelled student.[\[34\]](#)[\[35\]](#)

A juvenile who is eligible for educational services and is confined to an adult local correctional institution following a charge for a criminal offense shall receive educational services from the district in the same manner and extent as a student placed in an alternative education program for disruptive students.[\[34\]](#)

Students returning from a delinquency placement are entitled to an informal hearing prior to being placed in an alternative education program. The purpose of the hearing is to determine whether the student is currently fit to return to the regular classroom or meets the definition of a disruptive student.

Students Experiencing Educational Instability

The district shall immediately admit students experiencing homelessness, foster care and other forms of educational instability, even if the required documents are unavailable, in accordance with Board policy, law and regulation.[\[13\]](#)[\[21\]](#)

Prospective Residents

A nonresident student whose parent/guardian has executed a contract to buy, build or rent a residence in the district for occupancy may be enrolled without payment of tuition at the beginning of the school year, provided that the anticipated date of residency is not later than November 1 of the same school year.

If the student does not become a resident of the district by November 1, the student shall be withdrawn from school or tuition shall be required until residency is established.

Parents/Guardians of students who claim admission on the basis of future residency shall be required to demonstrate proof of the anticipated residency, which make include documentation of property purchase, construction contract or a lease/rental agreement.

Transportation shall be the responsibility of the student until residency is established within the district.

Former Residents

A resident student who cease to live within the boundaries of the district after April 1 shall be allowed to finish the school year without the payment of tuition.

A resident student who cease to live within the boundaries of the district prior to April 1 may be allowed to finish the school year without the payment of tuition, upon approval of the Superintendent or designee.

Transportation shall be the responsibility of the student.

Foreign Exchange Students

Foreign exchange students shall be admitted to district schools in accordance with Board policy and law.

Other Nonresident Students

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

Delegation of Responsibility

The Superintendent or designee shall develop administrative guidelines for the enrollment of nonresident students, payment of tuition, verification of claims and disenrollment.

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

NOTES:

Incarcerated Juveniles

Convicted – SC 1306.2, 1318

Charged – SC 1306.2

Legal

[1. 24 P.S. 501](#)[2. 24 P.S. 502](#)[3. 24 P.S. 503](#)[4. 24 P.S. 1301](#)[5. 24 P.S. 1316](#)

6. Pol. 200

[7. 24 P.S. 1302](#)[8. 22 PA Code 11.19](#)

9. Pol. 906

[10. 24 P.S. 2561](#)

11. Pol. 607

[12. 24 P.S. 1305](#)[13. 24 P.S. 1331.1](#)[14. 24 P.S. 1306](#)[15. 24 P.S. 1307](#)[16. 24 P.S. 1308](#)[17. 24 P.S. 1309](#)[18. 24 P.S. 1310](#)[19. 24 P.S. 2562](#)[20. 22 PA Code 11.18](#)

21. Pol. 251

[24 P.S. 1306.2](#)[24 P.S. 2503](#)[22 PA Code 11.41](#)

Pol. 103

Pol. 103.1



Book	Policy Manual
Section	200 Pupils
Title	Residency Investigation/Disenrollment Procedures
Code	200AG4
Status	Second Reading

Investigations

The district reserves the right to conduct an investigation to determine if an enrolled student and their parents/guardians reside within the boundaries of the school district.

When a validity of residence question arises, the building principal or designee will compile all relevant information and submit the information to a district administrator designated by the Superintendent.

The designated administrator will determine whether or not to conduct further investigation and the nature and scope of the investigation.

The designated administrator may perform an investigation to determine the legitimacy of a claimed residence, which may include, but is not limited to, verification of information with the federal, state, and/or local public and/or private agencies and/or government units, third parties, social agencies, and/or schools, home visits, surveillance, communications with the family and/or use of a private investigator.

Disenrollment procedures

If the designated administrator concludes the student is no longer a resident of the district or is no longer eligible for enrollment in the district, the designated administrator shall notify the parents/guardians, in writing, by certified mail, of disenrollment.

A notice of disenrollment shall include:

1. A brief statement of the evidence considered;
2. The designated administrator's conclusion;
3. Notice that the parents/guardians may appeal the conclusion to the Superintendent or designee by delivery of a written appeal to the Superintendent or designee by a certain date, not less than five (5) school days from the date of mailing of the letter; and
4. Notice that the student will be disenrolled effective on a certain date, not less than five (5) school days from the date of mailing of the letter.

If there is no appeal, the student shall be disenrolled on the date specified in the notice of disenrollment.

In the event an appeal is received by the date specified in the notice of disenrollment, an informal hearing will be scheduled before the Superintendent or designee. At least three (3) days' written notice of the time and place of the informal hearing will be given by certified mail, to the parents/guardians. The hearing notification will include:

1. Notice of the reasons for the disenrollment.
2. The parent/guardian may be represented by legal counsel at their own expense.
3. The parent/guardian may question any witnesses present at the informal hearing.
4. The parent/guardian may speak and present evidence and/or witnesses on their own behalf at the informal hearing.

Following the informal hearing, the Superintendent or designee shall notify the parents/guardians in writing by certified mail of the final determination. If the decision requires disenrollment, it will be effective immediately.

During the pendency of the appeal to the Superintendent or designee, the student may remain enrolled in the district's school.

Parents/guardians who have been determined to have illegally enrolled a student in the district may be billed for tuition costs on a per diem basis from the first day the student was not eligible for enrollment in the district until day that the student is disenrolled from the district. Parents/guardians may also be billed for investigation costs and may be prosecuted for falsifying information.

Other remedies

When a dispute arises regarding enrollment of a student, the individual attempting to enroll the student may utilize the enrollment complaint process provided by the Pennsylvania Department of Education, by contacting the department at the following address:

School Services Unit
Pennsylvania Department of Education
333 Market Street
Harrisburg, PA 17126
Phone: 717-783-6788



Book	Policy Manual
Section	000 Local Board Procedures
Title	Board Policy/Procedure/Administrative Regulations GUIDELINES
Code	000
Status	Second Reading
Adopted	August 1, 2015
Last Reviewed	November 24, 2014

Authority

The policies and procedures adopted by the Board establish the general parameters within which the daily operations of the school district are to be governed. Administrative **regulations guidelines** for carrying out and implementing Board policies are developed and implemented by the administration, under the direction of the Superintendent. As applicable, all members of the school community are expected to comply with both Board policy and administrative regulations, **also known as administrative guidelines**, subject to stated limitations and exceptions. However, failure of the Board or the administration to comply with policy or procedure shall not invalidate any lawful action taken.^[1]^[2]^[3]

Contents

Policies of the Board may consist of the following separate documents:

1. Procedures and policies contained in the adopted Policy Manual.
2. Strategic **Comprehensive** Plan.
3. Courses of study in district schools.
4. List of authorized textbooks.
5. Code of Student Conduct/Disciplinary Action Schedule.
6. Job descriptions adopted by the Board.
7. Administrative Compensation Plan.
8. Any other documents the Board determines to be policy.

Administrative **regulations guidelines** are not part of Board policy and may be altered by the administration without Board action. Administrative **regulations guidelines** shall not conflict with Board policy or with applicable law.

Limitations

Board policies and procedures and administrative regulations **guidelines** are not intended and shall not be construed to supersede or preempt any applicable law. All Board policies and administrative regulations **guidelines** shall be interpreted and administered in a lawful manner. The Board shall make the final interpretation of its policies, and the administration shall make the final interpretation of its regulations **guidelines**.

Board policies and procedures and administrative regulations **guidelines** are limited by legal constraints, as are the rights of those to whom Board policies and administrative regulations **guidelines** apply, and are not intended to give an individual a cause of action not independently established in law.

Board policies and procedures and administrative regulations **guidelines** shall not preempt, create, supplant, expand, or restrict the rights or liabilities of students, employees, residents, or others within the school community beyond those established in law.

Rules of Construction

In ascertaining the intent of the Board in adopting a policy or procedure, or of the administration in establishing a regulation **guideline**, the following presumptions, among other legally applicable presumptions, may be used:

1. That neither the Board nor the administration intends a result that is absurd, impossible of execution, or unreasonable.
2. That neither the Board nor the administration intends to violate federal or state Constitutions or any other applicable law.

If any policy or procedure or administrative regulation **guideline** can be given multiple interpretations, the Board and the administration intend that only constitutional and lawful interpretations shall be valid, and that neither an unconstitutional nor an unlawful interpretation was intended.

Legal

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

[2. 24 P.S. 510](#)

3. Pol. 009



Book	Policy Manual
Section	000 Local Board Procedures
Title	Board - Superintendent Relations
Code	003.1
Status	Second Reading
Adopted	August 1, 2015
Last Reviewed	November 24, 2014

Purpose

The Board believes that the legislation of policies is the most important function of a School Board and that the implementation of the policies should be the function of the Superintendent.

Authority

The Board shall delegate executive powers to the Superintendent in order to provide freedom for the Superintendent to manage district schools within the policies established by the Board and to free the Board to devote its time to establishing policy.

Delegation of Responsibility

The Board holds the Superintendent responsible for implementing Board policies within established administrative regulations **guidelines** and for keeping the Board informed about district operations. The Superintendent shall be the liaison between the Board and district staff. Board members requesting information shall notify the Superintendent or designee, who shall delegate this request to the appropriate central office administrator. Copies of the request shall be given to the Board President and relevant committee chairperson.

In his/her **an** efforts to keep the Board informed, the Superintendent shall notify Board members promptly of any happenings of an emergency nature occurring in district schools.

The Superintendent shall be the chief school administrator of the district and shall report all significant developments and actions to the Board at the first reasonable opportunity.

Legal	Pol. 003
-------	----------