Policy Committee Meeting

Monday, November 9, 2026 3:00 PM
The Administration Building / Conference Room
5775 Main St.
Center Valley, PA 18034

1. **OPENING PROCEDURES A. Call to Order**
   B. Recording of Attendance
2. **VISITORS' COMMENTS A. Comments will be limited to three minutes per speaker to provide input to the board on items that are before us.**
3. **APPROVAL OF MINUTES A. Motion to approve the Policy Committee meeting minutes of**
4. **SECOND READING OF POLICIES**

   4.A. Policy 203 - Immunizations and Communicable Diseases
   4.B. Policy 203.1 - Students Living with HIV (NEW)
   4.C. Policy 209.2 - Diabetes Management (NEW)

   4.D. Policy 210 - Medications

5. **FIRST READING OF POLICIES**

   5.A. Policy 113 - Special Education

   5.B. Policy 137 - Home Education/Home Schooling Programs
   5.C. Policy 216 - Educational Records

   5.D. Policy 236 - Student Assistance Program

   5.E. Policy 808 - Food Services

   5.F. Policy 822 - Automated External Defibrillator (AED)/Cardiopulmonary Resuscitation (CPR) (NEW)
6. **ADMINISTRATIVE REGULATION**

   6.A. Administrative Regulation - 113 Special Education (NEW)
   6.B. Administrative Regulation - 137 Home Education/Home Schooling Programs
   6.C. Administrative Regulation - 216 Educational Records (NEW)
   6.D. Administrative Regulation - 808 Food Services (NEW)
7. **VISITORS' COMMENTS**

8. **ADJOURNMENT A. Adjourn**

Southern Lehigh School District
Policy Committee Minutes
October 12, 2026

Southern Lehigh School District
Policy Committee Meeting Minutes
October 12, 2026
Conference Room
Southern Lehigh Administration Building
5775 Main Street
Center Valley, PA 18034
3:00 pm

Members present: Ms. Candi Kruse, Dr. Kimberly Jaramillo, and Mr. Chris Sykora, and Mr. Timothy Kearney

Members absent: N/A

Administrators present: Dr. Karen Trinkle, Attorney Roos and Mrs. Darbe DeHaven

1. OPENING PROCEDURES

A. Call to Order

1. The meeting was called to order by Ms. Candi Kruse at 3:01 pm

B. Recording of Attendance

2. Present: Ms. Candi Kruse, Dr. Kimberly Jaramillo, Mr. Timothy Kearney and Mr. Chris Sykora
3. Absent: None
4. Others Present: Mr. Matthew Spangler (Athletic Director), Ms. Andria Buchman (Director of Special Education/Pupil Services), Ms. Nicole Castetter (School Nurse), Ms. Vickie Maund (Community Member)

2. **Visitor Comments**

None

3. **APPROVAL OF MEETING MINUTES**

A. Approval of 9/14/2026 Policy Committee Minutes

1. Motion to approve the Policy Committee meeting Minutes of 9/14/2026
    a. Motion – Mr. Tim Kearney and 2nd Mr. Sykora – passes

1. Policy AGENDA ITEMS

SECOND READ

1. Policy 123 – Interscholastic Activities –
    a. Comments – Committee discussed equal access language. – move to board meeting for second read.

2. Policy 209 – Health –
    a. Comments – The Committee discussed who is observing the health exams as stated in the policy such as nursing students from local universities as well as

supervision of nursing students. The Committee also discussed notification to families regarding the outcome of the school-based exam – move to board meeting for second read.

3. Policy 209.1 – Food Allergy Management – move to board meeting for second read
4. Policy 246 – School Wellness
    a. Comments – The Committee discussed recess as a punishment. – move to board meeting for second read.
5. Policy 823 – Naloxone (Opioid Antagonist) – New
    a. Comments - The Committee discussed storage and training. – move to board meeting for second read.

FIRST READ

1. Policy 203 – Immunizations and Communicable Diseases –
    a. Comments – The Committee discussed partnership with agencies for clinics and adding a definition for religious grounds. – move to first read at the next board meeting
2. Policy 203.1 – HIV Infection NEW - replace 214.1 - NEW
    a. Comments – The Committee would like infected student to be replaced with student living with HIV throughout the policy and to add new behind the title. – move to first read at the next board meeting
3. Policy 209.2 – Diabetes Management - NEW
    a. Comments – Add the word NEW behind the policy. Add above the legal management by "this policy as part of the…" – move to first read at the next board meeting
4. Policy 210 – Medications – [Return to First Read]
    a. Comment – Sections in green will be added to match the upcoming AR. – move to first read at the next board meeting
5. Policy 808 – Food Services
    a. Comments – The Committee discussed, "What does reasonable efforts look?" AR will be created. – return to first read in the November Policy meeting

ADMINISTRATIVE REGULATIONS

1. Administrative Regulation – 123
    a. Comments – The Committee recommended adding to who the proposals should be submitted to and timeframes when all proposals are to be submitted. This will be updated and return to review in the November Policy meeting.
2. Administrative Regulation – 209
    a. Comments – Information Only on the next board meeting

Next board meeting:
Retire 214.1 – Infectious Disease – 1st Reading for Repeal.
Repeal 209.2 – Accidents & Sudden Illnesses – 1st Read for New 209.2 – Diabetes Management

Visitor Comments:

- Ms. Vickie Maude – Can Committee meetings recorded and put on YouTube?

5. **ADJOURNMENT**

A. Meeting was adjourned at 4:05 pm

1. Motion: Mr. Tim Kearney and 2nd Dr. Kimberly Jaramillo

Notes taken by Ms. Darbe DeHaven

Book: Southern Lehigh School District
Section: 200 Pupils
Title: Immunizations and Communicable Diseases
Code: 203
Status: Active
Adopted: February 14, 2022
Review/Revised: Second Reading November 9, 2026

Authority

In order to safeguard the school community from the spread of certain communicable diseases, the Board requires that guidance and orders from state and local health officials, established Board policy and administrative regulations, and Board-approved health and safety plans be followed by students, parents/guardians and district staff.[1][[2]

Definitions

Certificate of Immunization - the official form furnished by the Pennsylvania Department of Health. The certificate is filled out by the parent/guardian or health care provider and signed by the health care provider, public health official or school nurse or a designee. The certificate is given to the school as proof of full immunization. The school maintains the certificate as the official school immunization record or stores the details of the record in a computer database.[3]

Medical Certificate - the official form furnished by the Pennsylvania Department of Health setting out the immunization plan for a student who is not fully immunized, filled out and signed by a physician, certified registered nurse practitioner or physician assistant, or by a public health official when the immunization is provided by the Department of Health or a local health department, and given to a school as proof that the student is scheduled to complete the required immunizations.[3]

Required Immunization - shall mean full and complete sets of any and all doses of the immunizations set forth in 28 Pa. Code § 23.83.[28]

Communicable Disease - shall mean an illness which is capable of being spread to a susceptible host through the direct or indirect transmission of an infectious agent or its toxic product by an infected person, animal or arthropod, or through the inanimate environment.

Request for Religious Exemption from Immunization - shall mean an objection, in-writing, presented by a parent/guardian to the immunization on religious grounds or on the basis of a strong moral or ethical conviction similar to a religious belief. [1][2][3][4][6]

Guidelines

Immunization

All students shall be immunized against specific diseases in accordance with state law and regulations, unless specifically exempt for religious or medical reasons.[1][2][4]

A certificate of immunization shall be maintained as part of the health record for each student, as required by the Pennsylvania Department of Health.[5]

A student shall be exempt from immunization requirements whose parent/guardian objects in writing to such immunization on religious grounds or whose physician certifies that the student's physical condition contraindicates immunization.[1][4][6][7]

A student who has not been immunized in accordance with state regulations shall not be admitted to or permitted to attend district schools, unless exempted for medical or religious reasons, provisionally admitted by the Superintendent or designee after beginning a multiple dose vaccine series and submitting proof of immunization or a medical certificate on or before the fifth school day of attendance, or in accordance with programs or guidance established by the PA Department of Health.[1][4][5][6][7]

Students experiencing homelessness who have not been immunized or are unable to provide immunization records due to being homeless shall be admitted in accordance with the provisions of applicable law and regulations.[5]

Foster care students and students transferring into a school within the Commonwealth shall be admitted in accordance with law and regulations, and shall have thirty (30) days to provide proof of immunization, a medical certificate detailing the plan to complete a multiple dose vaccine series or to satisfy the requirements for an exemption.[5]

Monitoring of immunization requirements shall be the responsibility of the Assistant Superintendent, Building Principal and School Nurse.

The Superintendent or designee shall:

1. Ensure that parents/guardians are informed prior to a student's admission to school, or a grade requiring additional immunizations, of the requirements for immunization, the requisite proof of immunization, exemption available for religious or medical reasons, and means by which such exemptions may be claimed.[1][5][6][7]

2. Designate school personnel to review student medical certificates in accordance with law and regulations to ensure compliance with full immunization requirements.[3][5]

3. Annually review state standards for immunization and direct responsible district personnel accordingly.

4. Investigate and recommend to the Board, district-sponsored programs of immunization that may be warranted to safeguard the health of the school community. Such program shall be subject to Board approval and may be conducted in cooperation with local health agencies.

The Superintendent or designee shall report immunization data electronically to the PA Department of Health by December 31 of each year. If the district is unable to complete the report electronically, the Superintendent or designee shall report the immunization data on the required form to the PA Department of Health by December 15.[13]

Communicable Diseases

The Board directs that students who have been diagnosed by a physician or are suspected of having a disease by the school nurse shall be excluded from school for the period indicated by regulations of the PA Department of Health or guidance from state or local health officials for specified diseases and infectious conditions.[14][15]

Parents/Guardians shall be notified of this policy at the beginning of the school year, and that during the school year it may be necessary for a student to be excluded from school due to communicable disease. Parents/Guardians of a student needing to be excluded shall be notified and required to come to school or have a designated emergency contact come to school to transport the student home or to an appropriate place of care. Students may return to school when the criteria for readmission following a communicable disease, as set forth in law, regulations or guidance from state or local health officials, have been met.[14][15]

The Board directs school staff to request emergency contact information from parents/guardians of students at the beginning of each school year and request that it be updated as necessary during the school year.

The school nurse shall report the presence of suspected communicable diseases to the Superintendent and appropriate local health authority, as required by the PA Department of Health.[18][19][20]

The Superintendent or designee shall direct that health guidelines, Board-approved health and safety plans, and universal precautions designed to minimize the transmission of communicable diseases be implemented in district schools.

Instruction regarding prevention of communicable and life-threatening diseases shall be provided by the schools in the educational program for all levels, in accordance with state regulations.[21]

Parents/Guardians shall be informed of and be provided opportunities during school hours to review all curriculum materials used in instruction relative to communicable and life-threatening diseases, in accordance with Board policy.[21][22]

Health Records

A comprehensive health record shall be maintained for each student enrolled in the district. The record shall include the results of required tests, measurements, screenings, regular and special examinations, and medical questionnaires.[24]

All health records shall be confidential, and their contents shall be divulged only when necessary for the health of the student or to a physician at the written request of the parent/guardian. The district may disclose information from health records to appropriate parties in connection with an emergency when necessary to protect the health or safety of the student or other individuals, in accordance with applicable law and Board policy.[25][26][27]

Legal:

1. 24 P.S. 1303a
2. 28 PA Code 23.81 et seq
3. 28 PA Code 23.82
4. 22 PA Code 11.20
5. 28 PA Code 23.85
6. 28 PA Code 23.83
7. 28 PA Code 23.84

11. 28 PA Code 27.77

13. 28 PA Code 23.86
14. 28 PA Code 27.71
15. 28 PA Code 27.72
18. 28 PA Code 27.2
19. 28 PA Code 27.1
20. 28 PA Code 27.23
21. 22 PA Code 4.29
22. 22 PA Code 4.4
24. 24 P.S. 1402
25. 24 P.S. 1409
26. 20 U.S.C. 1232g
27. 34 CFR Part 99
28. 28 PA Code Sec. 23.83

Section **200 (Pupils)**
Policy **203.1**
Title **Students Living with HIV - NEW**

Purpose

The Board is committed to providing a safe, healthy environment for its students and employees. The purpose of this policy shall be to safeguard the health and well-being of students and **staff** while protecting the rights of the individual. This policy is based on current evidence that **HIV Infection** is not normally transmissible by infected individuals within the school setting, except as noted in this policy.

Definitions

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

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

Students living with HIV - refers to student**s** diagnosed **as having HIV Infection,** including those who are asymptomatic.

Authority

This policy shall apply to all students in all programs conducted by the school district. The Board directs that the established **Board policies and administrative regulations governing attendance and** school rules relative to illnesses and other diseases among students shall also apply to students living with HIV. [2] [3]

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

Delegation of Responsibility

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

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

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

Guidelines

Attendance

Students living with HIV have the same right to attend school and receive services as other students and shall be subject to the same policies and **administrative regulations. HIV Infection shall not factor into decisions concerning educational programs, privileges or participation in any school-sponsored activity.**[4] [5] [6]

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

When a student living with HIV parents/guardians voluntarily discloses information regarding the student's condition, the district employee who receives the information shall obtain the written consent of the parents/guardians to disclose the information to members of the Screening Team.[7]

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

First consideration must be given to maintaining the student living with HIV in a regular assignment. Any decision for an alternative placement must be supported by specific facts and data.

A student living with HIV who is unable to attend school, as determined by a medical examination, shall be considered for homebound instruction or an alternative placement.[8][9] **[10]** **[11]**

A student living with HIV may be excused from school attendance if the parent/guardian seeks such excusal based on the advice of medical or psychological experts treating the student. **[3]** [8][12]

A student living with HIV's placement shall be reassessed if there is a change in the student's need for accommodations **or services.**

Confidentiality

District employees **who have knowledge of** a student living with HIV's **condition shall not disclose any information without prior written consent of the student's parents/guardians, consistent with the requirements of the Pennsylvania Confidentiality of HIV-Related Information Act.[7]**

All health records**, notes and other documents referring to a student living with HIV's condition** shall be secured and kept confidential.[7][13]

Infection Control

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

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

Staff Development

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

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

Prevention Education

The goals of **HIV Infection** prevention education shall be to promote healthy living and discourage the behaviors that put people at risk of acquiring **HIV Infection. Prevention education shall be taught at every grade level as part of the curriculum, be appropriate to students' developmental maturity, and include accurate information about reducing the risk of HIV Infection.[14]**

Prior to HIV Infection instruction in the schools, the district shall inform parents/guardians **that** curriculum **outlines** and materials **used in the instruction shall be available for review.[14][15] [16]**

A student shall be excused from HIV Infection education when the instruction conflicts with the religious beliefs or principles of the student or parents/guardians, upon the written request of the parents/guardians.[14][15] [17]

Legal Footnotes

[1] 35 P.S. 7603 **LEGAL REFERENCE**	**[2] Pol. 203** **POLICY REFERENCE** *Referenced policy is not available in this policy book.*
[3] Pol. 204 — Attendance **POLICY REFERENCE**	**[4] Pol. 103 — Nondiscrimination in School and Classroom Practices** **POLICY REFERENCE**

[5] 24 P.S. 1327
LEGAL REFERENCE

[6] Pol. 103.1 — Nondiscrimination of Qualified Students with Disabilities
POLICY REFERENCE

[7] 35 P.S. 7607
LEGAL REFERENCE

[8] 24 P.S. 1329
LEGAL REFERENCE

[9] 22 PA Code 11.25
LEGAL REFERENCE

[10] Pol. 117 — Homebound Instruction
POLICY REFERENCE

[11] Pol. 124
POLICY REFERENCE
Referenced policy is not available in this policy book.

[12] 24 P.S. 1330
LEGAL REFERENCE

[13] 24 P.S. 1409
LEGAL REFERENCE

[14] 22 PA Code 4.29
LEGAL REFERENCE

[15] 22 PA Code 4.4
LEGAL REFERENCE

[16] Pol. 105.1 — Review of Instructional Materials by Parents/Guardians and Students
POLICY REFERENCE

[17] Pol. 105.2 — Exemption From Instruction and/or Assessment
POLICY REFERENCE

[18] 22 PA Code 4.29
LEGAL REFERENCE

Legal References

Additional References

3. 24 P.S. 1327
LEGAL REFERENCE

9. 24 P.S. 1330
LEGAL REFERENCE

24 P.S. 1409
LEGAL REFERENCE

Section **200 (Pupils)**
Policy **209.2**
Title **Diabetes Management - NEW**

Purpose

The Board recognizes that an effective program of diabetes management in school is crucial to:

1. The immediate safety of students with diabetes.
2. The long-term health of students with diabetes.
3. Ensure that students with diabetes are ready to learn and participate fully in school activities.
4. Minimize the possibility that diabetes-related emergencies will disrupt classroom activities.

Authority

The Board adopts this policy in accordance with applicable state and federal laws and regulations, and Board policies and administrative regulations, regarding the provision of student health services. [1] 12]13]14]15]16] [7] [8] [9]

Definitions

Diabetes Medical Management Plan (DMMP) means a document describing the medical orders or diabetes regimen developed and signed by the student's health care practitioner and parent/guardian.12]

Individualized Education Program (IEP) means the written educational statement for each student with a disability that is developed, reviewed and revised in accordance with federal and state laws and regulations. A **student with a disability** is a school-aged child within the jurisdiction of the district who has been evaluated and found to have one or more disabilities as defined by law, and who requires, because of such disabilities, special education and related services. **[7]**

Section 504 Service Agreement (Service Agreement) means an individualized plan for a qualified student with a disability which sets forth the specific related aids, services, or accommodations needed by the student, which shall be implemented in school, in transit to and from school, and in all programs and procedures, so that the student has equal access to the benefits of the school's educational programs, nonacademic services, and extracurricular activities. A **qualified student with a disability** means a student who has a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of the district's educational programs, nonacademic services or extracurricular activities. **[1]**

Trained Diabetes Personnel means non-licensed school employees who have successfully completed the required training.

Guidelines

Before a student can receive diabetes-related care and treatment in a school setting, the student's parent/guardian shall provide written authorization for such care and instructions from the student's health care practitioner. The written authorization may be submitted as part of a student's DMMP.[5]

Diabetes-related care shall be provided in a manner consistent with Board policy, district procedures and individualized student plans such as an IEP, Service Agreement or DMMP. **[1]** [3][4][5] **[7] [9]**

In order to maintain a student's health and safety, each student's individualized plan shall address what information will be provided to school staff and other adults who have responsibility for the student in the school setting. **[1]** [5] **[7] [10] [11]**

Student health records shall be confidential and maintained in accordance with state and federal laws and regulations.[12] **[13]** **[14]**

Trained Diabetes Personnel

The school nurse, in consultation with the Superintendent or designee, may identify at least one (1) school employee, who is not the school nurse and who does not need to be a licensed health care practitioner, in each school building attended by a student with diabetes to perform diabetes care and treatment for students. The identified school employee has the right to decline this role.[4]

An identified school employee who has accepted this role shall complete the training developed by the state or training offered by a licensed health care practitioner with expertise in the care and treatment of diabetes, that includes at a minimum:[4]

1. An overview of all types of diabetes.
2. Means of monitoring blood glucose.
3. The symptoms and treatment for blood glucose levels outside of target ranges, as well as symptoms and treatment for hypoglycemia, hyperglycemia and other potential emergencies.
4. Techniques on administering glucagon and insulin.

The identified school employee shall complete such training on an annual basis.[4]

Upon successful completion of the required training, individual trained diabetes personnel may be designated in a student's Service Agreement or IEP to administer diabetes medications, use monitoring equipment and provide other diabetes care.[4]

If the diabetes-related care provided to a particular student by trained diabetes personnel will include administration of diabetes medication via injection or infusion, the Board shall require the following:[4]

1. The parent/guardian and the student's health care practitioner must provide written authorization for such administration; and
2. The trained diabetes personnel must receive annual training for such administration from a licensed health care practitioner with expertise in the care and treatment of diabetes.

Training of Other School Personnel

School employees, including classroom teachers, lunchroom staff, coaches and bus drivers, shall receive annual diabetes care training appropriate to their responsibilities for students with diabetes.

Student Possession and Use of Diabetes Medication and Monitoring Equipment

Prior to student possession or use of diabetes medication and monitoring equipment, the Board shall require the following:[3][15]

1. A written request from the parent/guardian that the school comply with the instructions of the student's health care practitioner. The request from the parent/guardian shall include a statement relieving the district and its employees of responsibility for the prescribed medication or monitoring equipment and acknowledging that the school is not responsible for ensuring that the medication is taken or the monitoring equipment is used.

2. A written statement from the student's health care practitioner that provides:

    a. Name of the drug.

    b. Prescribed dosage.

    c. Times when medication is to be taken.

    d. Times when monitoring equipment is to be used.

    e. Length of time medication and monitoring equipment is prescribed.

    f. Diagnosis or reason medication and monitoring equipment is needed.

    g. Potential serious reactions to medication that may occur.

    h. Emergency response.

    i. Whether the child is competent and able to self-administer the medication or monitoring equipment and to practice proper safety precautions.

3. A written acknowledgement from the school nurse that the student has demonstrated that s/he is capable of self-administration of the medication and use of the monitoring equipment.

4. A written acknowledgement from the student that s/he has received instruction from the student's health care practitioner on proper safety precautions for the handling and disposal of the medications and monitoring equipment, including acknowledgement that the student will not allow other students to have access to the medication and monitoring equipment and that s/he understands appropriate safeguards.

The written request for student possession and use of diabetes medication and monitoring equipment shall be reviewed annually, along with the required written statements from the parent/guardian and the student's health care practitioner. If there is a change in the student's prescribed care plan, level of self-management or school circumstances during the school year, the parent/guardian and the student's health care practitioner shall update the written statements.

Students shall be prohibited from sharing, giving, selling and using diabetes medication and monitoring equipment in any manner other than which it is prescribed during school hours, at any time while on school property, at any school-sponsored activity and during the time spent traveling to and from school and school-sponsored activities. Violations of this policy, provisions of a Service Agreement or IEP, or demonstration of unwillingness or inability to safeguard the medication and monitoring equipment may result in loss of privilege to self-carry the diabetes medication and monitoring equipment, and may result in disciplinary action in accordance with Board policy and applicable procedural safeguards. [1] [3] **[10] [16] [17]**

If the district prohibits a student from possessing and self-administering diabetes medication and operating monitoring equipment, or if a student is not capable of self-administering diabetes medication or operating monitoring equipment, the district shall ensure that the diabetes medication and monitoring equipment is appropriately stored in a readily accessible location in the student's building. The school nurse and other designated school employees shall be informed where the medication and monitoring equipment is stored and the means to access them.[3]

Delegation of Responsibility

The Superintendent or designee, in conjunction with the school nurse(s), shall develop administrative regulations for care and treatment of students with diabetes in the school setting.

The Superintendent or designee shall coordinate training for school employees. Such training may be included in the district's Professional Education Plan.[4] **[18] [19]**

The Superintendent or designee shall annually distribute to all staff, students and parents/guardians this policy as part of with the Code of Student Conduct. In addition, the district must make the Type 1 Diabetes Fact Sheet developed by the PA Department of Health available to parents/guardians when their child is first enrolled in elementary school and again upon their child's entry into grade six. The Diabetes Fact Sheet must be made available in writing, electronically or on the school district's publicly accessible Internet website.[16] [20][21]

Legal Footnotes

[1] Pol. 103.1 — Nondiscrimination of Qualified Students with Disabilities
POLICY REFERENCE

[2] 24 P.S. 1401
LEGAL REFERENCE

[3] 24 P.S. 1414.5
LEGAL REFERENCE

[4] 24 P.S. 1414.3
LEGAL REFERENCE

[5] 24 P.S. 1414.4
LEGAL REFERENCE

[6] 24 P.S. 1414.7
LEGAL REFERENCE

[7] Pol. 113 — Special Education
POLICY REFERENCE

[8] Pol. 209 — Physical Examinations
POLICY REFERENCE

[9] Pol. 209.1 — Food Allergy Management
POLICY REFERENCE

[10] Pol. 113.1 — Discipline of Students With Disabilities
POLICY REFERENCE

[11] Pol. 810 — Transportation
POLICY REFERENCE

[12] 24 P.S. 1402
LEGAL REFERENCE

[13] Pol. 216 — Education Records
POLICY REFERENCE

[14] Pol. 113.4
POLICY REFERENCE
Referenced policy is not available in this policy book.

[15] 22 PA Code 12.41
LEGAL REFERENCE

[16] Pol. 218 — Student Discipline
POLICY REFERENCE

[18] Pol. 100 — Comprehensive Planning
POLICY REFERENCE

[17] Pol. 227 — Controlled Substances
POLICY REFERENCE

[20] 22 PA Code 12.3
LEGAL REFERENCE

[19] Pol. 333 — Professional Growth
POLICY REFERENCE

[21] 24 P.S. 1414.12

Pennsylvania
Department of Health

Type 1 Diabetes Information

This type 1 diabetes information was developed pursuant to the Pennsylvania School Code (24 P.S. § 1414.12) and is for school entities and nonpublic schools to provide to parents and guardians of incoming elementary school students and students entering grade six, beginning with the 2025-2026 School Year.

Type 1 diabetes in children is an autoimmune disease that can be fatal if untreated, and the guidance provided in this information sheet is intended to raise awareness about this disease.

Description

Type 1 diabetes usually develops in children and young adults but can occur at any age

- Type 1 diabetes can appear at any age, but it generally appears at two noticeable peaks. The first peak occurs in children between 4 and 7 years old. The second is in children between 10 and 14 years old (Mayo Clinic).

Type 1 diabetes affects insulin production

- Normally the body turns the carbohydrates in food into glucose (blood sugar), the basic fuel for the body's cells.
- The pancreas makes insulin, a hormone that moves glucose from the blood into the cells.
- In type 1 diabetes, the body's pancreas stops making insulin, and blood glucose levels rise.
- Over time, glucose can reach dangerously high levels in the blood, which is called hyperglycemia.
- Untreated hyperglycemia can result in diabetic ketoacidosis (DKA), which is a life-threatening complication of diabetes.

Risk Factors Associated with Type 1 Diabetes

It is recommended that children displaying warning signs and symptoms associated with type 1 diabetes described below, should be screened (tested) for the disease by their health care provider.

Risk Factors

Researchers do not completely understand why some people develop type 1 diabetes and others do not. However, having a family history of type 1 diabetes can increase the likelihood of developing type 1 diabetes. Other factors might play a role in developing type 1 diabetes, including environmental triggers such as viruses. Type 1 diabetes is not caused by diet or lifestyle choices.

Warning Signs and Symptoms Associated with Type 1 Diabetes and Diabetic Ketoacidosis

Warning signs and symptoms of type 1 diabetes in children develop quickly, in a few weeks or months, and can be severe. If your child displays the warning signs below, contact your child's

primary health care provider or pediatrician for a consultation to determine if screening your child for type 1 diabetes is appropriate:

- Increased thirst
- Increased urination, including bed-wetting after toilet training
- Increased hunger, even after eating
- Unexplained weight loss
- Feeling very tired
- Blurred vision
- Very dry skin
- Slow healing of sores or cuts
- Moodiness, restlessness, irritability, or behavior changes

DKA is a complication of untreated type 1 diabetes. DKA is a medical emergency. Symptoms include:

- Fruity breath
- Dry/flushed skin
- Nausea
- Vomiting
- Stomach pains
- Trouble breathing
- Confusion

Type 1 Diabetes Treatments

There are no known ways to prevent type 1 diabetes. Once type 1 diabetes develops, medication is the only treatment. If your child is diagnosed with type 1 diabetes, their health care provider will be able to help develop a treatment plan. Your child's health care provider may refer your child to an endocrinologist, a doctor specializing in the endocrine system and its disorders, such as diabetes.

Contact your child's school nurse, school administrator, or health care provider if you have questions.

References

Centers For Disease Control and Prevention: About Type 1 Diabetes

Children's Hospital of Philadelphia: Type 1 Diabetes

Mayo Clinic

Medline Plus: National Library of Medicine; Type 1 Diabetes

Section **200 (Pupils)**
Policy **210**
Title **Medications**

Purpose

The Board shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication to a student during school hours in accordance with the direction of a parent/guardian and licensed prescriber will be permitted only when failure to take such medicine would jeopardize the health of the student or the student would not be able to attend school if the medicine were not available during school hours.

Definitions

For purposes of this policy, medication shall include all medicines prescribed by a licensed prescriber
and any over-the-counter medicines.

For purposes of this policy, licensed prescribers shall include licensed physicians (M.D. and D.O.), podiatrists, dentists, optometrists, certified registered nurse practitioners and physicians' assistants.

For purposes of this policy and accompanying administrative regulation, **individualized healthcare plan (IHP)** means a written plan for responsible personnel to follow in meeting an individual student's health care needs. An IHP is initiated by responsible personnel. The IHP may be part of a Section 504 Service Agreement (504 Plan) or Individualized Education Plan (IEP) with a medical component.

For purposes of this policy and accompanying administrative regulation, **emergency care plan** means written steps for district staff to follow in dealing with a life threatening or seriously harmful health situation for an individual student. An emergency care plan is initiated by responsible personnel and may be part of a student's individualized health care plan (IHP), 504 Plan or IEP with a medical component.

For purposes of this policy and accompanying administrative regulation, **responsible personnel** shall mean a school nurse or other supplemental school nurse staff (registered nurse or licensed practical nurse), employed by the district directly or as an independent contractor, and any other personnel identified in the accompanying administrative regulation.

For purposes of this policy and accompanying administrative regulation, **self-administration** means pre-approved medication administered directly by the student to self-following the guidelines set forth below.[9]

Authority

The Board directs all district employees to comply with the Pennsylvania Department of Health's

Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Care.

Before any medication may be administered to or by any student during school hours, the Board shall require the written request of the parent/guardian, giving permission for such administration.[1][2]

Delegation of Responsibility

The Superintendent or designee, in conjunction with the Certified School Nurse (CSN), shall develop
administrative regulations for the administration and self-administration of students' medications.

All medications shall be administered by the Certified School Nurse, or in the absence of the Certified School Nurse by other licensed school health staff (RN, LPN) or other responsible personnel, except as otherwise noted in this policy.

In the event of an emergency, a district employee may administer medication when s/he believes, in good faith, that a student needs emergency care.[3]

The Certified School Nurse shall collaborate with parents/guardians, district administration, faculty and staff to develop an individualized healthcare plan to best meet the needs of individual students.[4][5]

The policy and administrative regulations for administration of medications shall be reviewed, at least every two (2) years, by a committee consisting of the Certified School Nurse, school physician, school dentist and designated administrators, and revised as necessary.

Guidelines

The district shall inform all parents/guardians, students and staff about the policy and administrative
regulations governing the administration of medications.

All standing medication orders and parental consents shall be renewed at the beginning of each school year.

Student health records shall be confidential and maintained in accordance with state and federal laws and regulations and the Department of Health Guidelines.[6][7]

Students may possess and use asthma inhalers and epinephrine auto-injectors when permitted in accordance with state law and Board policy.[8][9]

Delivery and Storage of Medications

All medication shall be brought to the nurse's office, or the main office if the nurse is in another building, by the parent/guardian or by another adult designated by the parent/guardian. All medication shall be stored in the original pharmacy-labeled

container and kept in a locked cabinet designated for storage of medication. Medications that require refrigeration shall be stored and locked in a refrigerator designated only for medications. The district shall not store more than a thirty-day (30)-supply of an individual student's medication.

Medication should be recorded and logged in with the date, name of student, name of medication, amount of medication, and signatures of the parent/guardian or designated adult delivering the medication and the school health personnel receiving the medication.
Nonprescription medication must be delivered in its original packaging and labeled with the student's name.

Nonprescription medication must be delivered in its original packaging and labeled with the student's name.

Prescription medication shall be delivered in its original packaging and labeled with:

1. Name, address, telephone and federal DEA (Drug Enforcement Agency) number of the pharmacy.
2. Student's name.
3. Directions for use (dosage, frequency and time of administration, route, special instructions).
4. Name and registration number of the licensed prescriber.
5. Prescription serial number.
6. Date originally filled.
7. Name of medication and amount dispensed.
8. Controlled substance statement, if applicable.

All medication shall be accompanied by a completed Medication Administration Consent and Licensed Prescriber's Medication Order Form, or other written communication from the licensed prescriber.

Disposal of Medications

Procedures shall be developed for the disposal of medications consistent with the Department of Health Guidelines, which shall include:

1. Guidelines for disposal of contaminated needles or other contaminated sharp materials immediately in an appropriately labeled, puncture-resistant container.
2. Processes for immediately returning to parents/guardians all discontinued and outdated medications, as well as all unused medications at the end of the school year.
3. Methods for safe and environmentally friendly disposal of medications.
4. Proper documentation of all medications returned to parents/guardians and for all medications disposed of by the Certified School Nurse or other licensed school health staff. Documentation shall include, but not be limited to, date, time, amount of medication and appropriate signatures.

Student Self-Administration of Emergency Medications

Prior to allowing a student to self-administer emergency medication, glucagon or insulin, or medication to be taken during after-school activities or on field trips, the district shall require the following:[9]

1. An order from the licensed prescriber for the medication, including a statement that it is necessary for the student to carry the medication and that the student is capable of self-administration.
2. Written parent/guardian consent.
3. The development, review, dissemination, and release of the Emergency Care Plan by the nursing staff, as needed.
4. The nurse shall conduct a baseline assessment of the student's health status.
5. The student shall demonstrate administration skills to the nurse and responsible behavior.

The nurse shall provide periodic and ongoing assessments of the student's self-management skills.

The student shall notify the school nurse immediately following each occurrence of self-administration of medication.

Students shall demonstrate a cooperative attitude in all aspects of self-administration of medication. Privileges for self-administration of medication will be revoked if school policies regarding self-administration are violated.

Administration of Medication During Field Trips and Other School-Sponsored Activities

The Board directs planning for field trips and other school-sponsored activities to start early in the school year and to include collaboration between administrators, teachers, nurses, appropriate parents/guardians and other designated health officials.[10]

Students who are authorized to self-administer their own medications may be required to store their medication with trained District staff members or other responsible adults designated by parent/guardian that are supervising or assisting in the supervision of the field trip or school sponsored activity, as listed below and deemed appropriate.

Considerations when planning for administration of medication during field trips and other school-sponsored programs and activities shall be based on the student's individual needs and may include the following:

1. Assigning school health staff to be available.
2. Utilizing a licensed person from the school district's substitute list.
3. Contracting with a credible agency which provides temporary nursing services.
4. Utilizing licensed volunteers via formal agreement that delineates responsibilities of both the school and the individual.
5. Addressing with parent/guardian the possibility of obtaining from the licensed prescriber a temporary order to change the time of the dose.

6. Asking parent/guardian to accompany the child on the field trip, with proper clearances.
7. Arranging for medications to be provided in an original labeled container with only the amount of medication needed.

Security procedures shall be established for the handling of medication during field trips and other school-sponsored activities.

Legal
1. 24 P.S. 510
2. 22 PA Code 12.41
3. 42 Pa. C.S.A. 8337.1
4. Pol. 103.1
5. Pol. 113
6. 24 P.S. 1409
7. Pol. 216
8. 24 P.S. 1414.1
9. Pol. 210.1
10. Pol. 121

24 P.S. 1401
24 P.S. 1402
Pennsylvania Department of Health Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Care, March 2010

Book	Policy Manual
Section	100 Programs
Title	Special Education
Code	113
Status	Active
Adopted	November 11, 2002
Last Revised	May 6, 2013

Purpose

~~To incorporate by reference and adopt as the policy of the Southern Lehigh School District the requirements of the Individuals with Disabilities Education Act and its implementing regulation, Section 504 of the Rehabilitation Act of 1973 and its implementing regulation, the Americans with Disabilities Act and its implementing regulation, and Chapter 14 of the regulations of the Pennsylvania State Board of Education as they pertain to school districts or local educational agencies.~~ The district shall offer each student with a disability education programs and services that appropriately meet the student's needs for educational, instructional, transitional and related services. A student who requires special education shall receive programs and services according to an individualized education program (IEP). The IEP shall provide access to the district's general curriculum and participation in state and local assessments, including supplemental aids and services that permit the student to be educated, to the maximum extent appropriate, with nondisabled peers. The district shall provide a continuum of placement options to appropriately meet the needs of students with disabilities.[1][2][3][4][5][6]

Definitions

Students with disabilities - school-aged children within the jurisdiction of the district who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services. School-aged children who have identified disabilities but do not require special education may be entitled to accommodations or services or to enroll in courses of study in the district which serve students with disabilities pursuant to other law or Board policy.[7][8][9][10][11]

Individualized Education Program (IEP) - the written educational statement for each student with a disability that is developed, reviewed and revised in accordance with federal and state laws and regulations.[12][13]

Parent/Guardian - for purposes of this policy and Board policies related to special education, parent/guardian shall have the definition of parent in IDEA statute and regulations, which includes a biological or adoptive parent of a child; a foster parent, unless prohibited by state law or regulations; a guardian authorized to act as the child's parent, in accordance with law or regulations; an individual acting in the place of a parent, including a grandparent or other relative, with whom the child lives or an individual legally responsible for the child's welfare; or an appointed surrogate parent, in accordance with law and regulations.[7][14]

Authority

The Board directs that all students with disabilities shall be identified, evaluated, and provided

with appropriate educational programs and services, in accordance with federal and state laws and regulations. The district shall establish and implement a system of procedural safeguards and parent/guardian notification as part of its special education plan.[1][5][15][16][17][18][19][20][21]

The district shall develop and submit a special education plan to the Department of Education for approval every three (3) years, and shall implement such plan as required by law and regulations. The district's special education plan shall include procedures for identifying and educating students with disabilities and describe the elements required by law, regulations and Board policy. Prior to approval by the Board and submission to the Department of Education, the special education plan shall be made available for public inspection and comment in the district's administrative offices and the nearest public library for a minimum of twenty-eight (28) days.[4][22][23]

The district's special education plan shall comply with the requirements of state and federal laws and regulations, and shall be submitted in accordance with the guidelines and in the form established by the Department of Education. The district shall establish procedures to ensure the plan is updated and implemented as necessary.[4][22][24]

The Board shall determine the facilities, programs, services and staff that shall be provided by the district for the instruction of students with disabilities, based upon the identified needs of the district's special education population.[4][18]

In order to maintain an effective special education plan, the Board may participate in special education programs of Carbon Lehigh Intermediate Unit No. 21.[4]

Delegation of Responsibility

The Superintendent or designee is directed to annually recommend to the Board the employment and retention of necessary, qualified staff and provision of required facilities, programs and services to provide for the needs of students with disabilities.

The Superintendent or designee shall develop procedures for evaluating the effectiveness of the district's special education plan and shall periodically report to the Board the criteria and results of such evaluation.

~~Guidelines~~

~~Incorporation and Adoption of Laws and Regulations~~

~~The policy of the Southern Lehigh School District is to adhere to and implement faithfully for all resident children with disabilities and their families all of the requirements of the Individuals with Disabilities Education Act and its implementing regulation, Section 504 of the Rehabilitation Act of 1973 and its implementing regulation, the Americans with Disabilities Act and its implementing regulation, and Chapter 14 of the regulations of the Pennsylvania State Board of Education as they pertain to school districts or local educational agencies. The applicable requirements of these laws and regulations are incorporated by reference herein. The Superintendent shall ensure that training of sufficient scope and regularity is provided to all staff to ensure that staff are familiar with the requirements of these laws and regulations to the extent pertinent to their positions and understand that faithful adherence to and implementation of these requirements is an essential function of their respective positions.[1][2][3][4][5][6][7]~~

~~Discrimination Prohibited~~

~~The Southern Lehigh School District shall not discriminate against any otherwise qualified individual on the basis of disability in the implementation or operation of any of its programs, activities, or facilities. The Superintendent or his or her designee shall designate an administrator who shall hear and investigate complaints concerning incidents of disability-based discrimination and shall cause the annual publication of the title and contact information for such administrator on the District Website and in at least one other medium in general circulation within the community. The Superintendent or his or her designee shall also ensure that such administrator adopts and implements a grievance procedure that affords complainants appropriate due process and a prompt resolution of complaints alleging discrimination.[8]~~

~~Legal~~

~~1. 20 U.S.C. 1400 et seq~~
~~2. 29 U.S.C. 794~~
~~3. 42 U.S.C. 12101 et seq~~
~~4. 34 CFR Part 104~~
~~5. 34 CFR Part 300~~
~~6. 28 CFR Part 36~~
~~7. 22 PA Code 14.101 et seq~~
~~8. 34 CFR 104.7~~

Legal

1. 22 PA Code 12.1
2. 22 PA Code 12.4
3. 22 PA Code 14.102
4. 22 PA Code 14.104
5. 22 PA Code 4.28
6. 34 CFR 300.1
7. 20 U.S.C. 1401
8. 22 PA Code 14.101
9. 24 P.S. 502
10. 34 CFR 300.8
11. Pol. 103.1
12. 22 PA Code 14.131
13. 34 CFR 300.320-300.324
14. 34 CFR 300.30
15. 20 U.S.C. 1400 et seq
16. 22 PA Code 12.41
17. 22 PA Code 14.101 et seq
18. 24 P.S. 1372
19. 29 U.S.C. 794

20. 34 CFR Part 300

21. 42 U.S.C. 12101 et seq

22. 22 PA Code 4.13

23. Pol. 100

24. 34 CFR 300.201 et seq

25. 20 U.S.C. 1414

26. 22 PA Code 14.145

27. 34 CFR 300.320-300.327

28. Pol. 103

29. 22 PA Code 14.121

30. 34 CFR 300.111

31. 22 PA Code 14.122

32. Pol. 209

33. 22 PA Code 15.9

34. 34 CFR 300.611-300.627

35. Pol. 113.4

Book: 100
Section: Programs
Title: Home Education/Home Schooling Programs
Code: 137

Purpose

The purpose of this policy is to set forth the district's obligations under state law and regulation to students within its boundaries who pursue home education. [1][2][3]

Home education programs for students of compulsory school age residing in the district shall be conducted in accordance with state law and regulations and Board policy. It is the policy of the Board to permit home education, pursuant to law, enabling students to study at home in accordance with the Board policy and consistent with the affidavit of the supervisor.

Authority

The Board shall approve a program of home education, pursuant to the School Code, permitting students to study at home in accordance with the Board policy.

Definitions

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

Co-curricular Activities - shall mean activities, programs, and learning experiences that complement, in some way, what students are learning in school – i.e., experiences that are connected to or mirror the academic curriculum. Co-curricular activities typically merge extracurricular activities with a required academic course for which students earn credit toward graduation or for which students are awarded a grade. Such activities shall ordinarily be:

1. Conducted partly outside and partly inside the regular school day; and

2. Available to all students who voluntarily elect to participate except for those who cannot meet the eligibility requirements.

Extracurricular Activities – shall mean activities which are sponsored or approved by the Board but are not explicitly connected to academic learning. Such activities shall ordinarily be:

1. Conducted wholly or partly outside the regular school day; and

2. Available to all students who voluntarily elect to participate except for those who cannot meet the eligibility requirements.

Department - shall mean the Department of Education of the Commonwealth.

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

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

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

Delegation of Responsibility

The Superintendent or designee shall develop and distribute administrative regulations that implement this policy in accordance with state law.[2]

Legal

1. 24 P.S. 1327

2. 24 P.S. 1327.1

3. 22 PA Code 11.31a

Book	Policy Manual
Section	200 Pupils
Title	Education Record
Code	216
Status	Active
Adopted	March 12, 2007
Last Revised	February 13, 2017
Prior Revised Dates	December 6, 2012

Authority

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

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

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

Delegation of Responsibility

The Superintendent or designee shall be responsible for developing, implementing, and monitoring the student records plan.
All district personnel having access to student education records shall receive training in the requirements of Board policy, student records plan, and applicable federal and state laws and regulations as directed by the Superintendent.
Each district teacher shall prepare and maintain a record of the work and progress of each student, including the final grade and a recommendation for promotion or retention.[5][17][18]

~~Definitions~~

~~The following terms as used in this policy shall have the following meanings:[1][2][3][4][5][6][7][8][9][10][11][12][13][14][15]~~
~~*Directory information*. The name, address, telephone number, electronic mail address, date and place of birth, names of parents and siblings, dates of attendance, whether the student graduated and the date of graduation, awards received, participation in District-approved extracurricular activities, weight and height of interscholastic athletic team members, photographs, schools attended~~

~~1.1 within the District, and student identification number, user identification number, or code when such number or code cannot alone be used to access education records, without some other identifier known only to the authorized user of an electronically accessed information system or database.~~

1.2 *Disclose; disclosure*. Permit access to or release, transfer, or otherwise communicate to any person or entity, by any means or medium, personally identifiable information contained in the education record of the student.

1.3 *Education record*. Any personally-identifiable information recorded or stored by any means—including, but not limited to, information that is handwritten, typed, printed, or stored on computer media, microfilm, microfiche, video or audio tape, film, or digital medium—that is directly related to the student and is maintained by the District or by an individual or agency acting on behalf of the District regardless of the current location of such record. The term does not include the following:

(a) records of instructional, supervisory, and administrative personnel and educational personnel ancillary to those persons—including, but not limited to, instructional support teachers, counselors, therapists and clinicians, school psychologists and psychiatrists, nurses, and instructional aides—that are kept in the sole possession of the maker of the record and the contents of which are not accessible or revealed to any other person except a substitute for the maker of the record;

(b) records that contain only information about the student after he or she is no longer a student in the District or receiving District-supported education;

(c) grades and other forms of peer assessment or rating before they are collected and recorded by a teacher; and

(d) other records specifically excluded from the definition of "education record" under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and its implementing regulation, 34 C.F.R. Part 99.

1.4 *Eligible student*. A present or former student who has attained the age of eighteen or a former student who is attending an institution of post-secondary education.

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

1.6 *IEP.* Individualized education program.

1.7 *Service Agreement*. A written plan of adaptations or modifications, or both, developed for a student with disabilities who is eligible for protection under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, but who is not eligible for special education and related services under the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400, et seq.

1.8 *Maintain or maintained*. In the case of personally-identifiable information on paper or stored on magnetic or video tape, the term shall mean information kept in a secure file or desk drawer or in the continuous and secure control of a school official with a legitimate educational interest in the content thereof. In the case of personally-identifiable information that is stored electronically, including electronic mail, the term shall mean information kept in a secure electronic storage system or site, whether located locally or remotely, specifically designated by the Superintendent or his or her designee as a "student records maintenance site." The District electronic mail server or servers, or directory or directories, and the files on local or remote disk drives, computers, servers, portable media, or mobile devices shall not for any purpose constitute a "student records maintenance site" unless explicitly so designated by the Superintendent or his or her designee in writing, and any personally-identifiable information stored thereon shall either be deleted or moved to a "student records maintenance site" at least once annually. Personally identifiable electronic information, including electronic mail, shall not be

considered to be "maintained" by the District or by any individual or agency acting on behalf of the District unless and until it is moved to or stored in or on a "student records maintenance site."

1.9 *Parent*. The biological or adoptive parents of a student, regardless of residency or physical custodial status; the legal guardian or guardians of a student; or an individual acting as a parent in the absence of a natural parent or guardian, unless the right of any such person to receive personally-identifiable information has been terminated or restricted by order of court.

1.10 *Personally identifiable information*. Any one or more of the following:

(a) The student's name;

(b) The name, including maiden names, of any member of the student's family;

(c) The current or past address, or the date or place of birth, of the student or any member of the student's family;

(d) A personal identifier such as a social security number, student number or code, or biometric information consisting of one or more measurable biological or behavioral characteristic that can be used for automatic identification of an individual;

(e) information that, alone or in combination, is linked or linkable to a specific student such that a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, could use such information to identify the student with reasonable certainty; or

(f) information requested by a person whom the educational agency or institution reasonably believes knows the identity of the student to whom such information relates.

1.11 *School official with a legitimate educational interest*. Any employee, officer, agent, consultant, or contractor of, or any volunteer acting on behalf of,

(a) the District,

(b) the Intermediate Unit,

(c) a vocational technical school, or

(d) any public or private school or facility that the District is using or is proposing to use to provide elementary or secondary education to the student in place of a public school, who is or will be responsible for providing or supervising the provision of education, education-related services, or extra-curricular activities or experiences to or for the student, when—

(i) particular information concerning that student is presently or potentially relevant to the design or provision of instruction or other education, education-related services, testing or assessments, behavior interventions and strategies, or extracurricular activities or experiences either to the student, to particular groups of students, or to whole schools, grade-levels, or the student population of the District at large, regardless of whether the student is part of the group or population that will be effected; or

(ii) such information is necessary to protect the health, safety, or welfare of

~~the student or others with whom the student might have direct or indirect contact.~~

~~The phrase also applies to clerical staff of the agencies enumerated above who are responsible for the maintenance and security of education records and to attorneys, consultants, and school board members when school board action concerning the student is required by law or when the education or treatment of the student is the subject of present or potential litigation or legal dispute. When the "school official with a legitimate educational interests" is not an employee of the District, such individual may receive "personally-identifiable information" only when he or she is under the direct control of the District, by contract or otherwise, with respect to the use and maintenance of education records in his or her possession and only when such individual is prohibited from re-disclosure of such information to any other party without written parent or eligible student consent.~~

~~1.12 *Secure file*. A student or subject-specific compilation of information stored on paper, audio or visual tape, microfiche, microfilm, computer storage disk or removable drive, or similar medium that can be maintained in a physically segregated form that is maintained in a locked file drawer, cabinet, or desk or, if unlocked, in the immediate custody and control of the custodian thereof, or a student or subject-specific compilation maintained on a computer storage system to which access is limited by security software that conforms to current computer industry standards.~~

~~1.13 *Student with disabilities*. A student age three through twenty-one who has or is thought to have one or more of the disabilities described in the Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq., or any preceding or succeeding legislation, or a student of school age~~

~~who has or is thought to have a disability as defined in Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794.~~

Guidelines

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

1. Safeguards to protect the student records when collecting, retaining and disclosing personally identifiable information.
2. Ensuring that parents and eligible students, including those who are disabled or have a primary language other than English, are effectively notified of their rights and the procedures to implement those rights, annually and upon enrollment.[19]
3. Procedures for the inspection, review, and copying of a student's education records by parents and eligible students. The district may charge a fee for copies of records that are made for parents so long as the fee does not effectively prevent parents from exercising their right to inspect and review those records. The district shall not charge a fee to search for or to retrieve information in response to a parental request.[20][21][22]
4. Procedures for requesting the amendment of a student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.[23]
5. Procedures for requesting and conducting hearings to challenge the content of the student's education records.[24][25]
6. Enumerating and defining the types, locations and persons responsible for education records maintained by the district.

7. Determining the types of personally identifiable information designated as directory information.[14][26]
8. Establishing guidelines for the disclosure and redisclosure of student education records and personally identifiable information from student records.[27]
9. Reasonable methods to ensure that school district officials obtain access to only those education records in which they have a legitimate educational interest. Such methods shall include criteria for determining who constitutes a school district official and what constitutes a legitimate educational interest.[19][28]
10. Maintaining required records of requests for access and each disclosure of personally identifiable information from each student's education records.[29]
11. Ensuring appropriate review, retention, disposal and protection of student records.[30]
12. Transferring education records and appropriate disciplinary records to other school districts.[1]

Student Recruitment

Procedures for disclosure of student records and personally identifiable information shall apply equally to military recruiters and postsecondary institutions and shall comply with law and Board policy.[31]

Missing Child Registration

A missing child notation shall be placed on school records of a student under the age of eighteen (18) reported as missing to school officials by a law enforcement agency. Such notation shall be removed when the school district is notified by the appropriate law enforcement agency that a missing child has been recovered.[32]

In the event the district receives a request for information from the school records of a missing child, the district shall:[33]

1. Attempt to obtain information on the identity of the requester.
2. Contact the appropriate law enforcement agency to coordinate a response.

No information in the records shall be released to the requester without first contacting the appropriate law enforcement agency.

~~Collection, Maintenance and Destruction of Education Records~~

~~*Collection -*~~

~~2.1 The District shall collect and maintain the types of records described in the following subparagraphs (a) through (c) and may collect and maintain records described in following subparagraphs (d) through (j):~~

~~(a) Core data, consisting of the name of the student; last known address and domicile within the District of the parents or guardian of the student or, if the student is emancipated, of the student; the birth date of the student; the course, subject area, or project work completed by the student and the level of achievement attained; the last grade attended or the date of graduation and type diploma issued; and attendance data;~~

~~(b) Discipline and law enforcement records, including the sworn statement or affirmation of suspension or expulsion required at registration and the record of~~

incidents of violence maintained in a form prescribed by the Pennsylvania State Police as required under Section 1307-A of the Pennsylvania Public School Code, 24 P.S. § 13-1307-A, and, in a file maintained separately from other records concerning the student, information from the Office of Juvenile Probation concerning adjudications of delinquency;[8][9][10]

(c) Health records, including immunization information, results of vision and hearing screenings, results of state-mandated physical examinations, in-school treatment and drug dispensing or administration orders or prescriptions from physicians, treatment and drug dispensing or administration logs, and health-related information provided by parents or guardians;

(d) Student work samples and teacher grade books retained for purposes of ongoing assessment, instructional planning, or grade calculation; the results of District-wide group standardized or criterion-referenced testing and state-wide criterion-referenced assessments, if any, in which the student participated; and non-cumulative report cards;

(e) Guidance department, psychologist, and student assistance team records, although personal records and notes maintained strictly in accordance with Section 1.3(a) of this policy are not considered records subject to this policy;

(f) Results of vocational and career aptitude and interest surveys, or of surveys to assist in planning for and providing guidance, health, or drug and alcohol abuse prevention instruction or programs;

(g) Reports of and other information describing or summarizing the results of individual testing and assessment by instructional support, child study, multi-disciplinary, or IEP teams, or by professional staff responsible for determining eligibility for Title I, ESL, and other remedial programs, or by agencies and individuals not employed by or working on behalf of the District; instructional support or child study team action plans; IEPs; and service agreements or accommodation plans;

(h) Protocol sheets and booklets; scoring sheets; answer books; rating forms; observation notes; anecdotal logs; running record forms; and other forms of raw data gathered in the course of testing and assessment or progress monitoring and assessment;

(i) Records of awards and distinctions earned by students for work or activities in school and in the community and of participation in District-approved extracurricular activities; and

(j) Other records required by law or deemed by instructional or supervisory staff to be both accurate and necessary to the provision of education, education-related services, or extra-curricular activities or experiences.

2.2 By adoption of this policy, the District Board of School Directors gives consent for the collection of records and information described in Subsections (a), (d), and (e) of Section 2.1 of this policy.

2.3 By adoption of this policy, the District Board of School Directors gives consent for the collection of records and information described in Subsections (b), (c), and (f) of Section 2.1 of this policy, unless the collection of such records and information is accomplished by use of a survey, analysis, or evaluation that requires or encourages the student to reveal [6]

(a) political affiliations or beliefs of the student or the student's family;

(b) mental or psychological problems of the student or the student's family;

(c) sexual behavior or attitudes;

(d) illegal, anti-social, self-incriminating, or demeaning behavior;

(e) critical appraisals of persons with whom the student has close family relationships;

(f) information protected by legal privilege;

(g) income, unless income information is required by law to determine eligibility for participation in a program of assistance;

(h) religious practices, affiliations, or beliefs of the student or the student's family.

When a survey, analysis, or evaluation is used to obtain such information, the District shall obtain prior informed consent in writing and in a form consistent with Section 2.6 of this policy. For purposes of this policy, the phrase "survey, analysis, or evaluation" shall be limited to a planned method of inquiry or information collection used on a group or individual basis. The phrase does not apply to the ordinary give-and-take exchange that occurs in the course of the counselor-student, psychologist-student, teacher-student, or nurse-student relationship when the student initiates the contact or otherwise participates in it voluntarily. Consent otherwise required by this Section is not required to investigate or substantiate a good faith suspicion of child abuse or neglect when the person from whom consent would be required is suspected of the abuse or neglect.

2.4 To collect records and information described in Subsection (g) of Section 2.1 of this policy, the District shall obtain prior informed consent in writing and in a form consistent with Section
2.6 of this policy.

2.5 To collect records and information described in Subsections (h) and (i) of Section 2.1 of this policy, other than reports and other documents provided by parents or other agencies, the District shall obtain prior informed consent in writing and in a form required by applicable state or federal law or, in the absence of a specific applicable law, in a form consistent with Section 2.6 of this policy. For purposes of collecting information in the form of an instructional support or child study team action plan, an IEP, or a service agreement or accommodation plan, a written invitation to the parents and, when required by law, the student to participate in the development of such document shall constitute an adequate means of obtaining consent to develop the document, even if the parents or student do not participate in the meeting at which the content of the document is discussed. The description in an action plan, IEP, or service agreement or accommodation plan of a means of data collection or ongoing progress monitoring or assessment shall suffice to allow such activities without need for additional written consent.

2.6 When state or federal law does not specifically prescribe the form for obtaining prior written consent as required by this policy, such consent shall be obtained by mailing to the residence of record, as established in accordance with Section 4 of this policy, or by hand delivery to the parent or emancipated minor a written consent form that complies with the following requirements and is received a reasonable time prior to the information collection activity for which consent is sought:

(a) The form shall use language that a layperson can readily understand and shall be written in the native language of the parent or emancipated minor from whom consent is sought;

(b) The form shall contain an explanation of the type of information sought, the purpose for which the information is sought, and the specific types of testing, assessment, or data collection to be used to obtain the information;

(c) The form shall make clear to the parent or emancipated minor that consent is required to proceed with the information collection activity or activities proposed; shall contain an assurance that such activity or activities will not proceed without consent; shall specify the duration of the consent or shall clearly provide that consent shall be considered effective until revoked in writing by the person giving consent; and shall contain a clear explanation of the time and place for responding to the form;

(d) The form shall contain the name and number of a contact person whom the parents or emancipated minor can contact to obtain additional information about or seek clarification concerning the proposed activity;

(e) The form shall provide a space for the parent or emancipated minor to elect whether to grant or withhold consent by marking one of two clearly-worded options and by signing their name.

2.7. When a student who has attended another public or private school registers to attend public school in the District, the District shall immediately—

(a) request a certified copy of the student's disciplinary record and a copy of the student's health record from the public or private school the student last attended;

(b) request all other current records, including special education records, necessary to ensure that the student is placed appropriate classes at the appropriate grade level and that the District is able to meet all obligations to the student under State and federal law.

Maintenance—Time -

2.8 All education records described in Section 2.1 of this policy shall be maintained in accordance with the District's Record Retention and Disposition Schedule if identified therein. If not identified, the records shall be maintained as long as the information contained therein remains relevant to the education of the particular student or to the design and provision of educational programs in general or as long as such information remains essential to the protection of the legal interests of the District. The district alone shall determine whether education records remain relevant to education or essential to the protection of legal interests.[13][14]

Maintenance—Location –

2.9. Education records that might be necessary to the provision of education, education-related services, or extracurricular activities or experiences to a student during any given school year shall be maintained during that school year in a secure file located in the building to which that student is assigned during that school year. Education records that are essential to the day-to-day provision of education, education-related services, or extracurricular activities or experiences may be maintained in a secure file in the personal possession, offices, or classrooms of school officials with a legitimate educational interest therein.

2.10 The discipline record of a student shall be maintained in a secure file in the building to which that student is currently assigned. Information furnished by the Office of Juvenile Probation in accordance with Section 6341(b.1) of the Juvenile Act, 42 P.S. § 6341(b.1), shall be maintained in a secure file separately from other records concerning the student.

2.11 The health record of a student shall be maintained in a secure file in the nurse's office or health suite in the building to which that student is currently assigned or in the personal possession or office of the nurse assigned to that building.[11]

2.12 Copies of a student's current IEP, most recent multi-disciplinary team evaluation report, current service agreement or accommodation plan, and instructional support or child study team data and action plan shall be maintained—

(a) in a secure file in the building to which the student is currently assigned; and

(b) in a secure file in the District office of special education, together with other special education records that remain relevant to the education of the particular child or the design and provision of educational programs in general or essential to the protection of the legal interests of the District.

2.13 In addition to or in place of any of the locations identified in subsections 2.9 through 2.12, records may be maintained in a secure electronic storage system or site, whether located locally or remotely, specifically designated by the Superintendent or his or her designee as a "student records maintenance site." The District electronic mail server or servers, or directory or directories, and the files on local or remote disk drives, computers, servers, portable media, or mobile devices shall not for any purpose constitute a "student records maintenance site" unless explicitly so designated by the Superintendent or his or her designee in writing, and any personally-identifiable information stored thereon shall either be deleted or moved to a "student records maintenance site" at least once annually.

Maintenance—Transfer and Conversion

2.14 When a student assignment changes from one building to another within the District, the education records described in Sections 2.9 2.10, 2.11, and 2.12 of this policy, including the separately-maintained information from the Office of Juvenile Probation, shall be transferred to the new building in sufficient time to enable school officials with a legitimate educational interest to review such records, if necessary, prior to the arrival of the student in the new building or as soon as possible thereafter.

2.15 Nothing in this policy shall preclude the transfer or conversion of education records or information from one form or storage medium to another, as long as such transfer or conversion
—

(a) allows for similar accessibility of information to parents, eligible students, and school officials with a legitimate educational interest;

(b) provides at least the level of security that could be obtained with physically locked conventional storage and, in the case of computer storage, conforms to the current standards established in the computer industry;

(c)clearly reproduces educationally or legally necessary graphic information, handwriting, and signatures; and

(d) allows for the use of an access record in accordance with Section 2.16 of this policy.

2.16 Every file from which access might be had by, or disclosure might be made to, persons or agencies other than the parents or the eligible student, shall have as part thereof an access and disclosure log that shall be maintained for as long as the records in that file are maintained and that shall consist of the following:

(a) The identity of such person or agency to which access is granted to or disclosure made from the file;

(b) The purpose for which access was granted or disclosure made;

(c) The date of access or disclosure;

(d) The name or initials of the person granting access or making the disclosure; and

(e) In the case of disclosures to persons who will make further disclosures or allow further access on behalf of the District, the identity of the person or agency to whom or to which, and the specific purpose for which, such further disclosure or access will be made or allowed;

(f) Any record of further disclosures made by State or federal agencies that are permitted to do so under law.

Destruction -

2.17 The District may destroy education records identified in the District's Record Retention and Disposition Schedule once the applicable time period for maintenance of such records has elapsed.

2.18 The District may destroy all other education records once it determines at its sole discretion that such records are no longer relevant to the education of the particular student or to the design and provision of educational programs in general or that such records are not essential to the protection of the legal interests of the District.

2.19 When the time periods described in the District's Record Retention and Disposition Schedule have elapsed for any record or any portion of an education record of a student with disabilities, the District shall comply with the Record Retention and Disposition Schedule and destroy the record accordingly. Education Records are no longer deemed relevant to a student's education once the applicable retention period has expired. Parents and guardians of students with disabilities shall be provided with a copy of this policy to insure notice is provided regarding the destruction of education records.

2.20 A record is "destroyed" for purposes of this policy when, at a minimum, all personally identifiable information is removed from it or is otherwise obscured or obliterated. Nothing in this policy shall require the destruction of an education record except under the conditions described in Sections 2.17 and 2.18 of this policy.

2.21 The District shall not destroy any record that is the subject of a request for access from a parent or eligible student.

Amendment of Records and Due Process

3.1 A parent or eligible student may request in writing that the District amend any portion of an education record that he or she believes is inaccurate, misleading, or in violation of the student's right to privacy. If a parent or eligible student makes such a request verbally, the person to whom such request is made shall inform the parent of the obligation to make such request in writing.

3.2 Within thirty school days of the receipt of the written request to amend the education record, the administrator who is primarily responsible for maintenance of the challenged record shall notify the parent or eligible student in writing of whether the District will amend the record. If the District determines that it will grant the request to amend, the notice to the parent or eligible student shall either describe the amendment, which can include the expungement or deletion of records or information contained therein, or enclose a copy of the amended record. If the District determines that it will not amend the record, the notice shall so inform the parent or eligible student and shall contain a statement explaining that the parent or eligible student has the right to request in writing a hearing before a disinterested school official to challenge the determination not to amend.

3.3 Within ten school days of receipt of a request for a hearing to challenge a determination not to amend an education record, the District shall notify the parents or eligible student of the date, time, and location of the hearing. The notice shall be mailed certified, return receipt requested, or by similarly secure and verifiable means, in such time that the parent or eligible student receives it at least five school days before the hearing. The hearing shall occur within thirty days of receipt of the request for the hearing from the parent or eligible student.

3.4 The hearing shall be held before the Superintendent or his or her designee or, if the Superintendent or the designee has a direct interest in the outcome of the hearing, before the principal of the building to which the student is currently assigned or his or her designee.

3.5 The hearing shall be informal, unrecorded, and not subject to formal rules of evidence or procedure other than those required to maintain order. The parent or eligible student shall have a full and fair opportunity to present evidence in support of his or her position and may be represented at his or her expense by an adviser, including an attorney.

3.6 Within thirty days of the completion of the hearing, the District shall issue to the parent or eligible student a written decision concerning the amendment of the record that shall either—

(a) describe the amendment, which can include the expungement or deletion of records or information contained therein, or

(b) explain the reasons for denying the request to amend and inform the parent or eligible student of the right to place a statement in the education record of the student commenting on the contested information in the record or explaining why he or she disagrees with the decision not to amend, or both.

The written decision shall be based solely on the evidence presented at the

hearing and shall summarize the evidence thus presented and the reasons for the decision to amend or refuse amendment.

3.7 If the parent or eligible student chooses to submit a statement in the education record of the student commenting on the contested information in the record or explaining why he or she disagrees with the decision not to amend, the District shall –

(a) maintain such statement as part of the record for as long as the district maintains the contested record or information; and

(b) disclose the statement whenever it discloses that portion of the record to which the statement pertains.

Access and Disclosure

Access -

4.1 Education records subject to this Policy, other than those records or portions of records that contain "directory information," are not considered "public records" subject to access or disclosure under the Pennsylvania Right to Know Law, 65 Pa. Stat §§ 67.101-67.3104, or any similar law affecting public records.

The District shall allow the parents or eligible student to inspect and review the education record of the student within forty-five calendar days of receipt of a verbal or written request to do so.
District staff shall make every reasonable effort to ensure that requested records are provided to the parents at the earliest possible date.

4.2 The District shall respond to all reasonable requests from the parents or eligible student for an explanation or interpretation of information contained in the education record.

4.3 If circumstances effectively preclude the parents or eligible student from inspecting or reviewing the education record, or any portion thereof, the District shall provide the parents or the eligible student with a copy of the record subject to the request. When copies are not required to ensure that the parents or the eligible student has the opportunity to inspect and review the education record, the District may charge pursuant to the Southern Lehigh School District currently published per page copy charge requested portions of the education record, unless the parents or the eligible student can establish that they are unable to pay the amount thus charged. Current charges shall be posted on the district website.

4.4 When the District receives a request to inspect and review the education record of a student with disabilities in anticipation of a meeting of the IEP, service agreement, or multi-disciplinary team, or in anticipation of a due process hearing, the District shall respond to such request within a reasonable time prior to the meeting or hearing, the time allowed by Section 4.1 of this policy notwithstanding.

4.5 When parents or an eligible student seek to inspect and review a record that contains personally identifiable information concerning more than one

student, the District shall provide access only to that portion of the record that pertains to the student in question.

4.6 School officials with a legitimate educational interest may at any time inspect and review, and obtain copies of, the education record and personally identifiable information in which they have such interest.

Disclosure

4.7 Any disclosure of personally identifiable information concerning a student to any person other than the parent, the eligible student, or school officials with a legitimate educational interest shall require the prior written consent of the parent or the eligible student. Any document providing such consent shall—

(a) identify the particular portions of the education record or the particular information or types of information concerning the student that shall be disclosed;

(b) identify the person or agency to whom or to which disclosure will be made; and

(c) contain the signature of at least one parent or the eligible student, and the date of such signature.

4.8 Prior written consent from the parent or the eligible student is not required when the disclosure of education records or information is to one of the following persons or agencies under the following circumstances:[16]

(a) To an educational agency or institution at which the student seeks to enroll, intends to enroll, or is enrolled, or from which the student receives services, when that agency or institution requests such records, as long as—[17]

(1) the parent or eligible student is provided on request with a copy of the records thus disclosed; and

(2) the parent or eligible student is afforded on request a hearing as described in Section 3 of this policy; and

(3) the disclosure is for purposes related to the student's enrollment or transfer.

(b) To appropriate parties in connection with an articulable and significant health or safety emergency, when such disclosure is necessary to protect the health or safety of the student or others, provided, however, that for each such disclosure, the District shall maintain a record indicating—[18]

(1) The articulable and significant threat that justified such disclosure; and

(2) The parties to whom the District disclosed such information;

(c) To state and federal educational and other agencies for purposes of investigation and auditing, when those agencies are bound by the provisions of the Family Educational Rights and Privacy Act, 20 U.S.C. §

1232g;[19]

(d) To persons seeking directory information, when—

(1) parents and eligible students have received notice in the form of the annual publication of this policy in a newspaper of general distribution or a school publication of the policy of the District to disclose directory information without parental consent; and

(2) the parent or the eligible student objecting to the release of such information without consent has not notified the District in writing on or before the first day of the school term that they object to the disclosure of some or all of the information designated in Section 1.1 of this policy as "directory information";

(e) To the student who is not an eligible student;

(f) To the parents of an eligible student who remains a "dependent student" as defined in the Internal Revenue Code;

(g) To accrediting organizations to carry out their accrediting functions;

(h) To comply with the terms of a judicial order or lawfully-issued subpoena, when the District has made reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, unless the terms of a judicial order bar such notification;

(i) To a court or administrative hearing officer in the context of litigation between the District and the parents or the eligible student, when the information disclosed is relevant to the action or proceeding and when the District has made reasonable effort to notify the parent or eligible student of the intent to disclose such information;

(j) To armed forces recruiters seeking such information, a list of the names, addresses, and, if available, telephone numbers of all students expected to graduate high school at the end of the school term during which, or in anticipation of which, such request is made, provided, however, that such disclosure shall be subject to the limitations established by law and this policy upon the disclosure of directory information;[20]

(k) To State or local Juvenile justice authorities when such disclosure is in accordance with an Act of the Pennsylvania General Assembly and enables the juvenile justice system to serve effectively and prior to adjudication the student to whom the records pertain, provided, however, that any such authority must certify in writing to the District that such records will not be re-disclosed to any other party unless permitted by State law or unless written parent or eligible child consent is obtained;

(l) To organizations conducting studies for, or on behalf of, the District to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction, when—[4]

(1) The organization conducting the study does not permit access

to personally-identifiable information to any party other than representatives of the organization who have a legitimate educational interest in that information;

(2) The information is destroyed when no longer needed for the purposes for which the study was conducted; and

(3) The organization enters into a binding agreement with the District under which the organization is obligated to adhere to the requirements of this policy; that defines the purposes, scope, and duration of the study and the information to be disclosed to the organization; and that limits the use of the disclosed information to the purposes expressly identified in the agreement;

(m) Under such additional circumstances and to such additional persons and agencies as are permitted by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and its implementing regulation.

4.9 Any disclosure made in accordance with paragraph 4.8 of this policy shall be made under the explicit condition that the party to which or to whom such disclosure is made shall not re-disclose such information to any other party without written parent or eligible student consent, unless the record of the original disclosure identifies the additional parties to whom such disclosure is to be made under Section 4.8 of this Policy and the legitimate interest that such additional parties have in such information, or unless such original disclosure is to State or federal agencies in accordance with the requirements of Sections 99.32(b) and 99.33(b) of the implementing regulations of the Family Educational Rights and Privacy Act, 34 C.F.R. §§ 99.32(b) and 99.33(b).

4.10 Copies of all special education and discipline records of a student currently identified as a child with a disability within the meaning of the Individuals with Disabilities Education Act shall be transmitted to a law enforcement agency to which the District has reported a crime committed by such student, provided, however, that prior to transmission of such records, the District shall obtain written consent from the parent or eligible student as required by, and in accordance with the provisions of, Section 4.7 of this Policy or that such transmission is permitted without such consent in accordance with the provisions of Subsections (b), (h), or (k) of Section 4.8 of this Policy.

Miscellaneous Provisions

5.1 The policy of the District is to comply in full with the requirement of state and federal law governing the maintenance of records and other personally identifiable information and the privacy rights of students and their families. To the extent that any provision of this policy is construed as or found to be inconsistent with federal or state law, the District will treat that provision as null and void. The Superintendent or his or her designee shall ensure that all persons responsible for the maintenance of any student record are aware of the provisions of this policy and receive regular training concerning its requirements. When feasible, the Superintendent or his or her designee shall provide for the use of physical or technological access controls to ensure that access to education records by school officials with a legitimate educational interest in them is limited to that information in which those officials have a

legitimate educational interest.

5.2The District shall send or deliver all notices and requests for consent required under this policy to the address identified as the residence of the child in the registration information maintained by the District. Unless it receives specific written information to the contrary, the District shall presume that all persons with authority to make educational decisions for the student have received or had the opportunity to review and respond to notices and requests sent or delivered to such address. The District will send notices and requests to separate addresses only when—

(a) A person with joint authority to make educational decisions for the student, such as a divorced or separated natural parent or guardian, resides at that separate address; and

(b) That person notifies the District in writing that he or she is not receiving or has not had the opportunity to review and respond to notices and requests sent to the residence to which the student is registered.

Public Notice

6.1 Annually, at least thirty days prior to the beginning of the school term, the District shall publish to all parents of students currently in attendance and to all eligible students currently in attendance a complete copy of this policy in English and Spanish. The following notice shall be provided to all parents with information regarding where the policy is located and shall appear with the heading in boldface type or other similarly conspicuous format:[21]

NOTICE OF IMPORTANT RIGHTS

Concerning the Maintenance, Access to, and Amendment and Disclosure of Education Records by the Southern Lehigh School District

Printed below is the full text of the Education Records Policy of the Southern Lehigh School District. This policy contains information of importance to students attending public schools and public school sponsored programs. Several provisions of this policy warrant careful attention:

Designation of certain records containing personally identifiable information as "directory information." In Section 1.1 of this policy, the District designates certain kinds of information as "directory information." The District will provide this information to any interested person, including armed forces recruiters who request it, without seeking consent from the parents of the student or the student. If you do not want the District to disclose such information, *you must so notify the District in writing on or before the first day of the school term.* Your written notice must identify the specific types of directory information that you do not want the District to disclose without consent. If you fail to notify us in writing by the first day of the school term, we may release directory information upon request and without consent.

Disclosure of records containing personally identifiable information to other schools and institutions. Section 4.8(a) of this policy allows the District to disclose personally identifiable information concerning a student to an educational agency or institution at which the student seeks to enroll, intends to enroll, or is enrolled, or from which the student receives services, when that agency or institution

~~requests such records, as long as the disclosure is for purposes related to the student's enrollment or transfer.~~

~~Access to records by school officials with a "legitimate educational interest." Section 4.6 of this policy allows school officials with a legitimate educational interest to have access to personally identifiable information without parent or student consent. In Section 1.8 of this policy, the District designates those persons who have a "legitimate educational interest" that would allow such access to education records.~~

~~Amendment of education records. Section 3 of this policy describes how a parent or a student who has attained the age of 18 can request that records be amended. This Section also describes in detail the right of the parent or eligible student to request a hearing to challenge a decision by the District not to amend records that the parent or student believes are inaccurate, misleading, or in violation of the student's right to privacy.~~

~~Complaints to the United States Department of Education. Complaints concerning alleged failure of the District to comply with the requirements of the Family Educational Rights and Privacy Act may be addressed to the United States Department of Education as follows:~~

~~Family Policy Compliance Office~~
~~U.S. Department~~
~~of Education 400~~
~~Maryland Avenue,~~
~~S.W. Washington,~~
~~DC 20202-4605~~

~~RESIDENTS OF THE SOUTHERN LEHIGH SCHOOL DISTRICT WITH CHILDREN IN PUBLIC SCHOOL OR WHO ATTENDED PUBLIC SCHOOL IN THE DISTRICT IN THE PAST SHOULD READ THE FOLLOWING POLICY CAREFULLY FOR A FULL EXPLANATION OF THEIR PRIVACY RIGHTS AS PARENTS OR STUDENTS~~

Legal

1. 20 U.S.C. 1232g
2. 20 U.S.C. 1417
3. 34 CFR Part 99
4. 34 CFR Part 300
5. 34 CFR Part 98
6. 20 U.S.C. 1232h
7. 24 P.S. 510
8. 24 P.S. 1305-A
9. 24 P.S. 1306-A
10. 24 P.S. 1307-A
11. 24 P.S. 1409
12. 24 P.S. 1532
13. 22 PA Code 12.31
14. 22 PA Code 12.32

15. Owasso Indep. School District v. Falvo, 534 U.S. 426, 122 S.Ct. 934 (2002)

16. 34 CFR 99.31

17. 34 CFR 99.34

18. 34 CFR 99.36

19. 34 CFR 99.37

20. 51 P.S. 20222

21. 34 CFR 99.7

Book	Policy Manual
Section	200 Pupils
Title	Student Assistance Program
Code	236
Status	Active
Adopted	March 10, 2014

Purpose

The Board is committed to assisting all students to achieve to their fullest potential.

Definition

Student Assistance Program (SAP) - a systematic process using effective and accountable professional techniques to mobilize school resources to remove the barriers to learning and, when the problem is beyond the scope of the school, to assist the parent/guardian and student with information so they may access services within the community.[1]

Authority

The Board shall provide a K-12 Student Assistance Program (SAP) that assists district employees in identifying issues and providing assistance to students experiencing difficulties in learning and academic achievement.[2][3]

Delegation of Responsibility

The Superintendent or designee shall develop, implement, maintain and monitor a K-12 Student Assistance Program (SAP) that complies with state regulations.

Guidelines

The K-12 Student Assistance Program (SAP) shall provide assistance in:

1. Identifying issues that pose a barrier to a student's learning and/or academic achievement.
2. Determining whether or not the identified problem lies within the responsibility of the school.
3. Informing the parent/guardian of a problem affecting the student's learning and/or academic achievement.
4. Making recommendations to assist the student and the parent/guardian.
5. Providing information on community resources and options to deal with the problem.

6. Establishing links with resources to help resolve the problem.

7. Collaborating with the parent/guardian and agency when students are involved in treatment through a community agency.

8. Providing a plan for in-school support services for the student during and after treatment.

Legal

1. 22 PA Code 12.16
2. 22 PA Code 12.42
3. 24 P.S. 1547

22 PA Code 12.41

42 Pa. C.S.A. 8337

20 U.S.C. 1232g

34 CFR Part 99

Book: Policy Manual

Section: 800 Operations

Title: Food Services

Code: 808

Status: Active

Adopted: January 23, 2023

Purpose

The Board recognizes that students require adequate, nourishing food and beverages in order to grow, learn and maintain good health. The Board directs that students shall be provided with adequate space and time to eat meals during the school day.

Authority

The food service program shall be operated in compliance with all applicable state and federal laws and regulations, as well as federal guidelines established by the Child Nutrition Division of the United States Department of Agriculture (USDA).[1][2][3][4][5][6][7][8][9][10]

The district shall ensure that, in the operation of the food service program, no student, staff member or other individual shall be discriminated against on the basis of race, color, national origin, age, sex or disability.[11][12]

Food sold by the school may be purchased by students and district employees but only for consumption on school premises. The price charged to students shall be established annually by the district in compliance with state and federal laws.[4][13]

Nonprogram food shall be priced to generate sufficient revenues to cover the cost of such items. A nonprogram food shall be defined as a food or beverage, other than a reimbursable meal or snack, that is sold at the school and is purchased using funds from the child nutrition account. Nonprogram foods include but are not limited to adult meals and a-la-carte items. All revenue from the sale of nonprogram food shall accrue to the child nutrition program account.[13][14]

Delegation of Responsibility

Operation and supervision of the food service program shall be the responsibility of the Business Manager and Food Services Director.

The individual responsible for the operation and supervision of the food service program shall present to the Board each month for its approval a statement of receipts and expenditures for cafeteria funds.[4]

Cafeterias shall be operated on a nonprofit basis. A periodic review of the cafeteria accounts shall be made by the Business Manager and auditor.

The individual responsible for the operation and supervision of the food service program shall ensure that school meals meet the standards required by the School Breakfast Program, the National School Lunch Program and the Special Milk Program.[2][3][4][6][7][8][9][10]

The Superintendent or designee shall comply with state and federal requirements for conducting cafeteria health and safety inspections and ensuring employee participation in appropriate inspection services and training programs.[15][16][17][18]

The Superintendent or designee shall annually notify students, parents/guardians and employees concerning the contents of this policy and applicable administrative regulations. Notification shall include information related to nondiscrimination.[12]

Guidelines

All funds derived from the operation, maintenance or sponsorship of the food service program shall be deposited in the separate cafeteria fund, in the same manner as other district funds. Such funds shall be expended in the manner approved and directed by the Board, but no amount shall be transferred from the cafeteria fund to any other account or fund; however, district advances to the food service program may be returned to the district's general fund from any surplus resulting from its operation.[4]

Surplus accounts shall be used only for the improvement and maintenance of the cafeteria.[4]

Procurement

Procurement of goods or services for the food service program shall meet the requirements of applicable law, regulations and Board policy and procedures.[27][28][29]

Free/Reduced-Price School Meals and Free Milk

The district shall provide free and reduced-price school meals and/or free milk to students in accordance with the terms and conditions of the National School Lunch Program, the School Breakfast Program and the Special Milk Program.[20][21]

The district shall conduct direct certification three (3) times per year using the Pennsylvania Student Eligibility System (PA-SES) to identify students who are eligible for free school meal benefits without the need for submission of a household application. Direct certification shall be conducted:[20][21]

1. July 1st through September 30th.

2. October 1st through October 31st.

3. November 1st through January 31st.

Accommodating Students With Special Dietary Needs

The district shall make appropriate food service and/or meal accommodations to students with special dietary needs in accordance with applicable law, regulations and Board policy.[23][24][25][26]

School Food Safety Inspections

The district shall obtain two (2) safety inspections per year in accordance with local, state, and federal laws and regulations.[16][17][31]

The Food Service Coordinator or designee shall post the most recent inspection report and release a copy of the report to members of the public, upon request.

School Food Safety Program

The district shall comply with federal requirements in developing a food safety program that enables district schools to take systematic action to prevent or minimize the risk of foodborne illness among students.[8][10][16]

The district shall maintain proper sanitation and health standards in food storage, preparation and service, in accordance with applicable state and local laws and regulations and federal food safety requirements.[17][31][32]

Professional Standards for Food Service Personnel

The district shall comply with the professional standards for school food service personnel who manage and operate the National School Lunch and School Breakfast Programs. For purposes of this policy, professional standards include hiring standards for new food service program directors and annual continuing education/training for all individuals involved in the operation and administration of school meal programs. Such professional standards shall apply to both district-operated food service programs and contracted food service programs.[6][7][18][30]

School Meal Service and Accounts

To ensure the effective operation of the district's food service program and delivery of school food program meals to students, the district shall:

1. Assign individual accounts to each student for the purchase of meals served in school cafeterias, which ensure that the identity of each student is protected.

2. Notify parents/guardians when the student's school meal account reaches a low balance.

3. Notify parents/guardians when the student's school meal account reaches a negative balance. The notice shall include information on payment options.

4. Provide a school food program meal to each student who does not have the money to pay for the school food program meal or who has a negative balance in their school meal account, except when the student's parent/guardian has specifically

provided written notice to the district to withhold a school food program meal.[3]

5. The district shall use USDA Foods for school menus available under the Child Nutrition USDA Foods Programs.

When a student owes money for five (5) or more school food program meals, the district shall make at least two (2) attempts to contact the student's parent/guardian and shall provide the application for free/reduced-price school meal benefits to the parent/guardian to apply for benefits under federal school meal programs. The district shall offer assistance to parents/guardians with applying for free/reduced-price school meal benefits.[3][20][21]

Communications regarding a low balance or money owed by a student for school meals shall be made to the student's parent/guardian.[3]

School staff may communicate a low balance or money owed by a student for school meals to a student in grades 9-12; such communication shall be made to the individual student in a discreet manner.[3]

District schools shall be prohibited from:[3]

1. Publicly identifying or stigmatizing a student who cannot pay for a school food program meal or who has a negative school meal account balance. It shall not constitute public identification or stigmatization of a student for a school to restrict privileges and activities of students who owe money for school meals if those same restrictions apply to students who owe money for other school-related purposes.

2. Requiring a student who cannot pay for a school food program meal to perform chores or other work to pay for the meal, unless chores or other work are required of all students regardless of their ability or inability to pay for a school food program meal.

3. Requiring a student or school staff to discard a school food program meal after it was served to the student due to the student's inability to pay for the meal or due to a negative school meal account balance.

This policy and any applicable procedures or administrative regulations regarding school meal charges and school meal accounts shall be communicated annually to school administrators, school food service personnel, other appropriate school staff and contracted food service personnel.

The district shall provide parents/guardians with a written copy of this policy and any applicable procedures or administrative regulations at the start of each school year, when a student enrolls in school after the start of the school year and when a parent/guardian is notified of a negative school meal account balance.

Collection of Unpaid Meal Charges

Reasonable efforts shall be made by the district to collect unpaid meal charges from parents/guardians. Efforts taken in the collection shall not have a negative impact on the student involved, but shall focus primarily on the parents/guardians responsible for providing funds for meal purchases.

Unpaid meal charges are considered delinquent debt. After taking reasonable steps to collect delinquent school meal debt, which shall include at least one electronic mail notification or a written correspondence mailed to the student's parent/guardian.

Unrecovered/delinquent debt at the end of each school year shall be referred to the Business Manager for appropriate action.

Delinquent debt becomes bad debt when the school has exhausted its measures to collect the money from the parents/guardians but remains uncollectable. Bad debt is an unallowable expense to the food services fund. Such unrecovered/delinquent debt shall be considered bad debt and non-federal funding sources must repay the Food Service Fund for the total amount of such unrecovered/delinquent debt.

Delinquent school meal debt shall not be classified as bad debt for write off purposes until after reasonable steps have been taken to collect such delinquent school meal debt.

Delinquent debt may be carried into the next school year to continue collection efforts. Uncollected debt will be reviewed and charged to the general fund once each school year, consistent with the District's annual audit. At the end of the school year, student debt will carry into the next school year.

Legal

1. 2 CFR Part 200

2. 24 P.S. 1335

3. 24 P.S. 1337

4. 24 P.S. 504

5. 24 P.S. 807.1

6. 42 U.S.C. 1751 et seq

7. 42 U.S.C. 1773

8. 7 CFR Part 210

9. 7 CFR Part 215

10. 7 CFR Part 220

11. 7 CFR 210.23

12. FNS Instruction 113-1 (USDA)

13. 42 U.S.C. 1760

14. 7 CFR 210.14

15. 3 Pa. C.S.A. 5713

16. 42 U.S.C. 1758(h)

17. 7 CFR 210.13

18. 7 CFR 210.30

19. Pol. 246

20. 42 U.S.C. 1758

21. 7 CFR Part 245

22. 42 U.S.C. 1759a

23. 7 CFR 15b.40

24. Pol. 103.1

25. Pol. 113

26. Pol. 209.1

27. Pol. 610

28. Pol. 626

29. Pol. 827

30. 7 CFR 210.15

31. 7 CFR 220.7

32. 7 CFR 210.9

P.L. 111-296

7 CFR Part 15

Pol. 103

§

Book	**Policy Manual**
Section	**800 (Operations)**
Policy	**822**
Title	**Automated External Defibrillator (AED)/Cardiopulmonary Resuscitation (CPR) - NEW**

Purpose

The Board is committed to providing a safe and healthy environment for the school community.

Maintaining automated external defibrillator (AED) units and staff trained in cardiopulmonary resuscitation (CPR) in the schools enables responders to deliver early defibrillation and resuscitation to victims.

Definitions

Automated external defibrillator (AED) - a portable device that uses electric shock to restore a stable heart rhythm to an individual in cardiac arrest. [1]

Authority

Each school building shall have one (1) person trained and certified in the use of an AED and CPR during the school day when school is in session and students are present.[2][3]

Each school nurse or designee, coach of an athletic activity, marching band director, physical education teacher and athletic trainer in the district must participate in instruction in the use of an AED and CPR and maintain their certification.[2]

The AED units are owned by the district and shall be properly maintained and tested, and located in secure and accessible locations.

The district shall have an AED in a readily accessible location for students participating in interscholastic athletics and practices. Individuals trained in the use of an AED and CPR will be present during these times.[4][5]

The AED units shall be used in accordance with approved district procedures.

Guidelines

A core team shall be trained in CPR and AED procedures by completing a training program offered by approved providers. Members of the team shall be provided opportunities for annual training and retraining.

The district shall make instruction in the use of an AED available to all its employees and volunteers at least once every two (2) years. The instruction is optional and shall be conducted by an approved provider that may be through the Internet or other electronic means.[2]

{ } The district may make instruction on the principles and techniques of CPR and the use of operating an AED available to students.[2]

Written guidelines for medical emergencies related to the use of AED units shall be provided to all employees instructed in the use of an AED.

{ } **Responders' use of AED units shall not replace the care provided by emergency medical services (EMS) providers. Patient care shall be transferred to the EMS providers upon their arrival.**

Delegation of Responsibility

The Superintendent or designee shall develop and disseminate administrative regulations that detail the use of AED units.

The Superintendent or designee shall annually, by June 30, report to the PA Department of Education detailing the number, condition, age, expiration date and placement of AEDs in each school building.

Book – Administrative Regulations
Section - 100
Title - Programs
Code – 113-AR
Status – Administrative Review (NEW)

Guidelines

Each student with a disability shall be educated pursuant to an IEP which shall provide an appropriate education in the least restrictive environment, in accordance with federal and state laws and regulations.

The district prohibits discrimination based on disability. Students with disabilities are entitled to receive services and accommodations which will permit them to participate in district programs, services and activities as required by law.

If the district is identified with significant disproportionality, the special education plan shall include prevention measures for inappropriate overidentification and disproportionate representation by race or ethnicity of children with disabilities.

Fiscal and Program Compliance

The Superintendent or designee shall establish procedures to ensure that the district complies with all federal and state laws and regulations and program requirements for special education-related funding and reimbursement.

The district may coordinate with Carbon Lehigh Intermediate Unit No. 21 to establish procedures, fulfill reporting requirements and participate in applicable programs.

Child Find/Outreach

The Superintendent or designee shall ensure that the district annually conducts awareness and outreach programs and activities designed to reach district residents including parents/guardians of students with disabilities who are enrolled in the district, preschool-aged children, students who attend private schools, children experiencing homelessness or other educational instability, and children who are wards of the state.

The district's public awareness activities shall include annual publication of a written notice in newspapers and other media notifying residents about child

identification activities; available special education services and programs and how to request them; and procedures used to ensure confidentiality of student information. Written information shall be published in district handbooks and on the district website. Public awareness activities must include information regarding potential signs of developmental delays and other risk factors that could indicate disabilities.

The Intermediate Unit shall be responsible for conducting child find activities necessary to provide equitable participation services to students with disabilities who are enrolled by their parents/guardians in private schools.

Screening

The district shall establish a system of screening, including hearing and vision screenings. Screenings shall be conducted at reasonable intervals to determine whether all students are performing based on grade-appropriate standards in core academic subjects.

Confidentiality

The district shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, storing, disclosing and destroying student records.

District staff shall maintain the confidentiality of student records and personally identifiable information, as required by law, regulations and Board policy.

Book: **Administrative Regulations**
Section: **100 Programs**
Title: **137 Home Education/Home Schooling Programs**
Code: **137-AR**
Status: **Administrative Review**

Guidelines [1]

Eligibility/Affidavits

A notarized affidavit of the parent or guardian or person having legal custody of the child shall be filed prior to commencement of the home education program and annually thereafter on August 1 with the Superintendent of the school district. The affidavit shall set forth:

1. Name of the supervisor of the home education program who shall be responsible for the provision of instruction.

2. Name and age of each child who shall participate in the home education program.

3. Address and telephone number of the home education program site.

4. That subjects required by law are offered in the English language, including an outline of proposed education objectives by subject area.

5. Evidence that the child has been immunized and has received the health and medical services required for students of the child's age or grade level.

The affidavit shall contain certification signed by the supervisor that the supervisor, all adults in the home, and persons having legal custody of a child in the home education program have not been convicted of criminal offenses as enumerated in the School Code within five years immediately preceding the date of the affidavit. For further information regarding those specific criminal offenses, please refer to 24 P.S. § 1-111(e).

Transfers

When a home education program site is relocating to another school district within the Commonwealth, the supervisor of the home education program must apply, by registered mail, thirty (30) days prior to the relocation, to the Superintendent of the district in which s/he currently resides, requesting a letter of transfer for the home education program to the district to which

the home education program is relocating. The current Superintendent of residence will issue the letter of transfer no later than thirty (30) days after receipt of the registered mail request of the home education program supervisor.

If the home education program is not in compliance with Section 1327.1, the current Superintendent of residence will inform the home education supervisor and the Superintendent of the district to which the home education program is relocating the status of the home education program and the reason for the denial of the letter of transfer.

If the home education program is in hearing procedures, the Superintendent will inform the home education supervisor, the assigned hearing examiner and the Superintendent of the district to which the home education program is relocating the status of the home education program and the reason for the denial of the letter of transfer.

The letter of transfer must be filed by the supervisor of the home education program with the Superintendent of the new district of residence. In the case of pending proceedings, the new district of residence Superintendent shall continue the home education program until the appeal process is finalized.

Program

A student who is enrolled in a home education program shall be deemed to have met the requirements if the program provides a minimum of one hundred eighty (180) days of instruction, or nine hundred (900) hours of instruction per year at the elementary level, or nine hundred ninety (990) hours per year at the secondary level.

At the elementary level, the following courses shall be taught: English, to include spelling, reading and writing; arithmetic; science; geography; history of the United States and Pennsylvania; civics; safety education, including regular and continuous instruction in the dangers and prevention of fires; health and physiology; physical education; music; and art**.**

At the secondary level, the following courses shall be taught: English, to include language, literature, speech and composition; science; geography; social studies, to include civics, world history, history of the United States and Pennsylvania; mathematics, to include general mathematics, algebra and geometry; art; music; physical education; health; and safety education,

including regular and continuous instruction in the dangers and prevention of fires. Such courses of study may include, at the discretion of the supervisor, economics; biology; chemistry; foreign languages; trigonometry; or other ~~age-appropriate~~ courses required by the State Board of Education.

Requirements of Supervisor

In order to demonstrate that appropriate education is occurring, the supervisor shall provide and maintain on file for each student enrolled in the home education program a portfolio of records and materials.

The portfolio shall consist of a log, made contemporaneously with the instruction, which designates by title the reading materials used; samples of any writings; worksheets, workbooks or creative materials used or developed by the student; and in grades three, five and eight results of nationally normed standardized achievement tests in reading, language arts and mathematics or results of statewide tests administered in these grade levels.

For each child in grades three, five and eight, or the results obtained on a "nationally-normed standardized achievement test" approved by the Department for home school supervisors to choose. The supervisor shall ensure that the nationally normed standardized tests or the statewide tests are not administered by the child's parent or guardian.

The Department has approved seven (7) nationally normed standardized tests for home school use. They are:

1. Iowa Test of Basic Skills.
2. Terra Nova Test (used by Southern Lehigh).
3. Stanford Achievement Test.
4. Metropolitan Achievement Test.
5. Science Research Associates.
6. Comprehensive Test of Basic Skills.
7. Comprehensive Testing Program (CTPII).
8. Wide Range Achievement Test.
9. A Peabody Individual Test.

At the request of the supervisor, the Southern Lehigh School District will administer an achievement test to the student, in a school classroom along with other students who are being tested.

Evaluation Requirements A teacher or administrator who evaluates a portfolio at the elementary level or secondary level shall meet the requirements established in the School Code.

Loan of Instructional Materials

The district shall, at the request of the supervisor, lend to the home education program copies of the district's planned courses, textbooks, and other curriculum materials appropriate to the student's age and grade level.

Participation pursuant to school athletics, publications and organizations

The district shall permit a child who is enrolled in a home education program to participate in any activity that is subject to the provisions of section 511, including, but not limited to, clubs, musical ensembles, athletics and theatrical productions, provided that the child:

i) Meets the eligibility criteria or their equivalent for participation in the activity that apply to students enrolled in the school district;

ii) Meets the tryout criteria or their equivalent for participation in the activity that apply to students enrolled in the school district; and

iii) Complies with all policies, rules and regulations or their equivalent of the governing organization of the activity.

For this subsection, the district's program of interscholastic athletics, including varsity sports, shall be considered an activity and shall include all activities related to competitive sports contests, games, events or exhibitions involving individual students or teams of students whenever such activities occur between schools within the district or between schools outside of the district.

Where the activity requires completion of a physical examination or medical test as a condition of participation and the district offers such physical examination or medical test to students enrolled in the school district, the district shall permit a child who is enrolled in a home education program to access such physical examination or medical test. The district shall publish the dates and times of such physical examination or medical test in a

publication of general circulation in the school district and on its publicly accessible Internet website.

Evaluation Documentation

An evaluator's certification stating that an appropriate education is occurring for the school year under review shall be provided by the supervisor to the superintendent of the public school district of residence by June 30 of each year. If the supervisor fails to submit the certification due on June 30 to the superintendent, the superintendent shall send a letter by certified mail, return receipt requested, to the supervisor of the home education program, stating that the certification is past due and notifying the supervisor to submit the certification within ten (10) days of receipt of the certified letter. If the certification is not submitted within that time, the board of school directors shall provide for a proper hearing.

If the superintendent has a reasonable belief, at any time during the school year, that appropriate education may not be occurring in the home education program, he may submit a letter to the supervisor, by certified mail, return receipt requested, requiring that an evaluation be conducted and that an evaluator's certification stating that an appropriate education is occurring the school year under review, be submitted to the district by the supervisor within thirty (30) days of the receipt of the certified letter. The certified letter shall include the basis for the superintendent's reasonable belief. If the tests have not been administered at the time of the receipt of the certified letter by the supervisor, the supervisor shall submit the other required documentation to the evaluator and shall submit the test results to the evaluator with the completed documentation at the conclusion of the school year. If the certification is not submitted to the superintendent within thirty (30) days of receipt of the certified letter, the board of school directors shall provide for a proper hearing.

If the superintendent has a reasonable belief that the home education program is out of compliance with any other provisions of this section, the superintendent shall submit a letter to the supervisor by certified mail, return receipt requested, requiring a certification to be submitted within thirty (30) days indicating that the program is in compliance. The certified letter shall include the basis for the superintendents'' reasonable belief. If the certification is not submitted within thirty (30) days of receipt of the certified letter, the board of school directors shall provide for a proper hearing.

Right of Hearing

If a hearing is required, ~~the board of school directors~~ Board shall provide for a proper hearing by a duly qualified and impartial hearing examiner within thirty (30) days. The examiner shall render a decision within fifteen (15) days of the hearing except that he may require the establishment of a remedial education plan mutually agreed to by the superintendent and supervisor of the home education program which shall continue the home education program. The decision of the examiner may be appealed by either the supervisor of the home education program or the superintendent to the Secretary of Education, Commonwealth Court or court of common pleas.

If the hearing examiner finds that the evidence does not indicate that appropriate education is taking place in the home education program, the home education program for the child shall be out of compliance with the requirements, and the student shall be promptly enrolled in the public school district of residence or a nonpublic school or a licensed private academic school. The home education program may continue during the time of any appeal.

At such time as the child's home education program has been determined to be out of compliance, the supervisor or spouse of the supervisor of the home education program shall be ineligible to supervise a home education program for that child for a period of twelve (12) months from the date of such determination.

Graduation Requirements

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

The District will provide the student’s supervisor with a grade for each District co-curricular activity and academic course completed by a home education student, in accordance with Board Policy and Administrative Regulations. The supervisor will be responsible for maintaining the material in the student’s portfolio of records and recording it as part of the student’s graduation requirements.

The school district is under no obligation to award a diploma or acknowledge completion of a student's education in a home education program.

Students with Disabilities

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

The supervisor may request that the ~~school~~ district or intermediate unit of residence provide services that address the exceptional student's specific needs.

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

Guidelines for Participation Co-Curricular Activities, Academic Programs, Career and Technical Education Programs, Extracurricular Activities, and Interscholastic Athletic Programs by Home Education Students

1. A student enrolled in a home education program who meets all of the requirements stated in law and Board Policy may participate in the district's co-curricular activities, academic programs, career and technical education programs, extracurricular activities and interscholastic athletic programs (also collectively referred to as "activities and programs" for the purpose of this Regulation).

2. Information regarding the availability of the District's co-curricular activities, academic programs, career and technical education programs, extracurricular activities and interscholastic athletics programs, as well as a copy of this Board Policy, shall be posted on the District's publicly available website and participation information shall be provided upon request by students who are enrolled in home education programs or their parents/guardians.

3. Depending on the program or activity, prioritization may be based on academic achievement, demonstration of skills or competencies, record of conduct, and other designated criteria. Students

attending home education programs shall have an equal opportunity to compete for enrollment in District co-curricular activities, academic courses, including Junior Reserve Officers' Training Corps (JROTC) units offered for credit, career and technical education programs, extracurricular activities, and interscholastic athletic programs.

4. The building principal or designee shall distribute eligibility criteria regarding student participation in extracurricular activities and interscholastic athletics, and information on the dates and times of physical examinations or medical tests provided to students by the District. Such information shall be distributed through student handbooks, other publications and on the District's publicly available website.

5. The building principal or designee shall receive and review verification from the parent/guardian or home education supervisor that a student has met and continues to meet the established eligibility criteria for a co-curricular activity, academic course, career and technical education programs, extracurricular activity or interscholastic athletic program.

6. Prior to trying-out or auditioning for a co-curricular activity, extracurricular activity, or interscholastic athletic program, or enrolling in an academic course or career and technical education program, a home education student shall submit required documents and written verification of eligibility or completion of prerequisites to the building principal or designee. Verification may include, but not be limited to, attendance records, portfolio records documenting completion of curriculum or other documents demonstrating completion of eligibility criteria. Students attending home education programs shall be given an equal opportunity to apply or compete for positions and participate in relevant District activities and programs, including, as applicable, Junior Reserve Officers' Training Corps (JROTC) units.

7. A home education student may participate in co-curricular activities, academic programs, extracurricular activities and interscholastic athletic programs only at the school building that the student would be assigned to if the student was enrolled in the District.

8. To be considered in attendance in accordance with Board Policy, the home education student must participate in a full, normally scheduled academic program, in accordance with the planned home education program and submitted documentation.

9. The following conditions shall govern participation in the District's co-curricular activities, academic programs, career and technical education programs, extracurricular activities and interscholastic athletic programs by home education students, who shall:

    a. Be a resident of the District;
    b. Complete all enrollment forms and requirements in accordance with Board Policy 200;
    c. Meet the required eligibility criteria or their accepted equivalent for an activity or program;
    d. Maintain appropriate insurance coverage, consistent with the coverage requirements for District students who attend District schools full-time;
    e. Comply with Board Policies, Administrative Regulations, and school rules regarding student conduct in school and school-sponsored activities, and participation in an activity or program, including but not limited to any sign-in and sign-out procedures for school building attendance purposes, and, where applicable, the policies, rules and regulations, or their equivalent, of an activity or program's governing organization (i.e., PIAA);
    f. Meet attendance and reporting requirements established for all participants of the activity or program, including participation for a full class period for an academic course, unless an exception has been granted in accordance with Board policy and school rules;
    g. Meet any requirements for physical examinations and physical fitness and any height/ weight restrictions; and
    h. Comply with all Board Policies, school rules and requirements and directives of the district staff, coaches, activity advisors, and administrators who are involved with the applicable activity or program.

Additional Guidelines for Participation in Academic Courses by Home Education Students

1. Students attending home education programs are eligible to enroll in district academic courses in accordance with law and Board policy, and may participate in co-curricular and other academic courses equaling at least one-quarter (¼) of the school day for full-time district students;
2. Students enrolled in home education programs shall only be eligible to participate in co-curricular activities and/or academic courses that are scheduled in consecutive time periods during the school day if the student's parent/guardian is not able to provide supervision for the student between the scheduled co-curricular activities and/or academic courses; and
3. The district shall provide the student's home education supervisor with a grade for each co-curricular activity and academic course completed by a student enrolled in a home education program, in accordance with Board Policy and Administrative Regulations. The home education supervisor shall be responsible for maintaining the material in the student's portfolio of records.

Additional Guidelines for Participation in Career and Technical Education Programs by Home Education Students

1. Students attending home education programs shall be eligible to participate in a career and technical education program at the Lehigh County Technical Institute, in accordance with the Lehigh County Technical Institute's admissions policies, which includes but is not limited to: grades, attendance, discipline and career readiness, the district's allotment, and the Lehigh County Technical Institute's random/lottery process on the same basis as other district students.

2. Prioritization of enrollment in career and technical education programs with the Lehigh County Technical Institute shall be in accordance with the Lehigh County Technical Institute's admissions policies. Prioritization may be based on academic achievement, demonstration of skills or competencies, record of conduct, and other designated criteria.

3. The Lehigh County Technical Institute/Carbon Lehigh Intermediate Unit No. 21 shall provide the student's home education supervisor with a grade for each career and technical education program course

completed by a student enrolled in a home education program, in accordance with Board Policy and Administrative Regulations. The home education supervisor shall be responsible for maintaining the material in the student's portfolio of records.

Transportation

Parents/Guardians of home education students shall be responsible for transportation of students participating in district co-curricular activities, academic programs, career and technical education programs, extracurricular activities, and interscholastic athletic programs, except that a home education student may utilize district transportation to or from school during the times when district transportation is already operating, and space is available for home education students in addition to full-time district students. When the district provides transportation to and from a field trip, away competition, game, or other event or exhibition for an activity or program and requires district students to use district transportation, home education students shall be required to use the transportation provided by the district.

Cooperation

In the ~~school~~ district's view, friendly cooperation between the supervisor and the Southern Lehigh School District is in the best interest of the children. The ~~school~~ district will allow home schooled children to take the nationally normed tests that it gives to its students every year and to use the school libraries. Also, supervisors must see that their child receives the same health tests, as Article 14 of the School Code requires of public-school children. The ~~school~~ district extends to supervisors of home school programs the opportunity to have their home-schooled children participate in the district's health program.

~~Students involved with Home Education Instruction will be permitted to participate in co-curricular and extra-curricular activities if dually enrolled in the School District. Home-educated students may not participate in curricular programs, including those offered at the Lehigh Career and Technical Institute. Students participating on school sports teams must demonstrate academic eligibility. The Supervisor and the student are to assume all responsibility for transpotation to and from school activities and event depatures and for the communications necessary to maintain regular attendance at scheduled meetings and events.~~

While participating in any school program, such as those listed above, the homeschooled student(s) and parents must follow the discipline policies and any other relevant policies of the Southern Lehigh School District.

Legal

1. 24 P.S. § 1327.1 (b)(1)

Book: Administrative Regulations
Section: 200
Title: Students
Code:216-AR
Last Revised:
February 13, 2017
Status: Administrative Review (NEW)

Definitions:

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

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

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

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

Education records - records that are directly related to a student, maintained by the school district or by a party acting for the school district.

The term does not include:

1. Records kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to another individual except a temporary substitute for the maker of the record.

2. Records created or received by the district after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student.

3. Grades on peer-graded papers before they are collected and recorded by a teacher.

4. Other records specifically excluded from the definition of education records under the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations.

Eligible student - a student who has attained eighteen (18) years of age or is attending an institution of postsecondary education. All rights accorded to and consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student. In cases where an eligible student is dependent upon the parent as defined in the Internal Revenue Code, the district shall make the education records accessible to the parent of said student.

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

Personally identifiable information - includes, but is not limited to:

1. The name of a student, the student's parents or other family members.

2. The address of the student or student's family.

3. A personal identifier, such as the student's Social Security Number, student number, or biometric record.

4. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name.

5. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

6. Information requested by a person who the district reasonably believes knows the identity of the student to whom the education record relates.

Biometric Record, as used in the definition of personally identifiable information, means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual. Examples include fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting.

Student - includes any individual who is or has been in attendance at the district and regarding whom the district maintains education records.

School Officials refer to persons employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing their tasks. A contractor, consultant, volunteer, or other party to whom the district has outsourced district services or functions may be considered a school official under certain circumstances.

Legitimate Educational Interest means needed in order for the school official to fulfill their designated professional responsibilities.

Protection of Confidentiality

The district shall protect the confidentiality of personally identifiable information in the collection, storage, disclosure and destruction of student records.

Annual Notification of Rights

The district shall give parents of students in attendance or eligible students in attendance at the district annual notice by such means as are reasonably likely to inform them of their rights under FERPA including the following:

1. The right to inspect and review the student's education records.

2. The right to seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

4. The right to file with the Department of Education a complaint concerning alleged failures by the district to comply with FERPA.

Administration of Security

Each building principal is responsible for record maintenance and access. Annually, the building principal or designee will review all aspects of the student records policy and guidelines with their staff.

Records in all categories will be secured when not in use. Records stored electronically will be maintained in a secure database with access limited to those individuals with a legitimate educational interest.

Parent Access Rights

Parents, as defined above, are permitted, in the presence of a school official, to inspect, view and/or copy educational records relating to their child when the record is collected, maintained or used by the district.

Parents wishing to inspect, view, and/or copy such records should submit a written request to the school principal or designee. The district shall comply with a proper request within a reasonable period of time, but not more than forty-five (45) days after it has received the request.

If circumstances effectively prevent the parent from exercising the right to inspect and review the student's education records, the district shall:

1. Provide the parent with a copy of the records requested; or

2. Make other arrangements for the parent to inspect and review the requested records

The district may charge a fee for a copy of an education record, which is made for a parent or eligible student unless the imposition of a fee effectively prevents a parent or eligible student from exercising their rights.

The right to inspect, review or copy education records includes:

1. The right of a parent to request of and receive from the District a reasonable explanation and interpretation of information contained in the education records of the child.

2. The right of a parent to designate a representative who will inspect, review or copy the records.

If an education record of a student includes information on more than one child, the parent or eligible student may inspect and review or be informed of only the information relating to the student.

1. A parent has the right to copy from or receive a copy of an education record originally containing information on more than one child.

2. Prior to the parent's copying or receiving a copy of a record on more than one child, the district shall delete, remove or obscure from the record or its copy personally identifiable information concerning any child who is not the child of the parent.

In cases involving separation, divorce, or custody in which the law views both parents as legal guardians, both the parent with whom the child resides and the parent with whom the child does not reside enjoy the same rights and privileges regarding review of and access to student records absent a court order to the contrary.

In case of divorce, unless there are extenuating or limiting circumstances, both natural parents retain the legal right to review of student records. In cases where the divorce decree limits the rights of the non-custodial parent with respect to visitation or knowledge of the child, the non-custodial parent shall be denied access to the child's records. The burden to produce the court order to deny access is on the parent seeking to deny access. In order to protect the interests of the district, when a divorced non- custodial parent requests access to a child's records, and there is no court order or other legally binding document denying access on file, that parent shall be

requested to complete a RECORDS ACCESS AFFIDAVIT. The completed affidavit shall be retained in the student's permanent record file.

Access to/Disclosure of Records

The district shall keep an access record of each individual, organization or agency other than school officials, as defined above, that requests access to and each disclosure that is made of personally identifiable information from the education records of each student. The access record shall include the name of the party, the date access was given and the legitimate interests for which the party was allowed to use the records.

Personal information shall only be transferred to a third party on the condition that such party will not permit any other party to have access to such information without the written consent of the parents of the student or as permitted by law.

In the event that the district discloses personally identifiable information from an education record with the understanding that the party receiving the information may make further disclosures as authorized by FERPA or other applicable law, the access record shall include the names of the additional parties to which the receiving party may disclose the information on behalf of the District, and the legitimate interests which each of the additional parties has in requesting or obtaining the information.

The following parties shall have the right to inspect and review the access record: (1) the parents(s) or eligible student; (2) the school official or their assistant(s) who are responsible for the custody of such records; and (3) those parties authorized by FERPA for the purposes of auditing the recordkeeping procedures of the district.

Written parental consent shall be obtained before education records or personally identifiable information contained therein is released to any party unless one or more of the exceptions listed in § 99.31 of the FERPA regulations applies. Examples of the exceptions under which prior consent is not required to disclose information include but are not limited to the following:

1. Directory information, if the district has given public notice to parents of students in attendance and eligible students in attendance of:

    a. The types of personally identifiable information that the agency or institution has designated as directory information;

b. A parent's or eligible student's right to refuse to let the district designate any or all of those types of information about the student as directory information; and

c. The period of time within which a parent or eligible student has to notify the district in writing that they do not want any or all of those types of information about the student designated as directory information.

The district may disclose directory information about former students without complying with the notice and opt out conditions above. However, the district must continue to honor any valid request to opt out of the disclosure of directory information made while a student was in attendance unless the student rescinds the opt out request.

A parent or eligible student may not use the right above to opt out of directory information disclosures to prevent an educational agency or institution from disclosing or requiring a student to disclose the student's name, identifier, or institutional e-mail address in a class in which the student is enrolled.

The district may not disclose or confirm directory information without meeting the written consent requirements if a student's social security number or other non-directory information is used alone or combined with other data elements to identify or help identify the student or the student's records.

2. The disclosure is to other school officials whom the district has determined to have legitimate educational interests. A contractor, consultant, volunteer, or other party to whom the district has outsourced district services or functions may be considered a school official provided that the outside party performs a district service or function for which the district would otherwise use employees; is under the direct control of the district with respect to the use and maintenance of education records; and is subject to the requirements of FERPA governing the use and re- disclosure of personally identifiable information from education records. The district must use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate education interests.

3. The disclosure is to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled so long as

the disclosure is for purposes related to the student's enrollment or transfer upon condition that:

a. The district must make a reasonable attempt to notify the parent or eligible student of the disclosure at the last known address of the parent or student unless:

i. The disclosure is initiated by the parent or eligible student; or

ii. The district includes in its annual notification that the district forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

4. The records have been subpoenaed by a judicial authority, but only if the district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a subpoena and the court or other issuing agency has ordered that the existence or contents of the subpoena or the information furnished in response to the subpoena not be disclosed.

5. The disclosure is in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. The district may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. In the event that the district discloses personally identifiable information from education records of a student under the health or safety emergency exception outlined in FERPA, the district shall further record the articulable and significant threat to the health or safety of the student or other individuals that formed the basis for the disclosure.

6. A state or local child welfare agency caseworker or other representative is permitted to have access to the student's education records without having to obtain parental consent or a court order. This exception applies to children for whom the public child welfare agency has legal responsibility for their care and protection, specifically those children in the legal custody of the agency who are

placed in out-of-home care. Proof of the relationship with the child must be provided. (Uninterrupted Scholars Act (Public Law 112-278))

Special Procedures Regarding Student Disciplinary Records

Each principal or designee shall keep and retain records of student disciplinary actions.

The district shall disclose a student's disciplinary records as follows:

1. Whenever a district student transfers to another school entity or nonpublic school, a certified copy of the student's disciplinary record shall be transmitted to the school entity or nonpublic school to which the student has transferred, upon written request by the school entity or nonpublic school to which the student has transferred. The disciplinary record shall be supplied to the receiving school within ten (10) days from receipt of the written request to supply a certified copy of the student's disciplinary record. The requirements of this section apply as well to transfers between schools within the district. The district shall maintain required records concerning adjudicated students and transfer students disciplined for offenses involving weapons, alcohol, drugs and violence on school property.

2. In the event that the district reports a crime committed by a child with a disability, the district must ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the district reports the crime but only to the extent permitted by FERPA and this regulation.

3. All other requests for disciplinary records, including records requested by post-secondary institutions, will not be disclosed without written parental/guardian consent.

Maintenance/Destruction of Data in Educational Records

Information no longer relevant to and necessary for the provision of educational services to the student shall be destroyed as delineated in the Student Records Retention Chart. **(See the Administrative Regulation for Policy 801.1 – Records Retention Schedule)**

The timelines listed in 801.1 AR reflect minimum retention periods. The district shall make a good faith effort to periodically and systematically review and destroy records as contemplated in 801.1 AR; however, nothing

in this Administrative Regulation shall be construed as a guarantee that every applicable record will be destroyed on the exact date on which the minimum retention period has been satisfied. Furthermore, the district may retain a written record of a student's name, address, telephone number, grades, attendance records, classes attended, grade level completed and year completed indefinitely.

Notwithstanding the minimum retention periods listed in 801.1 AR, the district will comply with any court order directing the expungement or destruction of student records upon the terms and conditions outlined in such court order.

Any student records not specifically identified on the chart shall be referred to the Assistant Superintendent for review.

The district shall send written notification to the parents which shall inform the parents of their right to receive a copy of the material to be destroyed, prior to the destruction of the information.

The destruction of records of exceptional students is subject to the following conditions:

1. The district shall inform the parents of a student with a disability when personally identifiable information in the records of the student is no longer relevant to and necessary for the provision of educational services to the student, and as a result, will be destroyed. Parents shall be provided with a copy of the material to be destroyed prior to its destruction.

2. The district shall not destroy education records containing information necessary for the education of a student who is enrolled or has been enrolled in an education program operated by the district.

3. The district shall maintain records needed for a financial or programmatic audit of any program receiving Federal funding for three years after the completion of the activity for which the funding was used.

Right to Request Amendment of Education Records

The parent of a student or an eligible student who believes that information contained in the education records of the student is inaccurate, misleading or otherwise in violation of the student’s privacy may request in writing that the district amend the record.

The district shall decide whether to amend the education records of the student within a reasonable period of time after receipt of the request. The building principal shall initially decide whether to amend the record in accordance with the request of the parent. If the principal declines to amend the record(s) in accordance with the request of the parent, the parent shall be informed of the refusal and the specific reasons for the refusal. The parent shall also be notified in writing of their right to request and receive a hearing to challenge the decision of the school principal.

The district shall, upon proper parent request, provide an opportunity for a hearing in order to challenge information in education records if the parent alleges that the information is inaccurate, misleading or otherwise in violation of the privacy rights of their child. The hearing shall be conducted in accordance with the following:

1. The hearing shall be held within a reasonable time after the request has been received.

2. Notice shall be given to the parent or eligible student of the date, time, and place of the hearing, reasonably in advance of the hearing.

3. The hearing shall be conducted by an individual, who may be a school official who does not have a direct interest in the outcome of the hearing.

4. The district shall give the parent or eligible student a full and fair opportunity to present evidence relevant to the issue(s) raised. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of their choice, including an attorney.

5. The district shall make its decision in writing within a reasonable period of time after the hearing.

6. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

Parents may not use the FERPA records amendment hearing process to challenge a grade, opinion, or substantive decision made by the district about a student. FERPA was intended to require that schools conform to fair recordkeeping practices, and not to override the accepted standards and procedures for making academic assessments, disciplinary rulings, or

placement determinations. Thus, while FERPA affords parents the right to seek amendment to education records that contain inaccurate information, this right cannot be used to challenge a grade or an individual's opinion, or a substantive decision made by a school about a student. Additionally, if FERPA's amendment procedures are not applicable to a parent's request for amendment of education records, the district is not required to hold a hearing on the matter.

If, as a result of the hearing, the district decides that the information is inaccurate, misleading or otherwise in violation of the privacy rights of the student, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.

If, as a result of the hearing, the district decides that the information is not inaccurate, misleading or otherwise in violation of the privacy rights of the student, it shall inform the parent or eligible student of the right to place in the education records of the student a statement commenting upon the contested information in the education records and/or setting forth any reason for disagreeing with the decision of the district, or both. Any explanation placed in the education records of the student shall be maintained by the district as part of the education records of the student for as long as the record or contested portion thereof is maintained by the district. If the education records of the students or the contested portion thereof are disclosed by the district to any party, the explanation shall also be disclosed to that party.

Nothing in this Administrative Regulation shall be interpreted to mean that the parent and the district may not, by mutual agreement, meet prior to a parent request for a hearing or the hearing itself to discuss the concerns of the parent regarding the accuracy or inaccuracy of the records of the student and to reach a resolution.

Complaint Procedure

The district shall inform parents of students or eligible students of their right to file a complaint regarding possible violations of their rights accorded them by the Family Educational Rights and Privacy Act of 1974. This complaint shall be submitted in writing to the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202.

Legal Hold Procedures

When a matter is likely to lead to litigation by or against the district, a "legal hold" will be placed requiring that education records, including ESI, relating to the matter, incident, person or entity, be retained by the district until such time as the legal hold is lifted, regardless of minimum retention periods that would dictate otherwise.

Because of the variety of matters that could lead to litigation by or against the district, the responsibility to identify such matters rests with district employees. Principals and other supervisors are responsible for informing staff whom they supervise of their responsibilities to report items covered by a legal hold.

When a district employee has reason to believe that a matter may give rise to potential litigation, that employee shall:

1. Advise immediate supervisor, building supervisor, or appropriate central administrator of the matter and, if requested by the supervisor, prepare a written report stating what the individual saw and/or heard, the names of the people and entities involved and the names of any witnesses; and

2. Preserve education records relating to the matter, pending a determination regarding whether a legal hold is necessary.

The administrator shall forward a written report to the Superintendent or designee, who, in consultation with the Solicitor, will determine whether to place a legal hold on education records, including ESI, relevant to the incident(s).

If a legal hold is implemented, the Superintendent or designee shall direct the appropriate administrator(s) to make all reasonable efforts to retrieve and maintain any archived ESI before that data is purged and to further prevent potentially relevant records from being purged or deleted.

The Superintendent or designee shall direct the appropriate administrator(s) to advise district employees involved with the incident(s) or matter(s) at issue to retain all documents, data and information regarding the matter including, but not limited to email communications, text messages, notes, letters and voice mail messages pending further notice.

If a matter is settled or resolved or the relevant statute of limitations has run out or it otherwise becomes apparent that litigation is not likely to arise, then the Superintendent or designee, in connection with the Solicitor, will release the legal hold and the retained and stored documents may then be

disposed of in accordance with the district's ordinary document retention policies.

Book: Administrative Regulations
Section: 800 Operations
Title: Food Services
Code: 808-AR
Status: Administrative Review - NEW

Purpose

This regulation is intended to provide guidance when implementing Board Policy No. 808 "Food Services."

Guidelines

School Meal Account Procedures / Meal Charging Policy

A student's meal status is always kept confidential. All students have accounts to purchase their meals and are treated the same at the register.

Parents/guardians are responsible for their student's cafeteria food purchases and are expected to maintain payments on any outstanding account balance for cafeteria food purchases. Parents/guardians may request in writing that the district restrict their child's purchase of a la carte food items and/or meals at any time.

The procedures for notifying parents/guardians of low and negative balances and collecting negative balances are detailed below. However, students will be permitted to charge meals (breakfast and/or lunch), and will not be denied a meal because of the insufficient funds in their student meal accounts. In addition to purchasing a meal, students are permitted to charge a la carte food items, even if their individual student meal accounts lack sufficient funds, as long as their balance is not negative $10 or more. In any event, the district will initiate procedures to restrict a la carte purchases when the student's negative meal account balance exceeds $10 and the student will only be permitted to purchase a breakfast and lunch meal.

Students may not be publicly identified or stigmatized, or required to perform chores or other work when they cannot pay or have a negative student meal account balance. Schools will not require a student to discard a school meal after it has been served to the student, even if the student is unable to pay for the meal or has a negative student meal account balance.

Low & Negative Account Balance Notification

If a student has an account balance of $10.00 or less, the parent/guardian will be notified at least weekly by email or a notice distributed in homeroom or in student folders that are brought home to the parent/guardian. The envelope containing this notice should be marked "confidential – to be opened by addressee only." If the student's outstanding account balance due reaches or exceeds five (5) school food program meals, including breakfasts and/or lunches, a request for payment letter will be mailed or emailed to the student's parent/guardian, which shall also include a request that the parent/guardian apply to participate in the school food program. In addition, a school official will contact the parent/guardian to resolve the outstanding account balance due by one or more of the following methods: telephone, electronic communication, certified letter, and again request that the parent/guardian apply to participate in the school food program. These contacts will continue until the outstanding account balance due is satisfied or has been determined to be uncollectible.

If the student's outstanding account balance due is in excess of $50.00 and remains unpaid for more than 30 days, the parent/guardian may incur additional collection charges on the outstanding balance. If a good faith effort is not made towards payment of the outstanding balance due, then a referral to an outside authority or agency may be made.

Parents/guardians experiencing economic hardships may request payment arrangements from the district.

Additional Information

The Principal or designee shall notify Food Services regarding departing students so that account balances can be rectified prior to their departure. Information on meal prices, menus, how to apply for free or reduced priced meals, how to check a school meal account balance or add funds to such accounts can be found on the district's Food Services webpage.

Delinquent School Meal Account Debt

After taking reasonable steps to collect delinquent school meal debt, which shall include at least two written correspondences, as outlined above, to the student's parent/guardian, unrecovered/delinquent debt at the end of each school year shall be referred to the Business Manager for appropriate action. Delinquent debt becomes bad debt when the school has exhausted its measures to collect the money from the parents/guardians but remains uncollectable. Bad debt is an unallowable expense to the food services fund. Such unrecovered/delinquent debt shall be considered bad debt and non-federal funding sources must repay the Food Service Fund for the total amount of such unrecovered/delinquent debt.

From time to time, parents/guardians or other individuals may choose to donate funds to the district. Donated funds may not be co-mingled with food service funds from federal or state sources or food sales. Instead, donations must be made to the district's General Fund, and transferred to the Food Service Fund at the appropriate time to offset unrecovered/delinquent student meal debt. Donated funds will not be applied to individual student meal account balances, but instead as an overall reduction of the amount of funds that would otherwise need to be transferred from the General Fund to the Food Service Fund at the end of the school year to repay the Food Service Fund for unrecovered/delinquent debt.

Adding Funds to Adult Lunch Accounts

An adult may add funds to their lunch accounts to assure adequate funds to purchase meals and a la carte in the cafeteria. Accounts can be made on the district's approved payment system online or directly through the Food Services Department. Cash can be added to accounts at the cafeteria register. Checks can be added to accounts at the register or through the Food Services Department at the district office. Online accounts can only add funds of $100 per day. If an adult wishes to add more than $100 to their account, they may bring the money to the cafeteria register or district office.

Distribution

This Administrative Regulation, detailing the district's local meal charge policy, shall be provided in writing to each household at the beginning of the school year, and during the school year to households who transfer to the district during the school year.

Any changes to payment amounts referenced in this Administrative Regulation shall not take effect until ten (10) school days after parents/guardians have been notified of such change(s).