

## ***A Message to AIU Policy Manual Users***

*Beginning December 2010, the Allegheny Intermediate Unit is in the process of rewriting all of their policies in collaboration with PSBA. Policies will be posted on this site as they are completed and approved by the AIU Board of Directors. Questions regarding policy should be directed to Patricia Sands at [patricia.sands@aiu3.net](mailto:patricia.sands@aiu3.net) or 412-394-5982.*

*Thank you.*

# ALLEGHENY INTERMEDIATE UNIT 3

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UPDATED: November 22, 2010

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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: BOARD PROCEDURES

TITLE: BOARD POLICY AND PROCEDURES

ADOPTED: November 22, 2010

REVISED:

<p>24 P.S. Sec. 407, 914-A</p>	<p style="text-align: center;">000. BOARD POLICY AND PROCEDURES</p> <p>Section 1. <u>Authority</u></p> <p>The policies and procedures adopted by the Board establish the general parameters within which the daily operations of the Intermediate Unit are to be governed. Procedures for carrying out and implementing Board policies are developed and implemented by the administration, under the direction of the Executive Director. As applicable, members of the school community are expected to comply with both Board policy and procedures, subject to stated limitations and exceptions. However, failure of the Board or the administration to comply with policy or procedure shall not invalidate any lawful action taken.</p> <p>Section 2. <u>Contents</u></p> <p>Policies of the Board shall consist of the following separate documents:</p> <ol style="list-style-type: none"> <li>a. Policies contained in the adopted Policy Manual.</li> <li>b. Job descriptions adopted by the Board.</li> <li>c. Codes of Conduct.</li> <li>d. Administrative Compensation Plan.</li> <li>e. Strategic Plan and Program of Services.</li> <li>f. Courses of study within Intermediate Unit programs.</li> <li>g. List of authorized textbooks.</li> <li>h. Any other documents that the Board determines to be policy.</li> </ol>
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Procedures are not part of Board policy and may be altered by the administration without Board action. Procedures may not conflict with Board policy or with applicable law.

Section 3. Limitations

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

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

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

Section 4. Rules Of Construction

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

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

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

Section 5. Legal Citations And References

Board policies contain citations to state and federal laws and regulations that govern the policies' legal authority. Legal citations are listed in abbreviated form and aligned in a citation column beside the applicable policy language. References listed at the end of each Board policy specify the full legal citations.

References to the School Code throughout the policy manual are denoted using the Purdon's Statute categorization and are abbreviated.

**References:**

Purdon's Statutes (School Code) – 24 P.S. Sec. 4-407, 9-914-A

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: BOARD PROCEDURES

TITLE: NAME AND CLASSIFICATION

ADOPTED: November 22, 2010

REVISED:

<p>24 P.S. Sec. 910-A, 914-A</p> <p>24 P.S. Sec. 901-A, 902-A</p> <p>PA Const. Art. III Sec. 14 Sec. 901-A, 906-A, 914-A, 922.1-A Title 22 Sec. 4.3</p>	<p style="text-align: center;">001. NAME AND CLASSIFICATION</p> <p>Section 1. <u>Name</u></p> <p>The official name of the Intermediate Unit designated #3 by the Department of Education of the Commonwealth of Pennsylvania shall be Allegheny Intermediate Unit.</p> <p>The Board shall be known officially as the Board of Allegheny Intermediate Unit 3, hereinafter sometimes referred to as the "Board".</p> <p>Section 2. <u>Composition</u></p> <p>Allegheny Intermediate Unit 3 is comprised of the following member school districts: Allegheny Valley, Avonworth, Baldwin-Whitehall, Bethel Park, Brentwood Borough, Carlynton, Chartiers Valley, Clairton City, Cornell, Deer Lakes, Duquesne City, East Allegheny, Elizabeth Forward, Fox Chapel Area, Gateway, Hampton Township, Highlands, Keystone Oaks, McKeesport Area, Montour, Moon Area, Mt. Lebanon, North Allegheny, North Hills, Northgate, Penn Hills, Pine-Richland, Plum Borough, Quaker Valley, Riverview, Shaler Area, South Allegheny, South Fayette Township, South Park, Steel Valley, Sto-Rox, Upper St. Clair Township, West Allegheny, West Jefferson Hills, West Mifflin Area, Wilkesburg Borough, and Woodland Hills.</p> <p>Section 3. <u>Purpose</u></p> <p>Allegheny Intermediate Unit 3 is organized for the purpose of providing auxiliary services and for supplementing and supporting the programs and services of member school districts in Allegheny County.</p>
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The Intermediate Unit shall serve the needs of member school districts in the areas where it can provide programs and services more effectively, efficiently and economically than member school districts.

Section 4. Address

The official address of the Board of Allegheny Intermediate Unit 3 shall be 475 East Waterfront Drive, Homestead, PA 15120.

References:

Pennsylvania Constitution – PA Const. Art. III Sec. 14

Purdon’s Statutes (School Code) – 24 P.S. Sec. 9-901-A, 9-902-A, 9-906-A, 9-910-A, 9-914-A, 9-922.1-A

State Board of Education Regulations – 22 PA Code Sec. 4.3

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: BOARD PROCEDURES

TITLE: AUTHORITY AND POWERS

ADOPTED: November 22, 2010

REVISED:

<p>PA Const. Art. III Sec. 14 24 P.S. Sec. 901-A et seq Title 22 Sec. 17.1 et seq</p> <p>24 P.S. Sec. 407, 901-A et seq Title 22 Sec. 17.1 et seq</p> <p>Sec. 407, 914-A Pol. 000, 003</p> <p>24 P.S. Sec. 914-A Pol. 100, 102</p>	<p style="text-align: center;">002. AUTHORITY AND POWERS</p> <p>Section 1. <u>Authority</u></p> <p>The authority to establish, equip, furnish, operate and maintain the programs and services of Allegheny Intermediate Unit 3 is vested in the Board, which is a body corporate and is constituted and governed by the Pennsylvania Statutes, the Public School Code of 1949 as amended, and Article III of the Pennsylvania Constitution and applicable federal and state laws and regulations.</p> <p>Section 2. <u>Powers</u></p> <p>The Board shall establish and maintain programs and services required by member school districts; shall adopt and enforce rules and regulations for the management of the Intermediate Unit and the conduct and deportment of employees and students; and shall provide the financial resources necessary for effective implementation and maintenance of programs and services.</p> <p>The Board, in accordance with its statutory mandate, shall adopt Board policies for its own operation and for the guidance of the Executive Director in the operation of the Intermediate Unit. Board policies shall be consistent with law, have a rational and substantial relationship to a legitimate purpose of the Board, and be directed towards the maintenance and support of a thorough and efficient system of programs and services for member school districts.</p> <p>The Board shall establish educational goals for students and govern a program of education designed to meet those goals. The Board shall be the agent responsible for establishing, maintaining and evaluating the programs and services of the Intermediate Unit, and for enforcing mandatory laws and regulations.</p> <p>The powers of the Board are not vested in the individual Board member. No such individual is authorized to act on behalf of the Board to carry out any of the Board's authorized powers, except for those acts stated in law.</p>
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All Board members shall be provided access only to records and other information which is pertinent to a decision that such Board members are obligated to make as a member of the Board.

References:

Pennsylvania Constitution – PA Const. Art. III Sec. 14

Purdon’s Statutes (School Code) – 24 P.S. Sec. 4-407, 9-901-A et seq.

State Board of Education Regulations – 22 PA Code Sec. 17.1 et seq.

Board Policy – 000, 003, 100, 100.1, 102, 216, 324

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: BOARD PROCEDURES

TITLE: FUNCTIONS

ADOPTED: November 22, 2010

REVISED:

	<p style="text-align: center;">003. FUNCTIONS</p>
	<p>Section 1. <u>Legislative</u></p>
<p>24 P.S. Sec. 407, 914-A Pol. 000</p>	<p>The Board shall exercise leadership through its rule-making power by formulating and adopting Board policies for the organization and operation of the Intermediate Unit. Those policies which are not dictated by law or regulations of the State Board, or ordered by a court of competent authority, may be adopted, amended or repealed at any public meeting of the Board, provided the proposed adoption, amendment or repeal has been announced at a previous public Board meeting and has remained on the agenda of each succeeding Board meeting until approved or rejected. If a current Board policy is to be amended or repealed, it may occur at a single meeting of the Board requiring only a majority vote for approval.</p>
	<p>Changes in a proposed Board policy, except for minor editorial revisions, at the second reading shall cause that reading to constitute a first reading.</p>
	<p>The Board may, upon a majority vote, cause to suspend at any time the operation of a Board policy, provided the suspension does not conflict with legal requirements. Such suspension shall be effective until the next meeting of the Board, unless an earlier time is specified in the motion to suspend.</p>
<p>Pol. 006</p>	<p>Board policies shall be adopted, amended or repealed by a majority vote of the full Board.</p>
<p>Pol. 007</p>	<p>The adoption, modification, repeal or suspension of a Board policy shall be recorded in the minutes of the Board meeting. All current policies and procedures shall be maintained in the Board Policy Manual and disseminated appropriately.</p>

<p>24 P.S. Sec. 913-A, 914-A, 915-A Pol. 302</p> <p>24 P.S. Sec. 914-A Pol. 000</p> <p>Pol. 003</p> <p>65 Pa. C.S.A. Sec. 1101 et seq</p> <p>24 P.S. Sec. 914-A</p> <p>2 Pa. C.S.A. Sec. 551 et seq</p>	<p>Section 2. <u>Executive</u></p> <p>The Board shall exercise its executive power by the appointment of an Executive Director, who shall enforce the laws of the Commonwealth, the regulations of the State Board of Education, the policies of the Board, and all other applicable laws and regulations.</p> <p>The Executive Director shall be responsible for the establishment of procedures for the operation of the Intermediate Unit that are not inconsistent with state and federal laws or regulations; are dictated by the policies of this Board; and are binding on employees and students when issued.</p> <p>The Board reserves the right to review and to direct revisions of procedures when it considers the procedures to be inconsistent with Board policy or Intermediate Unit practices. The Board shall formulate and adopt procedures only when specific law requires Board adoption or when the Executive Director recommends Board adoption as a result of strong community input or staff reaction. Such adoption and/or amendment of procedures shall adhere to the policy for adoption and amendment of Board procedures and policies.</p> <p>The Board delegates authority to the Executive Director to take necessary action in circumstances not provided for in Board policy. The Executive Director shall promptly inform the Board of such action. The Executive Director's decision may be subject to review by the Board.</p> <p>The Executive Director shall implement a procedure to inform Board members and designated employees of their responsibility under the Ethics Law.</p> <p>Whenever responsibility is delegated to the Executive Director or other administrator, it is understood that such individual may designate a representative to act on his/her behalf.</p> <p>Section 3. <u>Review</u></p> <p>The Intermediate Unit may assume jurisdiction over controversies or disputes arising within member school districts concerning any matter over which the Board has authority granted by law or where the Board has retained jurisdiction in contract or policies.</p> <p>In furtherance of its adjudicatory function, the Board may hold hearings in accordance with law which shall offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter.</p>
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2 Pa. C.S.A.  
Sec. 551 et seq

Beyond the basic requirements of due process, a hearing may vary in form and content in line with the severity of the consequences that may flow from it, the difficulty of establishing findings of fact from conflicting evidence, and the impact of the Board's decision on member school districts.

Section 4. Evaluation Of Board Policies

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

The Board President, working with the Executive Director, shall develop an annual plan.

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 9-913-A, 9-914-A, 9-915-A

Local Agency Law – 2 Pa. C.S.A. Sec. 551 et seq.

Public Officials and Employee Ethics Act – 65 Pa. C.S.A. Sec. 1101 et seq.

Board Policy – 000, 003, 006, 007, 302

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: BOARD PROCEDURES

TITLE: MEMBERSHIP

ADOPTED: November 22, 2010

REVISED: January 24, 2011

<p>24 P.S. Sec. 910-A Title 22 Sec. 17.3</p> <p>24 P.S. Sec. 910-A Title 22 Sec. 17.3</p> <p>24 P.S. Sec. 910-A, 911-A Title 22 Sec. 17.3</p> <p>24 P.S. Sec. 910-A, 911-A Title 22 Sec. 17.3</p> <p>24 P.S. Sec. 910-A</p>	<p style="text-align: center;">004. MEMBERSHIP</p> <p>Section 1. <u>Number And Term</u></p> <p>The Board shall consist of thirteen (13) Board members elected from the member school districts.</p> <p>Board members shall be elected annually, in accordance with law, for a term of three (3) years. Board members may succeed themselves without limitation.</p> <p>The Executive Director shall have a seat on the Board and the right to speak on all matters, but not the right to vote.</p> <p>Section 2. <u>Qualifications</u></p> <p>Each member of the Intermediate Unit Board shall be nominated by a majority vote of the Board of School Directors in his/her member school district. A record of such vote shall become part of the school district's minutes and shall be transmitted to the Intermediate Unit prior to the Board member's election or appointment.</p> <p>Section 3. <u>Election</u></p> <p>In accordance with law, the annual election of Intermediate Unit Board members shall be conducted by mail ballot or convention between February 1 and June 30 of each school year.</p> <p>Section 4. <u>Vacancies</u></p> <p>A vacancy shall occur by reason of death, resignation, removal or when an Intermediate Unit Board member no longer holds office as a Board member of a member school district.</p>
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<p>24 P.S. Sec. 910-A 65 Pa. C.S.A. Sec. 701 et seq</p>	<p>A vacancy shall be filled in accordance with the Sunshine Act and by appointment by a majority vote of the remaining members of the Intermediate Unit Board.</p>
<p>24 P.S. Sec. 910-A</p>	<p>A Board member so appointed shall serve until the annual election, at which time a Board member shall be elected to serve the unexpired portion of the term.</p>
<p>24 P.S. Sec. 319, 910-A 65 P.S. Sec. 91</p>	<p>Section 5. <u>Removal</u></p> <p>A member of the Intermediate Unit Board may be removed in the same manner and for the same causes provided by law for removal of a school district Board member.</p>
<p>65 P.S. Sec. 91</p>	<p>a. Whenever a Board member is no longer a resident of a participating school district or region s/he represents, his/her eligibility on the Board shall cease.</p>
<p>24 P.S. Sec. 319, 910-A</p>	<p>b. Whenever a Board member neglects or refuses to attend two (2) successive regular meetings of the Board, unless detained by sickness or prevented by necessary absence, or if in attendance at any meeting neglects or refuses to act in his/her official capacity as a Board member, the remaining members of the Board may declare such office vacant, on the affirmative vote of a majority of the remaining members of the Board.</p>
<p>24 P.S. Sec. 319, 910-A</p>	<p>c. If a person elected or appointed as a Board member, having been notified, shall refuse or neglect to qualify, the remaining members may, within ten (10) days following the beginning of his/her term of office, declare said office vacant on the affirmative vote of a majority of the remaining members of the Board.</p>
<p>24 P.S. Sec. 516.1, 914-A</p>	<p>Section 6. <u>Expenses</u></p> <p>If approved by the Board, Board members, a nonmember Board Secretary, and solicitor(s) shall be reimbursed for expenses actually and necessarily incurred as delegates to any state convention or association of school directors' convention held within the state, or for expenses actually and necessarily incurred in attendance authorized by the Board at any other meeting held within the state or at an educational convention out-of-state. All such expenses shall be itemized and made available for public inspection at the next succeeding Board meeting. No member shall be reimbursed for more than two (2) out-of-state meetings in one (1) school year. Expenses shall be reimbursed only upon presentation of an itemized, verified</p>

65 Pa. C.S.A.  
Sec. 1101 et seq  
Pol. 011

statement, except that advance payments may be made upon presentation of estimated expenses to be incurred. The Executive Director shall establish appropriate procedures regarding the reimbursement of expenses approved by the Board.

Section 7. Ethics

The Board and its employees are committed to the highest standards of personal and professional conduct. All Board members and employees shall strive to offer the highest quality of service and respect, and shall avoid real or perceived conflicts of interest.

Section 8. Orientation

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

Accordingly, the Board shall give to each new Board member for use during his/her term on the Board the following items:

- a. A copy of the Board Policy Manual and Procedures Manual.
- b. The current budget statement, audit report, and related fiscal materials.
- c. The current Strategic Plan and Services Guide.

Each new Board member shall be invited to meet with the Board President, Executive Director, and Board Secretary to discuss Board functions, policy and procedures.

Section 9. Board Member Education/Training

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

The Board, in conjunction with the Executive Director, shall plan specific inservice education programs and activities designed to assist Board members in their efforts to improve their skills as policy-making leaders; expand their knowledge about

<p>Pol. 901</p>	<p>issues, programs, and initiatives affecting the Intermediate Unit's programs and services and student achievement; and deepen their insights into the nature of leadership, governance and community engagement.</p> <p>The school community shall be kept informed about the Board's continuing inservice education and training and the anticipated short and long-term benefits to the Intermediate Unit and its member school districts.</p> <p>The Board shall annually budget funds to support its planned program of inservice education and training.</p> <p>The Board establishes the following activities as the basis for its planned program of inservice education and training:</p> <ol style="list-style-type: none"><li>a. Participation in School Board conferences, workshops and conventions.</li><li>b. Inservice education and training programs sponsored by the Intermediate Unit and designed to meet Board needs.</li><li>c. Subscriptions to publications addressed to Board member concerns.</li><li>d. Maintenance of resources and reference materials accessible to Board members.</li></ol>
<p>24 P.S. Sec. 516, 516.1</p>	<p>Section 10. <u>Conference Attendance</u></p> <p>In keeping with its stated priority on the importance of continuing inservice education and training for its members, the Board encourages the participation of all members at appropriate School Board conferences, workshops, and conventions. In order to control both the investment of time and expenditure of funds necessary to implement this planned program, the Board establishes the following guidelines:</p> <ol style="list-style-type: none"><li>a. The Board shall identify annually the issues, objectives, and cost benefits that can be ascribed to participation by Board members in conferences, workshops and conventions.</li><li>b. The Executive Director shall inform Board members, in a timely manner, of upcoming conferences, workshops and conventions.</li><li>c. The Board shall periodically decide which meetings appear to offer the most direct and indirect benefits to the Intermediate Unit.</li><li>d. Each Board member shall receive Board approval prior to attending a conference, workshop or convention at Board expense.</li></ol>

<p>Pol. 004</p> <p>24 P.S. Sec. 321</p>	<ul style="list-style-type: none"><li>e. Funds for conference attendance shall be budgeted on an annual basis.</li><li>f. When a conference, workshop or convention is not attended by the full Board, those who do participate shall share information, recommendations and materials acquired at the meeting that will be beneficial to the Intermediate Unit.</li><li>g. Reimbursement to Board members for their travel expenses shall be in accordance with Board policy.</li><li>h. The requirements regarding reimbursement for Board members for travel expenses shall be strictly enforced, and no payment shall be made until receipts for reimbursable expenses are submitted to the Director of Finance or designee.</li><li>i. Reimbursement shall be limited to actual expenses incurred, and shall not include or be construed to include compensation to individual Board members.</li></ul> <p>References:</p> <p>Purdon’s Statutes (School Code) – 24 P.S. Sec. 3-319, 3-321, 5-516, 5-516.1, 9-910-A, 9-911-A, 9-914-A</p> <p>State Board of Education Regulations – 22 PA Code Sec. 17.3</p> <p>Sunshine Act – 65 Pa. C.S.A. Sec. 701 et seq.</p> <p>Public Officials and Employee Ethics Act – 65 Pa. C.S.A. Sec. 1101 et seq.</p> <p>Removal of Residence; Forfeiture of Office – 65 P.S. Sec. 91</p> <p>Board Policy – 004, 011, 901</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: BOARD PROCEDURES

TITLE: ORGANIZATION

ADOPTED: November 22, 2010

REVISED: February 28, 2011

<p>24 P.S. Sec. 402, 421, 910-A</p> <p>24 P.S. Sec. 402, 426</p> <p>24 P.S. Sec. 912-A</p> <p>24 P.S. Sec. 912-A</p> <p>24 P.S. Sec. 912-A Pol. 811</p>	<p style="text-align: center;">005. ORGANIZATION</p> <p>Section 1. <u>Organization Meeting</u></p> <p>The Board members shall meet and organize annually during the month of June.</p> <p>Notice of the time and place of the organization meeting shall be given to all Board members by mail at least five (5) days before the proposed meeting by the Board Secretary. The organization meeting shall be a regular meeting.</p> <p>Section 2. <u>Order</u></p> <p>The organization meeting shall be called to order by the current President or Vice-President of the outgoing Board or any hold-over member of the Board. A temporary President shall be elected from among the hold-over members of the Board. The Board Secretary shall be secretary of the meeting.</p> <p>Section 3. <u>Officers</u></p> <p>Election of officers shall be by a majority vote of those present and voting. Where no such majority is achieved on the first ballot, a second ballot shall be cast for the two (2) candidates who received the greatest number of votes.</p> <p>a. The Board members shall annually, during the month of June, elect from their members a President and Vice-President who shall serve for one (1) year.</p> <p>b. The Board members shall annually, during the month of June, elect a Treasurer who shall serve for one (1) year. The Treasurer may be a corporation duly qualified and legally authorized to transact a fiduciary business in the Commonwealth, and need not be a Board member.</p> <p>The Treasurer shall not enter upon his/her duties until furnishing bond in accordance with law and with Board approval. The Treasurer shall be compensated in the manner and at the rate determined by the Board.</p>
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<p>24 P.S. Sec. 912-A</p>	<p>c. The Board members shall, during the month of June, elect a Secretary who shall serve a term of one (1) year and need not be a Board member.</p>
<p>PA Const. Art. VI Sec. 7 Pol. 006</p>	<p>Vacancies in any office shall be filled by Board election; such officers shall serve for the remainder of the unexpired term.</p>
<p>24 P.S. Sec. 914-A</p>	<p>Officers of the Board serve at the pleasure of the Board and may be removed from such office by the affirmative vote of a majority of those present and voting.</p>
<p>24 P.S. Sec. 914-A, 921-A</p>	<p>Section 4. <u>Appointments</u></p>
<p>24 P.S. Sec. 516</p>	<p>The Board shall have the authority to appoint:</p>
<p>PA Const. Art. VI Sec. 7 Pol. 006</p>	<p>a. Solicitor.</p>
<p>24 P.S. Sec. 914-A</p>	<p>b. Independent auditor.</p>
<p>24 P.S. Sec. 106</p>	<p>c. Delegates to a state convention or association of school directors.</p>
<p>24 P.S. Sec. 421</p>	<p>d. Other appointments the Board deems necessary.</p>
<p>PA Const. Art. VI Sec. 7 Pol. 006</p>	<p>Appointees serve at the pleasure of the Board and may be removed from such appointment in accordance with the provisions of law.</p>
<p>24 P.S. Sec. 914-A</p>	<p>Section 5. <u>Resolutions</u></p>
<p>24 P.S. Sec. 106</p>	<p>The Board may, at the organization meeting, designate:</p>
<p>24 P.S. Sec. 421</p>	<p>a. Depositories for Intermediate Unit funds.</p>
<p>24 P.S. Sec. 106</p>	<p>b. Newspaper(s) of general circulation, as defined in law.</p>
<p>24 P.S. Sec. 421</p>	<p>c. Normal day, place and time for regular meetings.</p>
<p>24 P.S. Sec. 421</p>	<p>d. Normal day, place and time for work sessions.</p>

<p>65 Pa. C.S.A. Sec. 701 et seq Pol. 006</p> <p>24 P.S. Sec. 916-A</p> <p>24 P.S. Sec. 916-A</p> <p>24 P.S. Sec. 916-A</p>	<p>Section 6. <u>Board Committees</u></p> <p>The Board shall operate as a Committee of the Whole.</p> <p>When specifically charged to do so by the Board, committees of Board members may conduct studies, make recommendations, and act in an advisory capacity.</p> <p>Ad hoc committees may be created, charged, and assigned a fixed termination date, which may be extended by the President. Members of committees shall serve until the committee is discharged.</p> <p>Board committees authorized to take official action or render advice on Intermediate Unit business shall operate in accordance with the provisions of the Sunshine Act.</p> <p>Section 7. <u>Intermediate Unit Council</u></p> <p>The Intermediate Unit Council shall be composed of the Superintendents of member school districts and shall serve as an advisor to the Executive Director.</p> <p>Meetings of the Intermediate Unit Council shall be held at least five (5) times per year, and when called by the Executive Director.</p> <p>The Executive Director shall serve as the chairperson of the Council.</p> <p>Section 8. <u>Consultants</u></p> <p>The Board may appoint, employ or retain consultants to provide the Intermediate Unit with specialized services not normally required on a continuing basis. Compensation shall be determined and approved by the Board.</p> <p>The function of a consultant shall be to make studies and present recommendations to the Board. A consultant shall not be charged with the implementation of a report.</p> <p>A consultant has no administrative authority over any facet of Intermediate Unit programs, but shall act solely as advisor to the Board, officers and employees.</p> <p>The use of consultants from outside the Intermediate Unit who promote a particular commercial product is discouraged.</p>
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References:

Pennsylvania Constitution – PA Const. Art. VI Sec. 7

Purdon’s Statutes (School Code) – 24 P.S. Sec. 1-106, 4-402, 4-421, 4-426, 5-516,  
9-910-A, 9-912-A, 9-914-A, 9-915-A, 9-921-A

Sunshine Act – 65 Pa. C.S.A. Sec. 701 et seq.

Board Policy – 006, 811

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: BOARD PROCEDURES

TITLE: MEETINGS

ADOPTED: November 22, 2010

REVISED: March 28, 2011

<p>24 P.S. Sec. 407 65 Pa. C.S.A. Sec. 701 et seq</p> <p>24 P.S. Sec. 422</p> <p>24 P.S. Sec. 405, 426, 427, 428</p> <p>65 Pa. C.S.A. Sec. 703, 709</p> <p>65 Pa. C.S.A. Sec. 703, 709</p>	<p style="text-align: center;">006. MEETINGS</p> <p>Section 1. <u>Parliamentary Authority</u></p> <p>All Board meetings shall be conducted in an orderly and business-like manner. Robert’s Rules of Order, Newly Revised, including small group rules shall govern the Board in its deliberations in all cases in which it is not inconsistent with law, state regulations or Board policies.</p> <p>Section 2. <u>Quorum</u></p> <p>A quorum shall consist of a majority of the members of the Board. No business shall be transacted at a meeting without a quorum, but the Board members present at such a meeting may adjourn to another time.</p> <p>Section 3. <u>Presiding Officer</u></p> <p>The President shall preside at all Board meetings. In the absence, disability or disqualification of the President, the Vice-President shall act instead. If neither person is present, a Board member shall be elected President pro tempore by a plurality of those present to preside at that meeting only. The act of any person so designated shall be legal and binding.</p> <p>Section 4. <u>Notice</u></p> <p>Notice of all public Board meetings, including committee meetings and work sessions, shall be given by publication of the date, place, and time of such meetings in the newspaper(s) of general circulation designated by the Board and the posting of such notice at the administrative offices of the Board.</p> <p>a. Notice of regular meetings shall be given by publication and posting of a schedule showing the date, place and time of all regular meetings for the fiscal year at least three (3) days prior to the time of the first regular meeting. The schedule of regular meetings shall also be posted on the Intermediate Unit web site.</p>
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<p>65 Pa. C.S.A. Sec. 703, 709</p>	<p>b. Notice of all special meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting, except that such notice shall be waived when a special meeting is called to deal with an actual emergency involving a clear and present danger to life or property.</p>
<p>65 Pa. C.S.A. Sec. 703, 709</p>	<p>c. Notice of all rescheduled meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting.</p>
<p>65 Pa. C.S.A. Sec. 703</p>	<p>d. Notice of all recessed or reconvened meetings shall be given by posting a notice of the place, date and time of the meeting and sending copies of such notice to interested parties.</p>
<p>65 Pa. C.S.A. Sec. 709</p>	<p>e. Notice of all public meetings shall be given to any newspaper(s) circulating in Allegheny County and any radio or television station which so requests. Notice of all public meetings shall be given to any individual who so requests and provides a stamped, addressed envelope for such notification.</p>
<p>24 P.S. Sec. 423 65 Pa. C.S.A. Sec. 709</p>	<p>Notice of all rescheduled meetings and special Board meetings shall be given to Board members no later than twenty-four (24) hours prior to the time of the meeting.</p>
<p>24 P.S. Sec. 421 65 Pa. C.S.A. Sec. 701 et seq</p>	<p>Section 5. <u>Regular Meetings</u></p> <p>Regular Board meetings shall be public and shall be held at 7:00 p.m. in the McGuffey Conference Room; work sessions shall be held at 5:00 p.m. in the Rogers Conference Room. Meetings shall be held each month, except December and July, in accordance with the Board-approved schedule.</p> <p>a. Agenda</p> <p>It shall be the responsibility of the Executive Director, in cooperation with the Board President, to prepare an agenda of the items of business to come before the Board at each regular meeting. The agenda, together with all relevant reports, shall be provided each Board member prior to the meeting.</p> <p>b. Order Of Business</p> <p>The order of business for regular meetings shall be as follows, unless altered by the President:</p> <ol style="list-style-type: none"> <li>1. Call to Order.</li> <li>2. Flag Salute.</li> </ol>

3. Roll Call.
4. Comments from Visitors Regarding Items on the Agenda.
5. Approval of Minutes.
6. Treasurer's Report.
7. Approval of Expenditures.
8. New Business:
  - Administration
  - Finance
  - Human Resources
  - Information and Educational Technology
  - Early Childhood, Family and Community Services
  - Educational Services
  - Teaching and Learning
9. New Business and Reports from Board Members.
10. Personnel:
  - Administration
  - Finance
  - Human Resources
  - Information and Educational Technology
  - Early Childhood, Family and Community Services
  - Educational Services
  - Teaching and Learning

<p>24 P.S. Sec. 423, 426 65 Pa. C.S.A. Sec. 701 et seq</p> <p>24 P.S. Sec. 426</p> <p>24 P.S. Sec. 423</p> <p>65 Pa. C.S.A. Sec. 701 et seq Pol. 903</p> <p>24 P.S. Sec. 518 65 Pa. C.S.A. Sec. 706</p>	<p>11. Reports from the Executive Director and Staff.</p> <p>12. Comments from Visitors.</p> <p>13. Future Business.</p> <p>14. Adjournment.</p> <p>Section 6. <u>Special Meetings</u></p> <p>Special meetings may be called for special or general purposes and shall be public except when conducted as an executive session for purposes authorized by the Sunshine Act.</p> <p>The President may call a special meeting at any time and shall call a special meeting upon presentation of the written requests of three (3) Board members. Upon the President's failure or refusal to call a special meeting, such meeting may be called at any time by a majority of the Board members.</p> <p>No business shall be transacted at any special meeting except that named in the call sent to members for such special meeting.</p> <p>Section 7. <u>Public Participation</u></p> <p>A member of the public present at a Board meeting may address the Board in accordance with law and Board policy and procedures.</p> <p>Section 8. <u>Voting</u></p> <p>All motions shall require for adoption a majority vote of those Board members present and voting, except as provided by statute or Board policies.</p> <p>All votes on motions and resolutions shall be by voice vote unless an oral roll call vote is requested by the President or another Board member.</p> <p>Section 9. <u>Minutes</u></p> <p>The Board shall cause to be made, and shall retain as a permanent record of the Intermediate Unit, minutes of all open Board meetings. Said minutes shall be comprehensible and complete and shall show:</p> <p>a. The date, place, and time of the meeting.</p>
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<p>65 Pa. C.S.A. Sec. 705</p>	<ul style="list-style-type: none"> <li>b. The names of Board members present.</li> <li>c. The presiding officer.</li> <li>d. The substance of all official actions.</li> <li>e. Actions taken.</li> <li>f. Recorded votes and a record by individual members of all roll call votes taken.</li> <li>g. The names of all residents who appeared officially and the subject of their testimony.</li> </ul>
<p>24 P.S. Sec. 433</p>	<p>The Board Secretary shall provide each Board member with a copy of the minutes of the last meeting prior to the next regular meeting.</p>
<p>24 P.S. Sec. 407 Pol. 800, 801</p>	<p>The minutes of Board meetings shall be approved at the next succeeding meeting and signed by the Board Secretary.</p> <p>Notations and any tape or audiovisual recordings shall not be the official record of a public Board meeting but may be available for public access, upon request, in accordance with Board policy. Any notations and/or audiovisual recordings of a Board meeting shall be retained and disposed of in accordance with the Intermediate Unit's records retention schedule.</p>
<p>65 Pa. C.S.A. Sec. 703, 709 Pol. 006</p>	<p>Section 10. <u>Recess/Reconvene</u></p> <p>The Board may at any time recess or reconvene to a reconvened meeting at a specified date and place, upon the majority vote of those present. The reconvened meeting shall immediately take up its business at the point in the agenda where the motion to recess was acted upon. Notice of the reconvened meeting shall be given as provided in Board policy.</p>
<p>65 Pa. C.S.A. Sec. 707, 708</p>	<p>Section 11. <u>Executive Session</u></p> <p>The Board may hold an executive session, which is not an open meeting, before; during; at the conclusion of a public meeting; or at some other time. The presiding officer shall announce the reason for holding the executive session; the announcement can be made at the public meeting prior to or after the executive session.</p>

	<p>The Board may discuss the following matters in executive session:</p> <ul style="list-style-type: none"><li>a. Employment issues.</li><li>b. Labor relations.</li><li>c. Purchase or lease of real estate.</li><li>d. Consultation with an attorney or other professional advisor regarding potential litigation or identifiable complaints that may lead to litigation.</li><li>e. Matters that must be conducted in private to protect a lawful privilege or confidentiality.</li></ul> <p>Official actions based on discussions held in executive session shall be taken at a public meeting.</p> <p>Section 12. <u>Work Sessions</u></p>
<p>65 Pa. C.S.A. Sec. 701 et seq Pol. 006</p>	<p>The Board may meet as a Committee of the Whole in a public meeting to vote on or to discuss issues. Public notice of such meetings shall be made in accordance with Board policy.</p> <p>A meeting of the Committee of the Whole, not regularly scheduled, may be called at any time by the President; the President shall call such a meeting when requested to do so by Board members. Public notice of the meeting shall be made in accordance with Board policy.</p>
<p>65 Pa. C.S.A. Sec. 703, 709</p>	<p>The Board Secretary shall provide notice of a meeting of the Committee of the Whole in accordance with Board policy.</p> <p>Section 13. <u>Committee Meetings</u></p> <p>A majority of the total membership of a committee shall constitute a quorum.</p>
<p>65 Pa. C.S.A. Sec. 701 et seq</p>	<p>Unless held as an executive session, committee meetings shall be open to the public, other Board members, and the Executive Director.</p> <p>A majority of the committee or the chairperson may invite Board employees, consultants or other persons who have special knowledge of an area under discussion.</p>

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 4-405, 4-407, 4-421, 4-422, 4-423, 4-426, 4-427, 4-428, 4-433, 5-518

Sunshine Act – 65 Pa. C.S.A. Sec. 701 et seq.

Board Policy – 006, 800, 801, 903

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: BOARD PROCEDURES

TITLE: ATTENDANCE AT MEETINGS  
VIA ELECTRONIC  
COMMUNICATIONS

ADOPTED: November 22, 2010

REVISED:

<p>24 P.S. Sec. 407</p>	<p style="text-align: center;">006.1. ATTENDANCE AT MEETINGS VIA ELECTRONIC COMMUNICATIONS</p> <p>Section 1. <u>Authority</u></p> <p>The Board recognizes that factors such as illness, travel, schedule conflicts and weather conditions can make impossible the physical presence of a Board member at a Board meeting, and that electronic communications can enable a Board member to participate in a meeting from a remote location.</p> <p>A Board member shall be able to attend a Board meeting, and participate in Board deliberations and voting, through electronic communications, but only under extraordinary circumstances.</p> <p>The Board authorizes the administration to provide the equipment and facilities required to implement this Board policy.</p> <p>Section 2. <u>Guidelines</u></p> <p>A Board member who attends a meeting through electronic communications shall be considered present only if the member can hear everything said at the meeting and all those attending the meeting can hear everything said by that member. If the Board President determines either condition is not occurring, s/he shall terminate the Board member's attendance through electronic communications.</p> <p>A majority of Board members shall be physically present at a Board meeting when a Board member attends through electronic communications.</p> <p>To attend a Board meeting through electronic communications, a Board member shall comply with the following:</p> <ol style="list-style-type: none"> <li>a. Submit such request to the Board President at least three (3) days prior to the meeting.</li> </ol>
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- b. Ensure that the remote location is quiet and free from background noise and interruptions.
- c. Participate in the entire Board meeting.

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 4-407

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: BOARD PROCEDURES

TITLE: POLICY MANUAL ACCESS

ADOPTED: November 22, 2010

REVISED: January 24, 2011

<p>24 P.S. Sec. 407, 914-A Pol. 000, 003</p> <p>65 P.S. Sec. 67.701 Pol. 801</p>	<p style="text-align: center;">007. POLICY MANUAL ACCESS</p> <p>Section 1. <u>Authority</u></p> <p>The Board adopts the policies contained in the Policy Manual as a governance tool for the Board and as a resource for administrators and employees, students, parents/guardians, residents and community members.</p> <p>Section 2. <u>Guidelines</u></p> <p>Copies of the Policy Manual shall be made available electronically, or in hard copy if requested, to the following:</p> <ul style="list-style-type: none"><li>a. All Board members.</li><li>b. Executive Director.</li><li>c. Each member of the Leadership Team.</li><li>d. Board Secretary.</li><li>e. Each program supervisor.</li><li>f. Appropriate administrators.</li><li>g. Board solicitor.</li></ul> <p>The Board Policy Manual shall be considered a public record and shall be available for inspection and access by citizens on the Intermediate Unit's web site.</p> <p>The Executive Director or designee shall maintain an orderly plan for the promulgation of policies to students, parents/guardians and staff members who are affected by them and shall provide easy accessibility to an up-to-date Policy Manual.</p>
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<p>Pol. 003</p>	<p>The Executive Director or designee shall be responsible to review existing policy in light of Board actions and revisions to state and federal laws and regulations, and to recommend to the Board the changes necessary to maintain the Board Policy Manual in a current status.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 4-407, 9-914-A</p> <p>Right-to-Know Law – 65 P.S. Sec. 67.101 et seq.</p> <p>Board Policy – 000, 003, 801</p>
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**ALLEGHENY  
INTERMEDIATE  
UNIT 3**

SECTION: BOARD PROCEDURES

TITLE: ORGANIZATION CHART

ADOPTED: November 22, 2010

REVISED: February 28, 2011

008. ORGANIZATION CHART

The Board adopts the following organization chart to illustrate the organizational structure of the Allegheny Intermediate Unit 3.

# Allegheny Intermediate Unit

EXECUTIVE DIRECTOR  
**Dr. Linda B. Hippert**  
 (Chief Executive Officer)

CHIEF ADMINISTRATIVE OFFICER  
**Rose Yakopcic**

- Communications
- Evaluations, Grants and Data
- Superintendent Services/Network
- Principal Services/Network
- School Board Services
- Special Projects
- Emergency Management Role Alike Services
- Organizational Leadership/Strategic Planning

CHIEF FINANCIAL OFFICER  
**Patrick Sable**

- Fiscal Administration
- Facilities
- Operations
- Internal Auditing
- Legislation
- E-Rate
- Telecommunications Billing
- Program Fiscal Services
- Fiscal Role Alike Services

DIRECTOR OF EARLY CHILDHOOD, FAMILY AND COMMUNITY SERVICES  
**(To Be Named)**

- Head Start
- Early Head Start
- Early Intervention (DART)
- Early Behavior Intensive Intervention
- Family Centers
- Fatherhood Programs
- Adult Education/ Training
- Homeless Children
- Alternative Education

DIRECTOR OF TEACHING AND LEARNING  
**Rosanne Javorsky**

- Curriculum
- Instruction
- Assessment
- Professional Development
- Workforce Development
- Center for Creativity, Arts and Technology
- School Improvement
- Continuing Professional Education/Induction
- Training and Consultation

DIRECTOR OF HUMAN RESOURCES  
**Dr. Michael Brinkos**

- Recruiting, Hiring, Onboarding
- Employee Professional Development
- Certifications
- PA-Educator.net
- Negotiations
- Grievances
- Conflict Resolution
- Wellness
- Employee Discipline
- Employee Recognition
- Human Resource Role Alike Services

DIRECTOR OF INFORMATION AND EDUCATIONAL TECHNOLOGY  
**Raymond Kase**

- Technology Infrastructure and Support
- Educational Technology Integration
- Telecommunications Distribution/Training
- Video Conferencing
- AlleghenyConnect/ PAIUnet
- Websites
- Technology Role Alike Services

DIRECTOR OF EDUCATIONAL SERVICES  
**(To Be Named)**

- Non-Public Schools
- ELL (English Language Learners)
- Special Education/ Pupil Personnel Services
- School Services
- Waterfront Learning
- PALO/Stream

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: BOARD PROCEDURES

TITLE: BOARD GOVERNANCE  
STANDARDS/CODE OF  
CONDUCT

ADOPTED: November 22, 2010

REVISED:

## 011. BOARD GOVERNANCE STANDARDS/CODE OF CONDUCT

### Section 1. Standards For Effective School Governance

To promote student growth and achievement, an effective Board:

a. Advocates for a thorough and efficient system of public education by:

1. Promoting public education as a keystone of democracy.
2. Engaging and promoting community support by seeking input, building support networks and generating action.
3. Allocating resources in a manner designed to facilitate student achievement consistent with Intermediate Unit goals and plans.
4. Maintaining legislative awareness and communicating with members of local, state and federal legislative bodies.
5. Ensuring strong management of the Intermediate Unit programs by hiring, setting goals with and evaluating the Executive Director.
6. Employing qualified staff to meet student and program needs.

b. Models responsible governance and leadership by:

1. Staying current with changing needs and requirements by reviewing educational literature, attending professional development opportunities prior to Board service and continuously during Board service, and preparing to make informed decisions.
2. Interacting with school officials in member school districts and using resources provided by organizations and agencies committed to effective governance and management of Intermediate Unit programs.

	<ol style="list-style-type: none"><li>3. Leading with respect and taking full responsibility for Board activity and behavior.</li><li>4. Adopting and acting in accordance with the <i>PSBA Code of Conduct for Members of Pennsylvania School Boards</i>.</li><li>5. Engaging all community stakeholders.</li><li>6. Complying with Board policy and all applicable local, state and federal laws and regulations.</li><li>7. Operating as a collective Board in making decisions.</li><li>8. Participating in annual Board retreats.</li></ol> <p>c. Governs through policy by:</p> <ol style="list-style-type: none"><li>1. Seeking input from stakeholders and following an established procedure for consideration.</li><li>2. Regularly reviewing and, as necessary, revising and adopting Board policy.</li><li>3. Delegating to the Executive Director responsibility for implementation of Board policy.</li><li>4. Ensuring public access to adopted Board policy.</li><li>5. Purposefully linking its actions to applicable Board policies.</li></ol> <p>d. Ensures that effective planning occurs by:</p> <ol style="list-style-type: none"><li>1. Adopting and implementing a collaborative strategic planning process, including regular reviews.</li><li>2. Setting annual goals that are aligned with the Strategic Plan.</li><li>3. Linking Board actions to the Strategic Plan.</li><li>4. Adopting a financial plan that considers short-term and long-term needs.</li><li>5. Adopting professional development plans for Board and staff.</li></ol>
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	<ul style="list-style-type: none"><li>6. Adopting a plan to ensure evaluation of student growth and achievement using relevant data.</li><li>7. Adopting a master facilities plan conducive to teaching and learning.</li><li>8. Adopting a plan for curriculum review and development.</li></ul> <p>e. Monitors results by:</p> <ul style="list-style-type: none"><li>1. Using data appropriately to make informed decisions.</li><li>2. Ensuring effective practices for evaluation of staff, programs, plans and services.</li><li>3. Evaluating its own performance.</li><li>4. Assessing student growth and achievement.</li><li>5. Evaluating the effectiveness of the Strategic Plan.</li></ul> <p>f. Communicates with and engages the community by:</p> <ul style="list-style-type: none"><li>1. Distributing relevant information about the Intermediate Unit.</li><li>2. Providing methods of communication to the Board and appropriate staff.</li><li>3. Seeking input through a variety of methods.</li><li>4. Including stakeholders in all communications.</li></ul> <p>Section 2. <u>Code Of Conduct For Board Members</u></p> <p>a. We, as members of the Board, believe that:</p> <ul style="list-style-type: none"><li>1. Striving toward ideal conditions for effective Board service to our community, in a spirit of teamwork and devotion to public education, is the greatest instrument for preserving and perpetuating our representative democracy.</li><li>2. The future welfare of this community, commonwealth and nation depends upon the quality of education we provide in the public schools and Intermediate Units.</li></ul>
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	<ol style="list-style-type: none"><li>3. In order to maintain a free and strong country, our civic obligation to the community, commonwealth and nation is to maintain free and strong public schools and other educational opportunities in the United States of America, without surrendering our responsibilities to any other person, group or organization.</li><li>4. Boards share responsibility for ensuring a “thorough and efficient system of public education” as required by the Pennsylvania Constitution.</li><li>5. Our fellow residents have entrusted us with the advocacy for and stewardship of the education of the youth of the member school district communities.</li><li>6. The public expects that our first and greatest priority is to provide equitable educational opportunities for all learners we serve.</li></ol> <p>b. Accordingly:</p> <ol style="list-style-type: none"><li>1. The member school districts’ communities should be provided with information about the Intermediate Unit and be engaged by the Board and staff to encourage input and support for the Intermediate Unit.</li><li>2. Devoting time, thought and study to our duties and responsibilities as Board members is critical for rendering effective and credible service.</li><li>3. Board members should work together in a spirit of harmony, respect and cooperation, despite differences of opinion.</li><li>4. Personal decisions should be based upon all sufficient facts, we should vote our honest conviction without partisan bias, and we will abide by and uphold the majority decision of the Board.</li><li>5. Individuals have no legal authority outside the meetings of the Board, and should conduct their relationships with all stakeholders and media on this basis.</li><li>6. We will not use our positions as Board members to benefit ourselves or any individual or agency.</li><li>7. Boards must balance their responsibility to provide educational programs with the need to be effective stewards of public resources.</li></ol>
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	<ul style="list-style-type: none"><li>8. We should recognize that the primary responsibility of the Board is to adopt policies by which the Intermediate Unit is to be administered.</li><li>9. We should respect that the Executive Director and his/her staff are responsible and accountable for the delivery of the educational programs and the conduct of Intermediate Unit operations.</li><li>10. Communication with all stakeholders and the media should be conducted in accordance with Board policy.</li></ul>
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# ALLEGHENY INTERMEDIATE UNIT 3

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UPDATED: February 27, 2012

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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: PROGRAM OF SERVICES

ADOPTED: February 28, 2011

REVISED:

<p>1. Authority 24 P.S. Sec. 906-A, 914-A</p> <p>24 P.S. Sec. 914-A</p> <p>24 P.S. Sec. 914-A</p> <p>24 P.S. Sec. 914-A</p> <p>24 P.S. Sec. 914-A</p> <p>24 P.S. Sec. 914-A</p>	<p style="text-align: center;">100. PROGRAM OF SERVICES</p> <p>The Board shall annually adopt a program of services to be provided by the Intermediate Unit.</p> <p>The program of services may include:</p> <ol style="list-style-type: none"> <li>1. Curriculum development and instructional improvement services.</li> <li>2. Educational planning services.</li> <li>3. Instructional materials services.</li> <li>4. Continuing professional education services.</li> <li>5. Pupil personnel services.</li> <li>6. State and federal agency liaison services.</li> <li>7. Management services.</li> </ol> <p>The Board may add additional services to the program only with the approval of a majority of all School Boards of member school districts comprising the Intermediate Unit at a meeting called for the express purpose of approving or disapproving any additional service.</p> <p>The Board may contract for specialized services.</p> <p>The Board shall provide for and conduct programs of services authorized by the State Board of Education, including services performed under contract with member school districts.</p>
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100. PROGRAM OF SERVICES - Pg. 2

<p>24 P.S. Sec. 914-A</p>	<p>The Board may provide services to nonpublic, nonprofit schools that contract for such services.</p>
<p>24 P.S. Sec. 922.1-A, 923-A, 923.1-A 923.2-A</p>	<p>The Board shall provide auxiliary services, speech/hearing services, psychological services, visual services and loan of instructional materials and instructional equipment to nonpublic school students as required by law.</p>
<p>24 P.S. Sec. 5711-5713</p>	
<p>2. Delegation of Responsibility 24 P.S. Sec. 906-A</p>	<p>The Executive Director shall be responsible for recommending the program of services to the Board and for submitting the program to the Secretary of Education annually.</p>
<p>References:</p>	<p>Purdon's Statutes (School Code) – 24 P.S. Sec. 9-906-A, 9-914-A, 9-922.1-A, 9-923-A, 9-923.1-A, 9-923.2-A</p>
<p>Nonpublic School Children Speech and Hearing Defect Services – 24 P.S. Sec. 5711-5713</p>	

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS  
TITLE: STRATEGIC PLAN  
ADOPTED: February 28, 2011  
REVISED:

<p>1. Purpose</p> <p>2. Authority Title 22 Sec. 4.4, 12.1 et seq Pol. 100</p> <p>3. Delegation of Responsibility</p>	<p style="text-align: center;">100.1. STRATEGIC PLAN</p> <p>The Board recognizes the importance of establishing a comprehensive plan to guide the educational program and operation of the Intermediate Unit. Participation by all segments of the school community is a critical element of such planning.</p> <p>The Board may develop and approve a Strategic Plan for the programs and services offered by the Intermediate Unit based upon an analysis of internal and external needs, specifying priorities for actions and action plans. The plan may be formulated in accordance with state regulations.</p> <p>The Board shall ensure active participation by Board members, administrators, teachers, other Intermediate Unit personnel, students, parents/guardians, and representatives from businesses and the community.</p> <p>The Board directs that the Strategic Plan be reviewed and revised as necessary.</p> <p>Prior to approval by the Board, the Strategic Plan, and any revisions, shall be made available for public inspection in the administrative offices and on the Intermediate Unit’s website until the next regular Board meeting.</p> <p>The Executive Director shall be responsible for recommending the Strategic Plan to the Board.</p> <p>References:</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.4, 4.13, 12.1 et seq., 16.4</p> <p>Board Policy – 002, 100, 101, 102, 105, 109, 113, 115, 138, 146, 215, 217, 246, 333, 701</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: MISSION, VISION, AND  
BELIEFS STATEMENTS

ADOPTED: February 28, 2011

REVISED:

<p>1. Authority</p> <p>Pol. 100.1</p>	<p style="text-align: center;">101. MISSION, VISION, AND BELIEFS STATEMENTS</p> <p><b><u>Mission Statement</u></b></p> <p>We maximize educational opportunities for all learners by responding to the needs of our community with leading-edge, high-quality, cost-effective programs and services.</p> <p><b><u>Vision Statement</u></b></p> <p>Educational excellence is a hallmark of our region with all learners having access to the best services, enriching their lives and enabling their contribution to a vibrant economy.</p> <p><b><u>Beliefs Statement</u></b></p> <p><b><u>Collaboration</u></b></p> <p>We leverage the collective expertise and experience of our partners, encourage active participation from all constituents, and strive for inclusiveness in our programs and services.</p> <p><b><u>Excellence</u></b></p> <p>We believe that demanding anything less than excellence, internally and externally, is sacrificing the potential that all learners possess, regardless of situation or circumstance.</p> <p><b><u>Trust</u></b></p> <p>We strive for character, competence, integrity, professionalism, and transparency in all that we do as they are necessary for building an effective education community.</p> <p><b><u>Innovation</u></b></p> <p>We cultivate an entrepreneurial environment that fosters creativity as this is vital to conquering the dynamic complexities of an ever-changing world.</p>
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Responsiveness

We are driven by the needs of educators and learners in our development and delivery of programs and services.

Leadership

We model a culture of excellence, inspiring effective leaders to create effective teachers and successful students.

Cost-Effectiveness

We ensure programs and services are valuable, affordable, and of superior quality.

Continuous Quality Improvement

We are dedicated to ongoing, evidence-based improvement and challenging the status quo in order to advance education and provide rich and relevant opportunities for educators and learners.

References:

Board Policy – 100.1

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: ACADEMIC STANDARDS

ADOPTED: February 28, 2011

REVISED:

102. ACADEMIC STANDARDS	
<p>1. Purpose Title 22 Sec. 4.4, 4.12 Pol. 100.1</p>	<p>The Board recognizes that education is a vital function of the state and community. The school community, through the strategic planning process, shall be encouraged to participate in the development of the educational goals and academic standards established for the specific programs offered by the Intermediate Unit.</p>
<p>2. Definition Title 22 Sec. 4.3, 4.11</p>	<p><b>Academic standards</b> shall be defined as what a student should know and be able to do at a specified grade level; they shall describe the knowledge and skills students will be expected to demonstrate in order to complete the program in which they are enrolled.</p>
<p>3. Guidelines Title 22 Sec. 4.12</p>	<p>The Board shall ensure that Intermediate Unit programs serving students from member districts are aligned with the academic standards adopted by the State Board of Education, as appropriate.</p> <p>Each Intermediate Unit program providing academic programs to students shall identify and develop procedures to implement the academic standards to be achieved in the program, in one (1) or more of the following content areas:</p> <ol style="list-style-type: none"> <li>1. Reading, Writing, Speaking, and Listening.</li> <li>2. Mathematics.</li> <li>3. Science and Technology.</li> <li>4. Environment and Ecology.</li> <li>5. Social Studies (to include history, geography, civics and government, and economics).</li> <li>6. Arts and Humanities.</li> <li>7. Career and Workforce Education.</li> </ol>

<p>Title 22 Sec. 4.12</p>	<p>8. Health, Safety, and Physical Education.</p> <p>9. Family and Consumer Science.</p> <p>Students with disabilities may attain established academic standards by completing their Individualized Education Program (IEP) under the Individuals With Disabilities Education Act (IDEA).</p> <p>References:</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.3, 4.4, 4.11, 4.12</p> <p>Board Policy – 000, 100.1</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: NONDISCRIMINATION IN  
EDUCATIONAL PROGRAMS/  
SERVICES

ADOPTED: February 28, 2011

REVISED:

<p>1. Authority 24 P.S. Sec. 1310 Title 22 Sec. 4.4, 12.1, 12.4, 15.1 et seq 24 P.S. Sec. 5004 43 P.S. Sec. 951 et seq Title IX 20 U.S.C. Sec. 1681 et seq 29 U.S.C. Sec. 794 Title VI 42 U.S.C. Sec. 2000d et seq 42 U.S.C. Sec. 12101 et seq</p> <p>2. Delegation of Responsibility</p>	<p style="text-align: center;">103. NONDISCRIMINATION IN EDUCATIONAL PROGRAMS/SERVICES</p> <p>The Board declares it to be the policy of the Intermediate Unit to provide an equal opportunity for all students to achieve their maximum potential through the programs offered by the Intermediate Unit regardless of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, pregnancy, or handicap/disability.</p> <p>The Intermediate Unit shall provide referrals, programs and services to all eligible students without discrimination. The Intermediate Unit shall make reasonable accommodations for identified physical and mental impairments that constitute handicaps and disabilities, consistent with the requirements of federal and state laws and regulations.</p> <p>The Board encourages students and third parties who have been subject to discrimination to promptly report such incidents to designated employees.</p> <p>The Board directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the Intermediate Unit's legal and investigative obligations.</p> <p>No reprisals or retaliation shall occur as a result of good faith charges of discrimination.</p> <p>In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Supervisor of Fiscal Services as the Compliance Officer for the Intermediate Unit.</p> <p>The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees, and the public. Nondiscrimination statements shall include the position, office address, and telephone number of the Compliance Officer.</p>
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3. Guidelines	<p>The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the following areas:</p> <ol style="list-style-type: none"><li>1. Curriculum and Materials: Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.</li><li>2. Training: Provision of training for students and staff to identify and alleviate problems of discrimination.</li><li>3. Student Access: Review of programs, activities and services to ensure that all students have equal access and are not segregated except when permissible by law or regulation.</li><li>4. Support: Assurance that like aspects of educational programs receive like support as to staffing and compensation, facilities, equipment, and related matters.</li><li>5. Student Evaluation: Review of tests, procedures, and guidance and counseling materials for stereotyping and discrimination.</li></ol> <p>The building administrator or program supervisor shall be responsible to complete the following duties when receiving a complaint of discrimination:</p> <ol style="list-style-type: none"><li>1. Inform the student or third party of the right to file a complaint and the complaint procedure.</li><li>2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.</li><li>3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.</li><li>4. Refer the complainant to the Compliance Officer if the administrator or supervisor is the subject of the complaint.</li></ol> <p><u>Complaint Procedure – Student/Third Party</u></p> <p><b>Step 1 – Reporting</b></p> <p>An Intermediate Unit student or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building administrator or program supervisor.</p>
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An Intermediate Unit employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building administrator or program supervisor.

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

The complainant or reporting employee is encouraged to use the report form available from the building administrator or program supervisor, but oral complaints shall be acceptable.

**Step 2 – Investigation**

Upon receiving a complaint of discrimination, the building administrator or program supervisor shall immediately notify the Compliance Officer. The Compliance Officer shall authorize the building administrator or program supervisor to investigate the complaint, unless the administrator or supervisor is the subject of the complaint or is unable to conduct the investigation.

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

If the investigation results in a determination that the conduct being investigated may involve a violation of criminal law, the building administrator or program supervisor shall inform law enforcement authorities about the incident.

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

**Step 3 – Investigative Report**

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

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

**Step 4 – Intermediate Unit Action**

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

Disciplinary actions shall be consistent with the Code of Conduct, Board policies and procedures, applicable collective bargaining agreements, and state and federal laws.

Appeal Procedure

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

References:

Purdon’s Statutes (School Code) – 24 P.S. Sec. 13-1310

State Board of Education Regulations – 22 PA Code Sec. 4.4, 12.1, 12.4, 15.1 et seq.

Unfair Educational Practices – 24 P.S. Sec. 5004

Pennsylvania Human Relations Act – 43 P.S. Sec. 951 et seq.

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

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

	<p>Federal Anti-Discrimination and Civil Rights Laws –</p> <ul style="list-style-type: none"><li>20 U.S.C. Sec. 1681 et seq. (Title IX)</li><li>42 U.S.C. Sec. 2000d et seq. (Title VI)</li></ul> <p>Federal Anti-Discrimination and Civil Rights Regulations –</p> <ul style="list-style-type: none"><li>28 CFR Part 35, Part 41</li><li>34 CFR Part 100, Part 104, Part 106, Part 110</li></ul> <p>Board Policy – 000</p>
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**REPORT FORM FOR COMPLAINTS OF DISCRIMINATION**

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

Alleged discrimination was based on: \_\_\_\_\_

Name of person you believe violated the Intermediate Unit's nondiscrimination policy:  
\_\_\_\_\_

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

Describe the incident as clearly as possible, including any verbal statements, i.e., threats, derogatory remarks, demands, etc., and any actions or activities. Attach additional pages if necessary: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Identify when and where incident occurred: \_\_\_\_\_  
\_\_\_\_\_

List any witnesses who were present: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
Complainant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received By

\_\_\_\_\_  
Date

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: NONDISCRIMINATION –  
QUALIFIED STUDENTS WITH  
DISABILITIES

ADOPTED: August 22, 2011

REVISED:

103.1 NONDISCRIMINATION – QUALIFIED STUDENTS WITH DISABILITIES	
<p>1. Authority Title 22 Sec. 4.4, 12.1, 12.4, 15.1 et seq Title 55 Sec. 3270.17 29 U.S.C. Sec. 794 42 U.S.C. Sec. 12101 et seq 28 CFR Part 35 34 CFR Part 104 Pol. 103</p>	<p>The Board adopts this policy to ensure that all Intermediate Unit programs and practices are free from discrimination against all qualified students with disabilities. The Board recognizes its responsibility to provide academic and nonacademic services and programs equally to students with and without disabilities.</p> <p>The Intermediate Unit shall provide to each qualified student with a disability participating in Intermediate Unit programs, without cost to the student or parent/guardian, a free and appropriate public education (FAPE). This includes provision of education and related aids, services, or accommodations which are needed to afford each qualified student with a disability equal opportunity to participate in and obtain the benefits from educational programs and extracurricular activities without discrimination, to the same extent as each student without a disability, consistent with federal and state law and regulations.</p> <p>The Board encourages students and parents/guardians who believe they have been subjected to discrimination or harassment to promptly report such incidents to designated employees.</p> <p>The Board directs that complaints of discrimination or harassment shall be investigated promptly, and corrective action be taken for substantiated allegations. Confidentiality of all parties shall be maintained, consistent with the Intermediate Unit’s legal and investigative obligations.</p> <p>The Intermediate Unit shall not intimidate, threaten, coerce, discriminate or retaliate against any individual for the purpose of interfering with any right or privilege secured by this policy.</p>
<p>2. Definitions Title 22 Sec. 15.2 42 U.S.C. Sec. 12102</p>	<p>Qualified student with a disability - a student who has a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of the Intermediate Unit’s educational programs, nonacademic services or extracurricular activities.</p>

<p>Title 22 Sec. 15.1 et seq 34 CFR Part 104</p>	<p>Section 504 Team - a group of individuals who are knowledgeable about the student, the meaning of the evaluation data and the placement options for the student. This could include, as appropriate, documentation or input from classroom teachers, counselors, psychologists, school nurses, outside care providers and the student’s parents/guardians.</p>
<p>Title 22 Sec. 15.7</p>	<p>Section 504 Service Agreement (Service Agreement) - 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 Intermediate Unit programs, in transit to and from Intermediate Unit programs, and in all services and procedures, so that the student has equal access to the benefits of the Intermediate Unit’s educational programs, nonacademic services, and extracurricular activities.</p>
<p>Pol. 248</p>	<p>Disability harassment - intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student’s participation in or receipt of benefits, services, or opportunities in the Intermediate Unit’s educational programs, nonacademic services, or extracurricular activities.</p>
<p>3. Delegation of Responsibility 34 CFR Sec. 104.7</p>	<p>In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Supervisor of Fiscal Services as the Intermediate Unit’s Section 504 Coordinator.</p> <p>In addition, each separate Intermediate Unit building shall have a Section 504 building administrator.</p>
<p>Title 22 Sec. 15.4 34 CFR Sec. 104.32</p>	<p>The Intermediate Unit shall publish and disseminate this policy and complaint procedure on or before the first day of each school year by posting it on the Intermediate Unit’s website, and information for parents/guardians on how to access the complaint procedure shall be published in student handbooks. The Intermediate Unit shall notify parents/guardians of students participating in Intermediate Unit programs of the Intermediate Unit’s responsibilities under applicable laws and regulations, and that the Intermediate Unit does not discriminate against qualified individuals with disabilities.</p>
<p>4. Guidelines  34 CFR Sec. 104.32 Pol. 113</p>	<p><u>Identification And Evaluation</u></p> <p>The Intermediate Unit may assist participating school districts in conducting annual child find activities to locate and identify students with a disabilities thought to be eligible for Section 504 services and protections. This search may be combined with IDEA child find activities, in order to not duplicate efforts.</p>

<p>Title 22 Sec. 15.5, 15.6 34 CFR Sec. 104.35</p>	<p>If a parent/guardian or the Intermediate Unit has reason to believe that a student should be identified as a qualified student with a disability, should no longer be identified as a qualified student with a disability, or requires a change in or modification of the student’s current Service Agreement, the parent/guardian or the Intermediate Unit shall provide the other party with written notice and the Intermediate Unit shall notify the school district of residence.</p>
<p>34 CFR Sec. 104.35</p>	<p>The Intermediate Unit shall coordinate with participating school districts to establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need related services because of a disability.</p>
<p>34 CFR Sec. 104.35</p>	<p>The Intermediate Unit, in coordination with the school district of residence, shall specifically identify the procedures and types of tests used to evaluate a student, and provide the parent/guardian the opportunity to give or withhold consent to the proposed evaluation(s) in writing.</p>
	<p>The Intermediate Unit shall establish procedures for evaluation and placement that assure tests and other evaluation materials:</p>
	<ol style="list-style-type: none"> <li>1. Have been validated and are administered by trained personnel.</li> <li>2. Are tailored to assess educational need and are not based solely on IQ scores.</li> <li>3. Reflect aptitude or achievement or anything else the tests purport to measure and do not reflect the student’s impaired sensory, manual or speaking skills (except where those skills are what is being measured).</li> </ol>
	<p><u>Service Agreement</u></p>
<p>Title 22 Sec. 15.7</p>	<p>If a student is determined to be a qualified student with a disability, the Intermediate Unit shall coordinate with the school district of residence to develop a written Service Agreement for the delivery of all appropriate aids, services, or accommodations necessary to provide the student with FAPE.</p>
<p>Title 22 Sec. 15.7</p>	<p>The Intermediate Unit shall not implement a Service Agreement until the written agreement is executed by a representative of the Intermediate Unit, in coordination with the school district of residence, and a parent/guardian.</p>
<p>Title 22 Sec. 15.5</p>	<p>The Intermediate Unit shall coordinate with the school district of residence to modify or terminate a student’s current Service Agreement only with the parent’s/guardian’s written consent, when necessary.</p>

<p>Title 22 Sec. 15.3 34 CFR Sec. 104.34</p> <p>Title 22 Sec. 15.3 34 CFR Sec. 104.34, 104.37 Pol. 112, 810</p> <p>Pol. 218, 233</p> <p>Title 22 Sec. 15.6, 15.7, 15.8 34 CFR Sec. 104.35</p> <p>Title 22 Sec. 15.9 Pol. 216</p>	<p><u>Educational Programs/Nonacademic Services/Extracurricular Activities</u></p> <p>The Intermediate Unit shall educate a qualified student with a disability with students who are not disabled to the maximum extent appropriate to the needs of the student with a disability. A qualified student with a disability shall be removed from the regular educational environment only when the Intermediate Unit determines that educating the student in the regular educational environment with the use of related aids, services, or accommodations cannot be achieved satisfactorily. Placement in a setting other than the regular educational environment shall take into account the proximity of the alternative setting to the student’s home.</p> <p>The Intermediate Unit shall not discriminate against any qualified student with a disability in its provision of nonacademic services and extracurricular activities.</p> <p><u>Discipline</u></p> <p>When necessary, the Intermediate Unit shall discipline qualified students with disabilities in accordance with state and federal laws and regulations and Board policies.</p> <p><u>Parental Involvement</u></p> <p>Parents/Guardians have the right to inspect and review all relevant school records of the student, meet with the appropriate Intermediate Unit and school officials to discuss any and all issues relevant to the evaluation and accommodations of their child, and give or withhold their written consent to the evaluation and/or the provision of services.</p> <p><u>Confidentiality Of Student Records</u></p> <p>All personally identifiable information regarding a qualified student with a disability shall be treated as confidential and disclosed only as permitted by the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, state regulations, and Board policy.</p>
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<p>Title 22 Sec. 15.8 34 CFR Sec. 104.36</p>	<p><u>Procedural Safeguards</u></p> <p>The Intermediate Unit shall coordinate with participating school districts to establish and implement a system of procedural safeguards that includes notice of rights to the parent/guardian of a student suspected of being a qualified student with a disability, an opportunity for the parent/guardian to review relevant records, an impartial hearing with an opportunity for participation by the student’s parent/guardian, and a review procedure.</p>
<p>Title 22 Sec. 15.6</p>	<p>A student or parent/guardian filing a claim of discrimination need not exhaust these procedures prior to initiating court action under Section 504.</p>
<p>Title 22 Sec. 15.8</p>	<p><i>Parental Request For Assistance –</i></p> <p>Parents/Guardians may file a written request for assistance with the Pennsylvania Department of Education (PDE) if one (1) or both of the following apply:</p> <ol style="list-style-type: none"> <li>1. The Intermediate Unit is not providing the related aids, services and accommodations specified in the student’s Service Agreement.</li> <li>2. The Intermediate Unit has failed to comply with the procedures and state regulations.</li> </ol>
<p>Title 22 Sec. 15.8</p>	<p>PDE shall investigate and respond to requests for assistance and, unless exceptional circumstances exist, shall, within sixty (60) calendar days of receipt of the request, send to the parents/guardians, school district of residence and Intermediate Unit a written response to the request. The response to the parents’/guardians’ request shall be in the parents’/guardians’ native language or mode of communication.</p>
<p>Title 22 Sec. 15.8</p>	<p><i>Informal Conference –</i></p> <p>At any time, parents/guardians may file a written request with the Intermediate Unit and/or school district of residence for an informal conference with respect to the identification or evaluation of a student, or the student’s need for related aids, services or accommodations. Within ten (10) school days of receipt of the request, the Intermediate Unit and/or school district of residence shall convene an informal conference. At the conference, every effort shall be made to reach an amicable agreement.</p>

<p>Title 22 Sec. 14.162, 15.8</p>	<p><i>Formal Due Process Hearing –</i></p> <p>If the matters raised by the Intermediate Unit or parents/guardians are not resolved at the informal conference, the Intermediate Unit, in coordination with the school district of residence, or parents/guardians may submit a written request for an impartial due process hearing. The hearing shall be held before an impartial hearing officer and shall be conducted in accordance with state regulations.</p>
<p>Title 22 Sec. 15.8</p>	<p><i>Judicial Appeals –</i></p> <p>The decision of the impartial hearing officer may be appealed to a court of competent jurisdiction.</p>
<p>Pol. 103</p>	<p><u>Complaint Procedure</u></p> <p>This complaint procedure is in addition to and does not prevent parents/guardians from using any option in the procedural safeguards system.</p> <p><b>Step 1 – Reporting</b></p> <p>A student or parent/guardian who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the Section 504 building administrator or program supervisor.</p> <p>An Intermediate Unit employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the Section 504 building administrator or program supervisor.</p> <p>If the Section 504 building administrator or program supervisor is the subject of a complaint, the student, parent/guardian or employee shall report the incident directly to the Intermediate Unit’s Section 504 Coordinator.</p> <p>The complainant or reporting employee is encouraged to use the report form available from the Section 504 building administrator or program supervisor, but oral complaints shall be acceptable. Oral complaints shall be documented by the Section 504 building administrator or program supervisor.</p>

	<p><b>Step 2 – Investigation</b></p> <p>Upon receiving a complaint of discrimination, the Section 504 building administrator or program supervisor shall immediately notify the Intermediate Unit’s Section 504 Coordinator. The Section 504 Coordinator shall authorize the Section 504 building administrator or program supervisor to investigate the complaint, unless the Section 504 building administrator or program supervisor is the subject of the complaint or is unable to conduct the investigation.</p> <p>The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.</p> <p>If the investigation results in a determination that the conduct being investigated may involve a violation of criminal law, the Section 504 building administrator or program supervisor shall inform law enforcement authorities about the incident.</p> <p>The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.</p> <p><b>Step 3 – Investigative Report</b></p> <p>The Section 504 building administrator or program supervisor shall prepare and submit a written report to the Section 504 Coordinator within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.</p> <p>The complainant and the accused shall be informed of the outcome of the investigation, including the recommended disposition.</p> <p><b>Step 4 – Intermediate Unit Action</b></p> <p>If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the Intermediate Unit shall take prompt, corrective action to ensure that such conduct ceases and will not recur. Intermediate Unit staff shall document the corrective action taken and, where not prohibited by law, inform the complainant.</p> <p>Disciplinary actions shall be consistent with the Code of Conduct, Board policies, Intermediate Unit procedures, applicable collective bargaining agreements, and state and federal laws.</p>
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	<p>Appeal Procedure</p> <ol style="list-style-type: none"><li>1. If the complainant is not satisfied with a finding of no violation of the policy or with the recommended corrective action, s/he may submit a written appeal to the Intermediate Unit's Section 504 Coordinator within fifteen (15) days.</li><li>2. The Section 504 Coordinator shall review the investigation and the investigative report and may also conduct a reasonable investigation.</li><li>3. The Section 504 Coordinator shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the Section 504 building administrator or program supervisor who conducted the initial investigation.</li></ol> <p>References:</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.4, 12.1, 12.4, 14.162, 15.1 et seq.</p> <p>State Department of Public Welfare Regulations – 55 PA Code Sec. 3270.17</p> <p>Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g</p> <p>Section 504 of the Rehabilitation Act of 1973 – 29 U.S.C. Sec. 794</p> <p>Americans With Disabilities Act – 42 U.S.C. Sec. 12101 et seq.</p> <p>Nondiscrimination on the Basis of Disability, Title 28, Code of Federal Regulations – 28 CFR Part 35</p> <p>Family Educational Rights and Privacy, Title 34, Code of Federal Regulations – 34 CFR Part 99</p> <p>Nondiscrimination on the Basis of Handicap, Title 34, Code of Federal Regulations – 34 CFR Part 104</p> <p>Board Policy – 103, 112, 113, 216, 218, 227, 233, 248, 810</p>
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**REPORT FORM FOR COMPLAINTS OF DISCRIMINATION**

Complainant: \_\_\_\_\_  
Home Address: \_\_\_\_\_  
Home Phone: \_\_\_\_\_  
Building: \_\_\_\_\_  
Date of Alleged Incident(s): \_\_\_\_\_

Alleged discrimination was based on: \_\_\_\_\_

Name of person you believe violated the Intermediate Unit's nondiscrimination policy:  
\_\_\_\_\_

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

Describe the incident as clearly as possible, including any verbal statements, i.e., threats, derogatory remarks, demands, etc., and any actions or activities. Attach additional pages if necessary: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

When and where incident occurred: \_\_\_\_\_

List any witnesses who were present: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
Complainant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received By

\_\_\_\_\_  
Date

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: NONDISCRIMINATION IN  
EMPLOYMENT AND  
CONTRACT PRACTICES

ADOPTED: February 28, 2011

REVISED:

<p>1. Authority 43 P.S. Sec. 336.3 43 P.S. Sec. 951 et seq Title IX 20 U.S.C. Sec. 1681 et seq 29 U.S.C. Sec. 206 29 U.S.C. Sec. 621 et seq 29 U.S.C. Sec. 794 42 U.S.C. Sec. 1981 et seq Title VII 42 U.S.C. Sec. 2000e et seq 42 U.S.C. Sec. 12101 et seq</p> <p>2. Delegation of Responsibility</p>	<p style="text-align: center;">104. NONDISCRIMINATION IN EMPLOYMENT AND CONTRACT PRACTICES</p> <p>The Board declares it to be the policy of the Intermediate Unit to provide to all persons equal access to all categories of employment, regardless of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, or handicap/disability. The Intermediate Unit shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with the requirements of federal and state laws and regulations. Requests for accommodations shall be made in accordance with approved procedures.</p> <p>The Board encourages employees and third parties who have been subject to discrimination to promptly report such incidents to designated employees.</p> <p>The Board directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the Intermediate Unit's legal and investigative obligations.</p> <p>No reprisals or retaliation shall occur as a result of good faith charges of discrimination.</p> <p>In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Supervisor of Fiscal Services and/or Director of Human Resources as the Compliance Officer for the Intermediate Unit.</p> <p>The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public. Nondiscrimination statements shall include the position, office address and telephone number of the Compliance Officer.</p>
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<p>3. Guidelines</p>	<p>The Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the following areas:</p> <ol style="list-style-type: none"><li>1. Development of position qualifications, job descriptions and essential job functions.</li><li>2. Recruitment materials and practices.</li><li>3. Procedures for screening, interviewing and hiring.</li><li>4. Promotions.</li><li>5. Disciplinary actions, up to and including terminations.</li></ol> <p>The Compliance Officer shall be responsible to complete the following duties when receiving a complaint of discrimination:</p> <ol style="list-style-type: none"><li>1. Inform the employee or third party of the right to file a complaint and the complaint procedure.</li><li>2. Notify the complainant and the accused of the progress at appropriate stages of the procedure.</li><li>3. Refer the complainant to the Executive Director if the Compliance Officer is the subject of the complaint.</li></ol> <p><u>Complaint Procedure – Employee/Third Party</u></p> <p><b>Step 1 – Reporting</b></p> <p>An Intermediate Unit employee or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the Compliance Officer.</p> <p>If the Compliance Officer is the subject of a complaint, the employee or third party shall report the incident directly to the Executive Director.</p> <p>The complainant is encouraged to use the report form available from the Compliance Officer, but oral complaints shall be acceptable.</p>
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**Step 2 – Investigation**

Upon receiving a complaint of discrimination, the Compliance Officer shall immediately notify the Executive Director. The Executive Director shall authorize the Compliance Officer to investigate the complaint, unless the Compliance Officer is the subject of the complaint or is unable to conduct the investigation.

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

If the investigation results in a determination that the conduct being investigated may involve a violation of criminal law, the Compliance Officer shall inform law enforcement authorities about the incident.

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

**Step 3 – Investigative Report**

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

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

**Step 4 – Intermediate Unit Action**

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

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

Appeal Procedure

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

Contact Information

Director of Human Resources  
Allegheny Intermediate Unit  
475 East Waterfront Drive  
Pittsburgh, PA 15120  
(412) 394-5957

Department of Public Welfare  
Bureau of Equal Opportunity  
Room 223, Health & Welfare Building  
P.O. Box 2675  
Harrisburg, PA 17105

U.S. Department of Health & Human Services  
Office for Civil Rights  
Suite 372, Public Ledger Building  
150 South Independence Mall West  
Philadelphia, PA 19106-9111

PA Human Relations Commission  
301 Fifth Avenue  
Suite 390, Piatt Place  
Pittsburgh, PA 15222

Department of Public Welfare  
Bureau of Equal Opportunity  
Western Field Office  
301 Fifth Avenue  
Suite 410, Piatt Place  
Pittsburgh, PA 15222

References:

Human Relations Commission Regulations – 16 PA Code Sec. 44.1 et seq.

Pennsylvania Equal Pay Law – 43 P.S. Sec. 336.3

Pennsylvania Human Relations Act – 43 P.S. Sec. 951 et seq.

Equal Pay Act – 29 U.S.C. Sec. 206

Age Discrimination In Employment Act – 29 U.S.C. Sec. 621 et seq.

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

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

Federal Anti-Discrimination and Civil Rights Laws –

20 U.S.C. Sec. 1681 et seq. (Title IX)

42 U.S.C. Sec. 1981 et seq.

42 U.S.C. Sec. 2000e et seq. (Title VII)

Federal Anti-Discrimination Regulations, Title 28, Code of Federal Regulations –  
28 CFR Sec. 35.140, Part 41

Federal Equal Employment Opportunity Commission Regulations, Title 29, Code of  
Federal Regulations – 29 CFR Parts 1600-1691

**REPORT FORM FOR COMPLAINTS OF DISCRIMINATION**

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

Alleged discrimination was based on: \_\_\_\_\_

Name of person you believe violated the Intermediate Unit's nondiscrimination policy:  
\_\_\_\_\_

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

Describe the incident as clearly as possible, including any verbal statements, i.e., threats, derogatory remarks, demands, etc., and any actions or activities. Attach additional pages if necessary: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Identify when and where incident occurred: \_\_\_\_\_  
\_\_\_\_\_

List any witnesses who were present: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
Complainant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received By

\_\_\_\_\_  
Date

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: NONDISCRIMINATION IN  
EMPLOYMENT AND  
CONTRACT PRACTICES  
PROCEDURE

ADOPTED: March 27, 2006

REVISED: February 28, 2011

## 104. NONDISCRIMINATION IN EMPLOYMENT AND CONTRACT PRACTICES PROCEDURE

In accordance with the American with Disabilities Act (ADA), employees who believe they require accommodation on the basis of a medical impairment must bring their request for accommodation to the attention of their immediate supervisor. The immediate supervisor will then contact the Director of Human Resources. In response to the request, the Director of Human Resources will initiate an interactive process for the purpose of determining whether a disability exists, the precise limitations resulting from the disability and the potential reasonable accommodations that could overcome those limitations. The following will be provided to the employee as part of the interactive process or upon request to the Human Resources Director:

1. ADA Policy and Procedure
2. Employee Request for Accommodations Form
3. Health Care Provider's Fitness-for-Duty Evaluation Form
4. Health Care Provider's Certification of Medical Impairment Form

The following is the procedure for a Request for Reasonable Accommodation:

1. The employee must contact his or her immediate supervisor and inform the supervisor of the employee's disability and the need for reasonable accommodation.
2. The supervisor must contact the Director of Human Resources and set up a meeting with the supervisor, employee, and Director of Human Resources to review the employee's request and to inform the employee of the process.
3. The Director of Human Resources must provide the employee with all relevant forms.

4. The employee must fill out all forms, including any that are to be filled out by his or her physician, and return the completed forms to the Director of Human Resources within an allotted timeline.
5. The Director of Human Resources must review the information submitted by the employee and make a determination as to whether the employee is a qualified individual under the ADA.
6. If the employee is qualified under the ADA, the Director of Human Resources must notify the employee and the supervisor regarding making reasonable accommodations for the employee.
7. If the employee is not qualified under the ADA, the Director of Human Resources must notify the employee in writing within 30 days of receipt of all documentation from the employee and physician, and must inform the employee of the appeal process.

Following the submission and evaluation of the above information, a determination will be made as to whether the employee is qualified to receive reasonable accommodations. The employee will be informed of the decision in writing. The employee may appeal the determination within 30 days of receiving the decision by submitting additional information with an Appeal Form.

Definition of Terms per the Americans with Disabilities Act:

**Disability** – An individual is considered to have a "disability" if he or she has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. Persons discriminated against because they have a known association or relationship with an individual with a disability are also protected.

**Major Life Activity** – A physical or mental impairment is not a disability under the ADA unless it substantially limits one or more major life activities. Merely having impairment does not make one disabled for purposes of the ADA. Examples of major life activities include seeing, hearing, speaking, walking, and breathing.

**Qualified Individual** – A qualified individual with a disability is a person who meets legitimate skill, experience, education, or other requirements of an employment position that he or she holds or seeks, and who can perform the essential functions of the position with or without reasonable accommodation.

	<p><b>Reasonable Accommodation</b> – Reasonable accommodation is any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions but that does not impose undue hardship on the employer. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and privileges in employment equal to those of employees without disabilities.</p> <p><b>Undue Hardship</b> – Undue hardship is defined as an "action requiring significant difficulty or expense" when considered in light of a number of factors. These factors include but are not limited to the nature and cost of the accommodation in relation to the size, resources, nature, and structure of the employer's operation. Undue hardship is determined on a case-by-case basis.</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: CURRICULUM DEVELOPMENT

ADOPTED: February 28, 2011

REVISED:

105. CURRICULUM DEVELOPMENT	
<p>1. Purpose Title 22 Sec. 4.4 Pol. 100.1</p>	<p>The Board recognizes its responsibility for the development, assessment and improvement of the educational programs provided by the Intermediate Unit. To this end, the curriculum shall be evaluated, adapted and developed on a continuing basis in accordance with Intermediate Unit procedures.</p>
<p>2. Definition Title 22 Sec. 4.3</p>	<p>For purposes of this policy, curriculum shall be defined as a series of planned instruction that is coordinated, articulated and implemented to result in achievement of specific knowledge and skills, and application of such knowledge, by all students.</p>
<p>3. Authority Title 22 Sec. 4.4, 4.12 Pol. 102</p>	<p>The Board is responsible for the curriculum used in Intermediate Unit programs. The curriculum shall be designed to provide students the opportunity to achieve academic standards established for the specific programs and Individualized Education Programs (IEPs).</p>
<p>Title 22 Sec. 4.4 Pol. 100.1</p>	<p>Early childhood curricula shall be developmentally appropriate and shall be aligned with the Pennsylvania Early Learning Standards.</p> <p>Curriculum developed for Intermediate Unit programs shall include the requirements for courses to be taught; subjects to be taught in the English language; courses adapted to the age, development and needs of students; and a remediation plan/Individualized Education Program (IEP) for students who demonstrate a lack of progress.</p>
<p>Title 22 Sec. 4.28</p>	<p>Students with disabilities shall be provided an educational program that enables them to be involved and progress in the general curriculum.</p>
<p>Title 22 Sec. 4.4</p>	<p>A listing of all curriculum materials shall be made available for the information of parents/guardians, students, staff and Board members, upon request.</p>

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A

State Board of Education Regulations – 22 PA Code Sec. 4.3, 4.4, 4.12, 4.13, 4.21, 4.22, 4.23, 4.25, 4.26, 4.29, 4.82

Board Policy – 100.1, 102

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: CURRICULUM REVIEW BY  
PARENTS/GUARDIANS AND  
STUDENTS

ADOPTED: February 28, 2011

REVISED:

<p>1. Authority Title 22 Sec. 4.4 20 U.S.C. Sec. 1232h</p> <p>2. Guidelines 20 U.S.C. Sec. 1232h</p> <p>Title 22 Sec. 4.4 Pol. 102</p>	<p style="text-align: center;">105.1. CURRICULUM REVIEW BY PARENTS/GUARDIANS AND STUDENTS</p> <p>The Board adopts this policy to ensure that parents/guardians have an opportunity to review instructional materials and have access to information about the curriculum, including academic or early learning standards to be achieved, instructional materials and assessment techniques.</p> <p>When the student is included in the specific instruction of a member school district, the policy of the school district shall be followed.</p> <p>The rights granted by this policy are granted to parents/guardians of students enrolled in Intermediate Unit programs where the students are under the age of eighteen (18) and to the students themselves when the student is age eighteen (18) or over, unless the student is incapable of making the decision due to a disability.</p> <p>Upon request by a parent/guardian or student, the Intermediate Unit will make available existing information about the curriculum, including academic or early learning standards to be achieved, instructional materials and assessment techniques.</p> <p>The following conditions shall apply to any request:</p> <ol style="list-style-type: none"> <li>1. To assist the Intermediate Unit in providing the correct records to meet the needs of the requesting party, the request must be in writing, setting forth the specific material being sought for review.</li> <li>2. The written request will be sent to the program supervisor or building administrator.</li> <li>3. The Intermediate Unit will respond to the parent/guardian or student within ten (10) school days by designating the time and location for the review.</li> <li>4. The Intermediate Unit may take necessary action to protect its materials from loss, damage or alteration and to ensure the integrity of the files, including the provision of a designated employee to monitor the review of the materials.</li> </ol>
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<p>3. Delegation of Responsibility</p>	<p>5. No parent/guardian or student shall be permitted to remove the material provided for review. The taking of notes by parents/guardians and students is permitted.</p> <p>The Executive Director or designee shall annually notify parents/guardians and students regarding the contents of this policy and their rights.</p> <p>References:</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.4, 403.1</p> <p>Protection of Pupil Rights – 20 U.S.C. Sec. 1232h</p> <p>Board Policy – 102</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: EXEMPTION FROM  
INSTRUCTION

ADOPTED: February 28, 2011

REVISED:

<ol style="list-style-type: none"> <li>1. Authority Title 22 Sec. 4.4, 11.7</li> <li>2. Guidelines</li> </ol>	<p style="text-align: center;">105.2. EXEMPTION FROM INSTRUCTION</p> <p>The Board adopts this policy to ensure that parents/guardians have the right to have their children excused from specific instruction that conflicts with their religious beliefs.</p> <p>The rights granted by this policy are granted to parents/guardians of students enrolled in Intermediate Unit programs when the students are under the age of eighteen (18) and to the students themselves when the student is eighteen (18) or over, unless the student is incapable of making the decision due to a disability.</p> <p>The Intermediate Unit shall excuse any student from specific instruction, subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. To assist the Intermediate Unit in ensuring that the student is excused from the correct specific instruction, the request must be made in writing and must detail the specific instruction from which the student is to be excused.</li> <li>2. The written request to be excused shall be sent by the parent/guardian or student to the classroom teacher or program supervisor.</li> </ol> <p>One (1) copy of the request shall be retained in the student's permanent school record, one (1) copy kept by the school administrator or program supervisor, and one (1) copy submitted to the teacher from whose instruction the student is to be excused.</p> <ol style="list-style-type: none"> <li>3. The teacher shall excuse the student when the specific instruction objected to is presented, if the teacher or administrator has a copy of the written request and the written request adequately describes the specific instruction.</li> <li>4. The written request must contain a statement that the specific instruction described conflicts with the religious beliefs of the student or of the parents/guardians.</li> </ol>
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<p>Pol. 102</p>	<p>5. The parent/guardian and/or student may request suggested replacement educational activities. The only permissible educational activity for this purpose shall be in the nature of replacement instruction that is consistent with the goals set for the course and that does not require the provision of any extra resources by the Intermediate Unit.</p> <p>6. The building administrator or program supervisor shall determine where the student shall report during the time the student is excused.</p> <p>7. All students excused from specific instruction shall be required to achieve the academic standards established by the Intermediate Unit as necessary for completion of the program.</p> <p>References:</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.4, 11.7</p> <p>Board Policy – 102</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: ADOPTION OF TEXTBOOKS

ADOPTED: February 28, 2011

REVISED:

108. ADOPTION OF TEXTBOOKS	
1. Purpose Pol. 103	The Board encourages the individualization of instruction and the use of a variety of text materials. The text materials should be research-based, demonstrate belief in the democratic process, refrain from biased presentation of controversial issues, and be neither racist, sexist, nor discriminatory in any manner.
2. Authority 24 P.S. Sec. 914-A	The Board shall approve all textbook purchases that exceed \$7,500.
3. Definition	For purposes of this policy, <b>textbooks</b> shall be defined as books used as the basic source of information in class.
4. Delegation of Responsibility	The Board delegates responsibility for textbook recommendation to the program directors. The program directors shall develop appropriate textbook selection guidelines.
5. Guidelines	<p>Guidelines for selecting textbooks may include the following:</p> <ol style="list-style-type: none"> <li>1. Professional staff members selected by the Executive Director or program directors shall participate in the selection process.</li> <li>2. Textbooks with copyright dates more than five (5) years old shall be reviewed for their continuing suitability.</li> <li>3. Textbooks currently in use shall be periodically evaluated for their continuing usefulness and relevance.</li> </ol> <p>In considering the approval of any proposed textbook, the Board directs staff to evaluate its:</p> <ol style="list-style-type: none"> <li>1. Suitability for the maturity level and educational needs of the students who will be using the book.</li> </ol>

<p>Pol. 105.1</p>	<ol style="list-style-type: none"><li>2. Freedom from bias.</li><li>3. Relationship to the curriculum.</li><li>4. Cost.</li><li>5. Appearance and durability.</li></ol> <p>A list of all approved textbooks shall be prepared and maintained. It shall be reviewed periodically by the Executive Director or designee and made available for the information of the professional staff, Board members, students, parents/guardians and community.</p> <p>References:</p> <p>Purdon’s Statutes (School Code) – 24 P.S. Sec. 801, 803, 9-914-A</p> <p>Board Policy – 000, 103, 105.1</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: INSTRUCTIONAL MATERIALS

ADOPTED: February 28, 2011

REVISED:

109. INSTRUCTIONAL MATERIALS	
<p>1. Purpose 24 P.S. Sec. 914-A Title 22 Sec. 9.1 et seq Pol. 100</p>	<p>The Board shall provide instructional and evaluative materials to implement and support the educational programs and services of member districts and the Intermediate Unit.</p>
<p>2. Definition</p>	<p><b>Instructional materials</b> shall include reference books, supplementary titles, multimedia materials, maps, library books, software and other instructional media services.</p>
<p>3. Delegation of Responsibility</p>	<p>The Executive Director or designee, after consultation with the administration and teaching staff, shall be responsible for the selection, recommendation, and maintenance of instructional materials and instructional media services.</p>
<p>Title 22 Sec. 9.2</p>	<p>The Executive Director or designee shall develop applicable procedures and the instructional materials service plan.</p>
<p>4. Guidelines</p>	<p>Selection procedures for instructional materials shall be developed which:</p>
<p>Title 22 Sec. 9.7</p>	<ol style="list-style-type: none"> <li>1. Appoint appropriate administrative and instructional staff to select instructional materials, and inform the Executive Director of their choices.</li> <li>2. Ensure that the Board's budgetary allotment for instructional materials is spent efficiently and distributed equitably throughout the instructional programs.</li> <li>3. Ensure an inventory of instructional materials that is well-balanced and well-rounded in coverage of subject, types of materials, and variety of content.</li> <li>4. Evaluate the effectiveness of instructional materials presently in use.</li> <li>5. Direct staff to consult a variety of media sources before selections are made.</li> </ol>

<p>Pol. 105.1</p>	<p>Information regarding instructional materials shall be made available for the information of the professional staff, Board members, students, parents/guardians and community.</p> <p>Intermediate Unit programs shall select and use instructional materials in accordance with established procedures.</p> <p>Specified programs may use instructional materials provided by the student's district of residence.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A</p> <p>State Board of Education Regulations – 22 PA Code Sec. 9.1 et seq.</p> <p>Board Policy – 000, 100, 105.1</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: SPECIAL EDUCATION

ADOPTED: February 27, 2012

REVISED:

<p>1. Purpose 24 P.S. Sec. 1372 Title 22 Sec. 4.28, 12.1, 12.4, 14.102, 14.104 34 CFR Sec. 300.1</p> <p>2. Definitions 24 P.S. Sec. 1372 Title 22 Sec. 14.101 20 U.S.C. Sec. 1401 34 CFR Sec. 300.8 Pol. 100, 103.1</p> <p>Title 22 Sec. 14.131 34 CFR Sec. 300.320- 300.324</p>	<p style="text-align: center;">113. SPECIAL EDUCATION</p> <p>The Intermediate Unit shall provide classes or schools, as necessary, for the proper education and training of students with disabilities. The Intermediate Unit 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 Intermediate Unit’s programs, curriculum and participation in assessments, including supplemental aids and services that permit the student to be educated, to the maximum extent appropriate, with nondisabled peers. The Intermediate Unit, in coordination with the school district of residence, shall provide a continuum of placement options to appropriately meet the needs of students with disabilities.</p> <p><b>Students with disabilities</b> - school-aged children 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 Intermediate Unit programs which serve students with disabilities pursuant to other law or Board policy.</p> <p><b>Individualized Education Program (IEP)</b> - the written educational statement for each student with a disability that is developed, reviewed, and revised in accordance with federal and state laws and regulations.</p>
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<p>20 U.S.C. Sec. 1401 34 CFR Sec. 300.30</p> <p>3. Authority 24 P.S. Sec. 1372 Title 22 Sec. 4.28, 12.1, 12.41, 14.101 et seq 20 U.S.C. Sec. 1400 et seq 29 U.S.C. Sec. 794 42 U.S.C. Sec. 12101 et seq 34 CFR Part 300</p> <p>24 P.S. Sec. 1372 Title 22 Sec. 14.104 20 U.S.C. Sec. 1412(a)(10) 34 CFR Sec. 300.130- 300.144, 300.201 et seq</p>	<p><b>Parent/Guardian</b> - for purposes of this policy and Board policies related to special education, parent/guardian shall have the definition of <b>parent</b> 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.</p> <p>The Board directs that all students with disabilities, including students enrolled in nonpublic schools, shall be identified, evaluated, and provided with appropriate educational programs and services, in accordance with federal and state law and regulations. The Intermediate Unit, in coordination with member school districts, shall establish and implement a system of procedural safeguards and parent/guardian notification as part of its Special Education Plan.</p> <p>The Intermediate Unit shall annually prepare a Special Education Plan, specifying the services and programs to be operated, including services to nonpublic students. The plan shall be in the required form and comply with the requirements of state and federal law and regulations, and shall be submitted to the Secretary of the Department of Education, as required.</p> <p>The Intermediate Unit shall assist school districts with provision of special education programs and services, including training and supervisory services, at the request of the school district.</p>
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<p>24 P.S. Sec. 1372 Title 22 Sec. 14.104</p> <p>4. Delegation of Responsibility</p> <p>5. Guidelines Title 22 Sec. 4.28, 14.145 20 U.S.C. Sec. 1414 34 CFR Sec. 300.320-300.327</p> <p>Title 22 Sec. 14.102, 14.104, 14.121 20 U.S.C. Sec. 1412(a)(10) 34 CFR Sec. 300.37, 300.130-300.144</p> <p>Pol. 103, 103.1</p>	<p>The Board shall determine the facilities, programs, services and staff that shall be provided by the Intermediate Unit for the instruction of students with disabilities, based upon the identified needs of the Intermediate Unit's special education population.</p> <p>The Executive Director 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.</p> <p>Each student with a disability shall be educated pursuant to an IEP which shall provide an appropriate education in the least restrictive environment, in accordance with federal and state law and regulations.</p> <p>The Intermediate Unit shall initiate and conduct meetings to develop, review and revise a services plan to provide equitable participation services to each parentally-placed nonpublic school student, in accordance with state and federal law and regulations. The Intermediate Unit shall ensure participation by representatives of nonpublic schools is included in such meetings.</p> <p>The Intermediate Unit prohibits discrimination based on disability. Students with disabilities are entitled to receive services and accommodations which will permit them to participate in Intermediate Unit programs, services and activities as required by law.</p> <p><u>Data Collection And Reporting System</u></p> <p>The Intermediate Unit is designated by the Pennsylvania Department of Education to collect the special education data needed to meet both state and federal reporting requirements. Each member school district maintains and submits individual student data; the Intermediate Unit shall review the data for duplication of students and any editing requirements. The Intermediate Unit shall provide technical and procedural support in maintaining this system.</p>
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<p>Title 22 Sec. 14.121 34 CFR Sec. 300.111, 300.130- 300.144</p>	<p><u>Child Find/Outreach</u></p> <p>The Executive Director or designee shall ensure that the Intermediate Unit annually conducts child find activities necessary to provide equitable participation services to students with disabilities who are enrolled by their parents/guardians in private schools.</p> <p>The Intermediate Unit shall assist member school districts in developing or implementing child find activities as necessary, at the request of the school district.</p> <p><u>Screening</u></p> <p>Pol. 100, 209</p> <p>The Intermediate Unit shall conduct appropriate screenings, including hearing and vision screenings, in accordance with applicable law and regulations.</p> <p>Intermediate Unit staff shall notify and coordinate with a student’s school district of residence regarding screening results of students with disabilities and students thought to be eligible students with disabilities.</p> <p>Title 22 Sec. 14.122</p> <p>The Intermediate Unit shall assist member school districts in conducting appropriate screenings and training staff in appropriate screening procedures, at the request of the school district.</p> <p><u>Confidentiality</u></p> <p>Title 22 Sec. 15.9 34 CFR Sec. 300.611- 300.627 Pol. 113.4</p> <p>The Intermediate Unit shall maintain a system of safeguards to protect the confidentiality of students’ educational records and personally identifiable information when collecting, storing, disclosing and destroying student records.</p> <p>Intermediate Unit staff shall maintain the confidentiality of student records and personally identifiable information, as required by law, regulations and Board policy.</p> <p><u>Recording Of Meetings</u></p> <p>Except as specifically provided for within this policy, the Intermediate Unit prohibits audio, video and electronic recording of meetings between parents/guardians and teachers, paraprofessionals, program specialists, consultants or administrators.</p> <p>An attempt to record a meeting by a parent/guardian after a verbal prohibition by Intermediate Unit staff shall result in immediate termination of the meeting and may result in ejection from Intermediate Unit property and possible prosecution.</p>
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The Intermediate Unit shall permit audio recording of a meeting when a participant submits, at least five (5) days prior to the meeting, documentation that substantiates:

1. Participant has a disability or limited English proficiency that significantly limits his/her ability to meaningfully understand or participate in the meeting's intended decision-making and recording is the only feasible means of accommodating the limitation.
2. Individual has a legitimate interest in attending the meeting but for good cause is unable to do so, and recording is the only feasible means by which s/he can meaningfully understand and participate in the decision-making.

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

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

References:

Purdon' Statutes (School Code) – 24 P.S. Sec. 9-922.1-A, 9-923.2-A, 13-1371, 13-1372

Nonpublic School Children Speech and Hearing Defect Services – 24 P.S. Sec. 5711-5713

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

State Department of Public Welfare Regulations – 55 PA Code Sec. 3270.17

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

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

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

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

113. SPECIAL EDUCATION - Pg. 6

Pennsylvania Training and Technical Assistance Network – [www.pattan.net](http://www.pattan.net)

Board Policy – 100, 103, 103.1, 113.1, 113.2, 113.3, 113.4, 209, 216

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: DISCIPLINE OF STUDENTS  
WITH DISABILITIES

ADOPTED: February 27, 2012

REVISED:

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

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

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

<p>20 U.S.C. Sec. 1415(k) 34 CFR Sec. 300.530(g)</p> <p>18 U.S.C. Sec. 930 20 U.S.C. Sec. 1415(k) 34 CFR Sec. 300.530(i) Pol. 218.1</p> <p>20 U.S.C. Sec. 1415(k) 21 U.S.C. Sec. 812(c) 34 CFR Sec. 300.530(i) Pol. 227</p> <p>18 U.S.C. Sec. 1365(h)(3) 20 U.S.C. Sec. 1415(k) 34 CFR Sec. 300.530(i)</p>	<p><u>Administrative Removal To Interim Alternative Educational Setting For Certain Infractions</u></p> <p>School personnel may remove a student with a disability, including mental retardation, to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student’s disability if the student:</p> <ol style="list-style-type: none"> <li>1. Carries a weapon to or possesses a weapon at school or Intermediate Unit programs, on Intermediate Unit property, or at school functions under the jurisdiction of the Intermediate Unit. For purposes of this provision, <b>weapon</b> is defined as a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than two and one-half (2 ½) inches in length.</li> <li>2. Knowingly possesses or uses illegal drugs, as defined by law, or sells or solicits the sale of a controlled substance, as defined by law, while at school or Intermediate Unit programs, on Intermediate Unit property, or at school functions under the jurisdiction of the Intermediate Unit.</li> <li>3. Has inflicted serious bodily injury upon another person while at school or Intermediate Unit programs, on Intermediate Unit property, or at school functions under the jurisdiction of the Intermediate Unit. For purposes of this provision, <b>serious bodily injury</b> means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty.</li> </ol> <p>The Intermediate Unit shall work with the school district of residence as a member of the IEP team, or upon request, to plan for or provide the interim alternative educational setting when it determines a student must be removed for a qualifying reason.</p>
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<p>24 P.S. Sec. 1302.1-A 20 U.S.C. Sec. 1415(k) 34 CFR Sec. 300.535</p> <p>20 U.S.C. Sec. 1415(k)(6) 34 CFR Sec. 300.535 Pol. 216</p> <p>5. Delegation of Responsibility 24 P.S. Sec. 1303-A Pol. 218.1, 218.2, 222, 227</p>	<p><u>Referral To Law Enforcement And Reporting Requirements</u></p> <p>The Intermediate Unit shall report crimes committed by a student with a disability to the appropriate authorities in the same manner as it reports crimes committed by students without disabilities and in accordance with applicable law.</p> <p>When reporting a crime committed by a student with a disability to the appropriate authorities, the Intermediate Unit shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. The Intermediate Unit, in coordination with the school district of residence, shall transmit copies of the student’s special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act.</p> <p>The Executive Director shall report incidents committed by students with disabilities to the Office of Safe Schools in accordance with Board policy, law and regulations.</p> <p>References:</p> <p>Purdon’s Statutes (School Code) – 24 P.S. Sec. 9-914-A, 13-1302.1-A, 13-1303-A</p> <p>State Board of Education Regulations – 22 PA Code Sec. 12.6, 14.133, 14.143</p> <p>Crimes Code, Possession of Firearms and Dangerous Weapons – 18 U.S.C. Sec. 930</p> <p>Crimes Code, Definition, Serious Bodily Injury – 18 U.S.C. Sec. 1365(h)(3)</p> <p>Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.</p> <p>Controlled Substances Act – 21 U.S.C. Sec. 812</p> <p>Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300</p> <p>Board Policy – 113, 113.2, 113.4, 216, 218, 218.1, 218.2, 222, 227, 233</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: BEHAVIOR SUPPORT

ADOPTED: February 27, 2012

REVISED:

113.2. BEHAVIOR SUPPORT	
<p>1. Purpose Title 22 Sec. 14.133, 14.145 20 U.S.C. Sec. 1414(d) 34 CFR Sec. 300.114, 300.324(a)</p>	<p>Students with disabilities shall be educated in the least restrictive environment and shall only be placed in settings other than the regular education class when the nature or severity of the student’s disability is such that education in the regular education class with the use of appropriate supplementary aids and services cannot be achieved satisfactorily. The IEP team for a student with disabilities shall develop a positive behavior support plan if the student requires specific intervention to address behavior that interferes with learning. The identification, evaluation, and plan or program shall be conducted and implemented in accordance with state and federal law and regulations, and in coordination with the student’s school district of residence.</p>
<p>2. Authority Title 22 Sec. 14.133 20 U.S.C. Sec. 1414(d), 1415(k) 34 CFR Sec. 300.34(c), 300.324(a), 300.530(d), (f) Pol. 113, 113.1, 113.3</p>	<p>The Board directs that the Intermediate Unit’s behavior support programs shall be based on positive rather than negative behavior techniques to ensure that students shall be free from demeaning treatment and unreasonable use of restraints or other aversive techniques. The use of restraints shall be considered a measure of last resort and shall only be used after other less restrictive measures, including de-escalation techniques. Behavior support programs and plans shall be based on a functional assessment of behavior and shall include a variety of research-based techniques to develop and maintain skills that will enhance students’ opportunity for learning and self-fulfillment. The Intermediate Unit shall coordinate with the student’s school district of residence in the development and implementation of a behavior support plan.</p>
<p>3. Definitions Title 22 Sec. 14.133</p>	<p>The following terms shall have these meanings, unless the context clearly indicates otherwise.</p> <p><b>Aversive techniques</b> - deliberate activities designed to establish a negative association with a specific behavior.</p> <p><b>Behavior support</b> - development, change and maintenance of selected behaviors through the systematic application of behavior change techniques.</p>

<p>Pol. 113</p> <p>4. Delegation of Responsibility</p>	<p><b>Behavior Support Plan or Behavior Intervention Plan</b> - plan for students with disabilities who require specific intervention to address behavior that interferes with learning. A positive Behavior Support Plan shall be developed by the IEP team, be based on a functional behavioral assessment, and become part of the individual student's IEP. These plans must include methods that use positive reinforcements, other positive techniques and related services required to assist a student with a disability to benefit from special education.</p> <p><b>Positive techniques</b> - methods that utilize positive reinforcement to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behaviors to specific tangible rewards.</p> <p><b>Restraints</b> - application of physical force, with or without the use of any device, designed to restrain free movement of a student's body, excluding the following:</p> <ol style="list-style-type: none"> <li>1. Briefly holding a student, without force, to calm or comfort him/her.</li> <li>2. Guiding a student to an appropriate activity.</li> <li>3. Holding a student's hand to escort him/her safely from one area to another.</li> <li>4. Hand-over-hand assistance with feeding or task completion.</li> <li>5. Techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's parents/guardians and specified in the IEP.</li> <li>6. Mechanical restraints governed by this policy, such as devices used for physical or occupational therapy, seatbelts in wheelchairs or on toilets used for balance and safety, safety harnesses in buses, and functional positioning devices.</li> </ol> <p><b>Seclusion</b> - confinement of a student in a room, with staff supervision, in order to provide a safe environment to allow the student to regain self-control.</p> <p><b>Students with disabilities</b> - school-aged children who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services.</p> <p>The Executive Director or designee shall ensure that this Board policy is implemented in accordance with federal and state law and regulations.</p>
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<p>Title 22 Sec. 14.133</p>	<p>The Executive Director or designee shall provide regular support training, and retraining as needed, of staff in the use of specific procedures, methods and techniques, including restraints and seclusions, that will be used to implement positive behavior supports or interventions in accordance with students' IEPs, behavior support plans, and Board policy.</p>
<p>Title 22 Sec. 14.133</p>	<p>The Executive Director or designee shall maintain and report data on the use of restraints to the student's school district of residence, as required. Procedures shall be established requiring reports to be made to the Intermediate Unit by entities or agencies educating students with disabilities who attend programs or classes outside the Intermediate Unit.</p>
<p>5. Guidelines</p>	<p>The Intermediate Unit shall assist member school districts with development of behavior support programs and training of staff in appropriate techniques, at the request of the participating school district.</p>
<p>Title 22 Sec. 14.133 34 CFR Sec. 300.324(a)</p>	<p>Development of a separate Behavior Support Plan is not required when appropriate positive behavioral interventions, strategies and supports can be incorporated into a student's IEP.</p> <p>When an intervention is necessary to address problem behavior, the types of intervention chosen for a student shall be the least intrusive necessary.</p>
<p>Title 22 Sec. 14.133</p>	<p><u>Physical Restraints</u></p> <p>Restraints to control acute or episodic aggressive behavior may be used only when the student is acting in a manner that presents a clear and present danger to the student, other students or employees, and only when less restrictive measures and techniques have proven to be or are less effective. These measures must be documented.</p>
<p>Title 22 Sec. 14.133</p>	<p>The building administrator or program supervisor shall notify the parent/guardian and school district of residence as soon as practicable of the use of restraints to control the aggressive behavior of the student and shall convene a meeting of the IEP team within ten (10) school days of the use of restraints, unless the parent/guardian, after written notice, agrees in writing to waive the meeting. At this meeting, the IEP team shall consider whether the student needs a functional behavioral assessment, re-evaluation, a new or revised positive Behavior Support Plan, or a change of placement to address the inappropriate behavior.</p>

<p>Title 22 Sec. 14.133</p>	<p>The use of restraints shall not be included in the IEP for the convenience of staff, as a substitute for an educational program, or employed as punishment. Restraints may be included in an IEP only if:</p> <ol style="list-style-type: none"> <li>1. The restraint is used with specific component elements of a positive Behavior Support Plan.</li> <li>2. The restraint is used in conjunction with teaching socially appropriate alternative skills or behaviors.</li> <li>3. Staff are authorized to use the restraint and have received appropriate training.</li> <li>4. Behavior Support Plan includes efforts to eliminate the use of restraints.</li> </ol>
<p>Title 55 Sec. 13.1 et seq</p>	<p>The Intermediate Unit shall ensure that use of restraints in Youth Development Centers and other institutions or agencies conducting Intermediate Unit programs meet the requirements of applicable law and regulations.</p>
<p>Title 22 Sec. 14.133</p>	<p><u>Mechanical Restraints</u></p> <p>Mechanical restraints, which are used to control involuntary movement or lack of muscular control of students when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's parents/guardians.</p> <p>Mechanical restraints shall prevent a student from injuring him/herself or others or promote normative body positioning and physical functioning.</p> <p><u>Seclusion</u></p> <p>The Intermediate Unit permits involuntary seclusion of a student in accordance with the student's IEP or behavior support plan, or in an emergency to prevent immediate or imminent injury to the student or others, but the seclusion must be the least restrictive alternative. The student shall be in full view of an Intermediate Unit staff member so that instant intervention is possible.</p>
<p>Title 22 Sec. 14.133</p>	<p>The Intermediate Unit prohibits the seclusion of students in locked rooms, locked boxes and other structures or spaces from which the student cannot readily exit.</p>

<p>Title 22 Sec. 14.133</p>	<p><u>Aversive Techniques</u></p>
<p>Title 22 Sec. 14.143</p>	<p>The following aversive techniques of intervening with behavior are considered inappropriate and shall not be used in educational programs:</p> <ol style="list-style-type: none"> <li>1. Corporal punishment.</li> <li>2. Punishment for a manifestation of a student's disability.</li> <li>3. Locked rooms, locked boxes, other locked structures or spaces from which the student cannot readily exit.</li> <li>4. Noxious substances.</li> <li>5. Deprivation of basic human rights, such as withholding meals, water or fresh air.</li> <li>6. Suspensions constituting a pattern as defined in state regulations.</li> <li>7. Treatment of a demeaning nature.</li> <li>8. Electric shock.</li> <li>9. Methods implemented by untrained personnel.</li> <li>10. Methods not outlined in the Intermediate Unit's plan.</li> <li>11. Prone restraints, which are restraints by which a student is held face down on the floor.</li> </ol>
<p>Title 22 Sec. 14.133</p>	<p><u>Referral To Law Enforcement</u></p>
<p>Title 22 Sec. 14.133</p>	<p>Subsequent to a referral to law enforcement, an updated functional behavioral assessment and Behavior Support Plan shall be required for students with disabilities who have Behavior Support Plans at the time of such referral.</p> <p>If, as a result of such referral, the student is detained or otherwise placed in a residential setting located outside the school district of residence, the building administrator or program supervisor shall coordinate with the school district of residence to ensure that the responsible school district or intermediate unit is informed of the need to update the student's functional behavioral assessment and Behavior Support Plan.</p>

References:

State Board of Education Regulations – 22 PA Code Sec. 14.133, 14.143, 14.145

State Department of Public Welfare Regulations – 55 PA Code Sec. 13.1 et seq.,  
3270.113

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

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

Pennsylvania Training and Technical Assistance Network, Questions and Answers  
on the Restraint Reporting Requirements and System, June 2009 –  
[www.pattan.net](http://www.pattan.net)

Board Policy – 000, 113, 113.1, 113.3, 113.4

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: SCREENING AND  
EVALUATIONS FOR  
STUDENTS WITH  
DISABILITIES

ADOPTED: February 27, 2012

REVISED:

<p>1. Purpose Title 22 Sec. 14.122, 14.123, 14.124, 14.125, 14.133 20 U.S.C. Sec. 1414 34 CFR Sec. 300.226, 300.301- 300.311, 300.502, 300.530 Pol. 113, 113.2</p> <p>2. Authority 24 P.S. Sec. 922.1-A, 923.2-A 24 P.S. Sec. 5711, 5712, 5713 Title 22 Sec. 14.122 34 CFR Sec. 300.226 Pol. 100, 209</p>	<p style="text-align: center;">113.3. SCREENING AND EVALUATIONS FOR STUDENTS WITH DISABILITIES</p> <p>The Board adopts this policy to define the minimum requirements for screening; educational evaluations conducted to determine eligibility for special education services, instructional levels and programming requirements for students with disabilities, including functional behavioral assessments; and requirements for independent educational evaluations.</p> <p>The Board, in coordination with member school districts, shall adopt a system of screening that may include early intervening services and must be designed to accomplish identification and initial screening for students prior to referral for a special education evaluation. The system shall provide support to staff to improve working effectively with students in the general education curriculum, identify students who may require special education services and programs, and must include hearing and vision screening and screening at reasonable intervals to determine whether students are performing at grade or age appropriate levels in core academic subjects. The Intermediate Unit shall provide appropriate hearing, speech and vision screenings and services for nonpublic students, in accordance with law and regulations.</p>
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<p>34 CFR Sec. 300.226</p> <p>Title 22 Sec. 14.133 34 CFR Sec. 300.530 Pol. 113, 113.1, 113.2</p> <p>Title 22 Sec. 14.123 20 U.S.C. Sec. 1414 34 CFR Sec. 300.300- 300.311, 300.502</p>	<p>Early intervening services shall comply with the requirements of state and federal law and regulations in order to address academic concerns or behaviors that may be impeding success, but which can be resolved through research-based intervention programs in the regular education setting.</p> <p>The Board authorizes the use of functional behavioral assessments (FBAs) as an evaluation to gather information to understand the purpose of the student’s behaviors and to assist with developing a positive Behavior Support Plan. FBAs must be conducted when:</p> <ol style="list-style-type: none"> <li>1. A student’s behavior interferes with his/her learning or the learning of others and information is necessary to provide appropriate educational programming.</li> <li>2. A student’s behavior violates the applicable Code of Conduct and is determined to be a manifestation of a student’s disability.</li> <li>3. A student is placed in an interim alternative educational placement for a qualifying reason permitting such placement for up to forty-five (45) school days for certain offenses.</li> <li>4. The Intermediate Unit or school district of residence contacts law enforcement regarding a student who already has a positive Behavior Support Plan.</li> </ol> <p>FBAs may also constitute part of the initial evaluation to determine eligibility for special education.</p> <p>The Intermediate Unit shall coordinate with the school district of residence and shall comply with requirements of state and federal laws and regulations when conducting evaluations.</p> <p>An appropriate evaluation of a student, whether conducted by Intermediate Unit staff, the school district of residence, or other individuals not employed by the Intermediate Unit, shall consist of the administration of all testing and the use of all assessment procedures required to determine the existence of all legally defined disabilities reasonably suspected by Intermediate Unit staff, the school district of residence, parents/guardians, or the evaluator. An appropriate evaluation shall assist in determining the content of the IEP to enable a student with a disability to be involved in and progress in the general curriculum.</p> <p>A student shall be assessed in all areas related to the suspected disability including, as appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.</p>
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<p>Title 22 Sec. 14.124 20 U.S.C. Sec. 1414 34 CFR Sec. 300.303- 300.306</p>	<p>A re-evaluation of a student who currently has an IEP shall be conducted as required by state and federal law and regulations.</p>
<p>3. Guidelines</p> <p>Title 22 Sec. 14.122, 14.123</p>	<p><u>Parent/Guardian Requests</u></p> <p>Parents/Guardians may request an evaluation at any time. Requests may be submitted to the school district of residence and referred to the Intermediate Unit or submitted directly to the Intermediate Unit for students participating in Intermediate Unit programs or services. The parent/guardian request must be in writing. If a request is made orally to any professional employee or administrator, that individual shall provide a copy of the permission to evaluate form to the parents/guardians within ten (10) calendar days of the oral request.</p> <p>The evaluation shall be completed and a copy of the evaluation report presented to parents/guardians and the school district of residence no later than sixty (60) calendar days after receipt of written parent/guardian consent for an evaluation, exclusive of the period following the last day of the spring school term to the first day of the subsequent fall term.</p> <p><u>Appropriate Evaluations</u></p>
<p>Title 22 Sec. 14.123 20 U.S.C. Sec. 1414 34 CFR Sec. 300.301- 300.311, 300.502</p>	<p>An appropriate evaluation shall use a variety of assessment tools and strategies to gather relevant functional, developmental and academic information about a student.</p> <p>An appropriate evaluation shall include:</p> <ol style="list-style-type: none"> <li>1. Testing and assessment techniques required in light of information currently available from previous evaluations.</li> <li>2. Information from parents/guardians and school staff familiar with the performance of the student.</li> <li>3. The student's education records.</li> </ol>

<p>Title 22 Sec. 14.125 34 CFR Sec. 300.307- 300.311</p>	<p>The evaluator shall review all such sources of information prior to conducting testing and assessment. The evaluator shall review assessments conducted by others that indicate how the student is responding to early intervening services and scientific research-based instruction and/or include such assessments as part of his/her evaluation.</p> <p>To the extent that the results of such instructional assessments are inconsistent with the results of norm or criterion-referenced testing and assessments that the evaluator has administered, the evaluator shall explain the reason for the inconsistency in his/her report, if possible.</p> <p>When assessing the presence of a specific learning disability, the evaluation shall be consistent with procedures adopted by the Intermediate Unit and comply with state and federal law and regulations.</p> <p>Testing and assessment procedures shall be selected and administered to yield valid measurement or assessment of the construct or quality they purport to measure or assess. The evaluator shall administer any testing or assessment procedures in a manner consistent with the requirements and recommendations of the publisher of the test or procedure and in compliance with applicable and authoritatively recognized professional principles and ethical tenets. S/He shall report any factor that might affect the validity of any results obtained.</p> <p>All assessments and evaluation materials shall be selected and administered so as not to be discriminatory on a racial or cultural basis. Where feasible, assessments and evaluations shall be administered in a language and form most likely to provide accurate information about the student.</p> <p>The evaluation shall include an observation of the student in an educational setting, unless the student is not currently in such a setting. The evaluator shall obtain information concerning the performance of the student directly from at least one (1) current teacher of the student, unless s/he does not have a current teacher.</p> <p>The evaluator shall hold an active certification that qualifies the evaluator to conduct that type of evaluation. If certification is not issued for the particular area of professional practice in which the evaluator is lawfully engaged, the evaluator shall hold such license or other credentials as required for the area of professional practice under state law.</p> <p>The evaluator shall prepare and sign a full report of the evaluation containing:</p> <ol style="list-style-type: none"> <li>1. Clear explanation of the testing and assessment results.</li> </ol>
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<p>Title 22 Sec. 14.124 34 CFR Sec. 300.303 PARC v. Com. 343 F. Supp. 279</p> <p>34 CFR Sec. 300.502</p>	<ol style="list-style-type: none"><li>2. Complete summary of all test scores, including, for all standardized testing administered, all applicable full scale or battery scores; domain or composite scores; and subtest scores reported in standard, scaled, or T-score format.</li><li>3. Complete summary of all information obtained or reviewed from sources other than testing conducted by the evaluator.</li><li>4. Identification of all special education and related services needs and relevant information that directly assists persons in determining the educational needs of the student.</li><li>5. Specific, individualized recommendations for consideration by the IEP team for educational programming and placement to enable the student to participate as appropriate in the general education curriculum in the least restrictive environment, as defined by federal and state law and regulations.</li></ol> <p><u>Re-Evaluations</u></p> <p>Re-evaluations shall be conducted within the timeframes required by state and federal law and regulations unless the parent/guardian and the Intermediate Unit and/or school district of residence agree in writing that a re-evaluation is unnecessary. For students with mental retardation, the re-evaluation cannot be waived. The group of qualified professionals that reviews the evaluation materials to determine whether the child is a student with a disability shall include a certified school psychologist when evaluating a student for autism, emotional disturbance, mental retardation, multiple disabilities, other health impairment, specific learning disability and traumatic brain injury.</p> <p>Copies of the re-evaluation report shall be disseminated to parents/guardians and the school district of residence at least ten (10) days prior to the meeting of the IEP team unless this requirement is waived in writing.</p> <p><u>Independent Educational Evaluations</u></p> <p>A parent/guardian who disagrees with the results or content of an evaluation performed or obtained by the Intermediate Unit may request an independent educational evaluation at public expense. A parent/guardian is entitled to only one (1) independent educational evaluation at public expense each time the Intermediate Unit conducts an evaluation with which the parent/guardian disagrees. The independent educational evaluation must arise from parents’/guardians’ disagreement with the Intermediate Unit’s most recent evaluations or re-evaluations of the student. The Intermediate Unit shall be entitled to a copy of all results of</p>
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independent educational evaluations conducted at public expense. If an oral request for an independent educational evaluation is made to a professional employee or administrator, that person shall inform the parent/guardian that the request must be in writing. If the native language of the parent/guardian is other than English, the requirement that the parent/guardian make his/her request in writing shall be conveyed by whatever means practicable and, where feasible, in the native language of the parent/guardian.

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

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

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

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

4. Directions that the parent/guardian is responsible for arranging for the evaluation and ensuring that the evaluator contacts the Director of Educational Services to arrange for payment of the evaluation.

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

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

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

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

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 9-922.1-A, 9-923.2-A

Nonpublic School Children Speech and Hearing Defect Services – 24 P.S.  
Sec. 5711-5713

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

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

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

Pa. Ass'n for Retarded Children (PARC) v. Com. Of Pa., 343 F. Supp. 279  
(E.D. Pa. 1975)

Board Policy – 100, 113, 113.1, 113.2, 209

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: CONFIDENTIALITY OF  
SPECIAL EDUCATION  
STUDENT INFORMATION

ADOPTED: February 27, 2012

REVISED:

<p>1. Authority Pol. 113</p> <p>34 CFR Sec. 300.611- 300.627</p> <p>34 CFR Sec. 300.520, 300.625</p> <p>2. Definitions 34 CFR Sec. 300.611</p> <p>34 CFR Sec. 99.3</p> <p>20 U.S.C. Sec. 1232g 34 CFR Sec. 99.3 Pol. 216</p> <p>34 CFR Sec. 99.3, 300.32</p>	<p style="text-align: center;">113.4. CONFIDENTIALITY OF SPECIAL EDUCATION STUDENT INFORMATION</p> <p>The Board recognizes the need to protect the confidentiality of personally identifiable information in the education records of students with disabilities.</p> <p>The Intermediate Unit shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, retaining, disclosing and destroying student special education records, in accordance with Board policy, state requirements, and federal and state law and regulations.</p> <p>The rights provided by this policy apply to parents/guardians of students who receive special education programming and services from the Intermediate Unit or an outside program provided through the Intermediate Unit.</p> <p><b>Destruction</b> shall mean the physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.</p> <p><b>Disclosure</b> shall mean to permit access to or the release, transfer, or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.</p> <p><b>Education records</b>, for purposes of this policy, shall include the records and information covered under the definition of education records in the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations.</p> <p><b>Personally identifiable information</b> includes, but is not limited to:</p> <ol style="list-style-type: none"> <li>1. The student's name.</li> </ol>
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<p>3. Guidelines</p> <p>34 CFR Sec. 99.10, 300.613</p> <p>34 CFR Sec. 99.4, 300.613</p> <p>34 CFR Sec. 99.10, 300.613</p>	<ol style="list-style-type: none"> <li>2. The name of the student's parents/guardians or other family members.</li> <li>3. The address of the student or student's family.</li> <li>4. A personal identifier, such as the student's social security number, student number, or biometric record.</li> <li>5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name.</li> <li>6. 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.</li> <li>7. Information requested by a person who the Intermediate Unit reasonably believes knows the identity of the student to whom the education record relates.</li> </ol> <p><u>Parental Access Rights</u></p> <p>The Intermediate Unit shall permit parents/guardians to inspect and review any education records relating to their child(ren) that are collected, retained, or used by the Intermediate Unit in connection with providing special education services to the student.</p> <p>Requests made by parents/guardians for access to student records must be in writing.</p> <p>The Intermediate Unit shall comply with a parental request to inspect and review education records without unnecessary delay and before any meeting regarding an Individualized Education Program (IEP); any impartial due process hearing relating to the identification, evaluation, educational placement, or the provision of a free and appropriate public education (FAPE) to a student; a hearing related to the discipline of the student; and a resolution meeting.</p> <p>The Intermediate Unit shall presume a parent/guardian has authority to inspect and review records relating to his/her child unless it has been provided documentation that the requesting parent/guardian does not have this authority under applicable state law.</p> <p>The Intermediate Unit shall comply with a parental request for review within forty-five (45) days following receipt of the request.</p>
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	<p>A parent's/guardian's right to inspect and review education records includes the right to:</p> <ol style="list-style-type: none"> <li>1. A response from the Intermediate Unit to reasonable requests for explanations and interpretations of the records;</li> <li>2. Request that the Intermediate Unit provide copies of the records if failure to provide copies would effectively prevent the parent/guardian from exercising the right to inspect and review the records; and</li> <li>3. Have a representative inspect and review the records.</li> </ol>
<p>34 CFR Sec. 99.12, 300.615</p>	<p>If an education record includes information on more than one (1) student, the parents/guardians shall have access only to the information relating to their child or shall be informed of the information in the record.</p>
<p>34 CFR Sec. 300.616</p>	<p>The Intermediate Unit shall provide parents/guardians, upon request, a list of the types and locations of education records collected, maintained, or used by the Intermediate Unit.</p>
<p>34 CFR Sec. 99.11, 300.617</p>	<p><u>Fees</u></p> <p>The Intermediate Unit may charge a fee for copies of records that are made for parents/guardians so long as the fee does not effectively prevent parents/guardians from exercising their right to inspect and review those records.</p>
	<p>The Intermediate Unit shall not charge a fee to search for or to retrieve information in response to a parental request.</p>
<p>34 CFR Sec. 300.614</p>	<p><u>Record Of Access</u></p> <p>The Intermediate Unit shall keep a record of parties obtaining access to education records collected, maintained, or used in providing special education to students with disabilities, except access by parents/guardians and authorized Intermediate Unit employees.</p>
	<p>The Intermediate Unit's record of access shall include the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.</p>

<p>34 CFR Sec. 99.20, 300.618</p>	<p><u>Amendment Of Records Upon Parental Request</u></p>
	<p>If a parent/guardian believes that information in the student’s education records is inaccurate, misleading or violates the privacy or other rights of the student, the parent/guardian may request that the Intermediate Unit amend the information. If the information in question was provided by the student’s school district of residence or nonpublic school, the Intermediate Unit shall coordinate with the school district of residence or nonpublic school to address a request for amendment.</p>
	<p>The Intermediate Unit shall decide whether to amend the information within a reasonable period of time from receipt of the request.</p>
	<p>If the Intermediate Unit declines to amend the information in accordance with a parental request, the Intermediate Unit shall inform the parent/guardian of the refusal and advise the parent/guardian of the right to a hearing.</p>
	<p><u>Records Hearing</u></p>
<p>34 CFR Sec. 99.21, 300.510- 300.516, 300.619</p>	<p>The Intermediate Unit shall, on request, provide parents/guardians with an opportunity for a hearing to challenge information in the student’s education records to ensure that the information is not inaccurate, misleading, or otherwise in violation of the student’s privacy or other rights. The Intermediate Unit recognizes that parents/guardians who believe that there is a due process violation relating to an alleged violation of confidentiality may also request a special education due process hearing. If the information in question was provided by the student’s school district of residence or nonpublic school, the Intermediate Unit shall coordinate with the school district of residence or nonpublic school to address the request for a hearing.</p>
	<p><u>Hearing Procedures</u></p>
<p>34 CFR Sec. 99.22, 300.621</p>	<p>A hearing to challenge information in education records must meet the following requirements:</p> <ol style="list-style-type: none"><li data-bbox="451 1497 1466 1566">1. The Intermediate Unit shall hold the hearing within a reasonable time after receiving the written request for a hearing.</li><li data-bbox="451 1608 1458 1677">2. The Intermediate Unit shall give the parent/guardian reasonable advanced written notice of the date, time, and place of the hearing.</li><li data-bbox="451 1719 1515 1787">3. The hearing may be conducted by any individual, including an Intermediate Unit official, who does not have a direct interest in the outcome of the hearing.</li></ol>

<p>34 CFR Sec. 99.21, 300.620</p>	<ol style="list-style-type: none"> <li>4. The Intermediate Unit shall give the parent/guardian a full and fair opportunity to present relevant evidence. The parent/guardian may, at his/her own expense, be assisted or represented by one (1) or more individuals of his/her choice, including an attorney.</li> <li>5. The Intermediate Unit shall inform parents/guardians of its decision in writing within a reasonable period of time after the hearing.</li> <li>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.</li> </ol> <p><u>Result Of Hearing</u></p> <p>If, as a result of the hearing, the Intermediate Unit decides that the information is inaccurate, misleading, or otherwise in violation of the student’s privacy or other rights, the Intermediate Unit shall amend the information accordingly and inform the parent/guardian in writing.</p> <p>If, as a result of the hearing, the Intermediate Unit decides that the information is not inaccurate, misleading, or otherwise in violation of the student’s privacy or other rights, the Intermediate Unit shall inform the parent/guardian of the parent’s/guardian’s right to place in the student’s records a statement commenting on the information and/or providing any reasons for disagreeing with the Intermediate Unit’s decision.</p> <p>Any explanation placed in the student’s records shall be:</p> <ol style="list-style-type: none"> <li>1. Maintained by the Intermediate Unit as part of the student’s records as long as the record or contested portion is maintained by the Intermediate Unit; and</li> <li>2. Included with the record or contested portion if the record or contested portion are disclosed to any party.</li> </ol>
<p>34 CFR Sec. 300.623</p>	<p><u>Storage, Retention And Destruction Of Information</u></p> <p>The Intermediate Unit shall store all education records and personally identifiable information of students receiving special education services in such a way as to protect the confidentiality and integrity of the records and information, prevent unauthorized access to and disclosure of records and information, and ensure compliance with other legal and regulatory requirements regarding records retention.</p>

<p>34 CFR Sec. 300.623</p>	<p>The Intermediate Unit shall maintain, for public inspection, a current listing of the names and positions of those Intermediate Unit employees who have access to personally identifiable information.</p>
<p>Pol. 216</p>	<p>In order to comply with state compliance monitoring requirements, the Intermediate Unit shall maintain education records for students receiving special education services for at least six (6) years.</p>
<p>34 CFR Sec. 300.624</p>	<p>The Intermediate Unit shall inform parents/guardians when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the student. After notice, such information shall be destroyed upon parental request.</p>
<p>34 CFR Sec. 99.10</p>	<p>No education record shall be destroyed if there is an outstanding request to inspect or review the record or if a litigation hold exists.</p>
<p>34 CFR Sec. 300.624</p>	<p>The Intermediate Unit may maintain a permanent record of the student's name, address, and phone number, his/her grades, attendance record, classes or programs attended, grade level or program completed, and year completed.</p>
<p>34 CFR Sec. 300.623</p>	<p>The Intermediate Unit shall ensure the destruction of education records in a manner that protects the confidentiality and privacy rights of the student and his/her family.</p>
<p><u>Disclosure To Third Parties</u></p>	
<p>34 CFR Sec. 99.30, 99.31, 300.622 Pol. 113.1, 113.2, 216</p>	<p>The Intermediate Unit shall obtain written parental consent before disclosing personally identifiable information to parties other than Intermediate Unit officials with a legitimate educational interest or other educational institutions that provide special education services to the student for the purposes of meeting a requirement of law or regulation, unless the information is contained in education records and the disclosure is permitted without parental consent under law and regulations.</p>
<p>34 CFR Sec. 300.622</p>	<p>Parental consent must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.</p>
<p>4. Delegation of Responsibility 34 CFR Sec. 300.623</p>	<p>In order to maintain the confidentiality of the educational records and personally identifiable information of students with disabilities, the Board designates the Executive Director or designee to coordinate the Intermediate Unit's efforts to comply with this policy and applicable laws and regulations.</p>

34 CFR Sec. 300.623	<p>All Intermediate Unit employees collecting or using personally identifiable information shall receive training or instruction regarding Board policy, procedures, and state and federal law and regulations regarding confidentiality of education records and personally identifiable information.</p>
	<p>References:</p>
	<p>Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g</p>
	<p>Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.</p>
	<p>Family Educational Rights and Privacy, Title 34, Code of Federal Regulations – 34 CFR Part 99</p>
	<p>Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300</p>
	<p>Pennsylvania Department of Education Individuals with Disabilities Education Act Part B LEA Policies and Procedures under 34 C.F.R. §§300.101 - 300.176 (2009)</p>
	<p>Bureau of Special Education Letter to School Entities on Retention Of Records, Dated November 9, 2009</p>
	<p>Board Policy – 113, 113.1, 113.2, 113.3, 216</p>

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: EARLY INTERVENTION

ADOPTED: August 22, 2011

REVISED:

113.5. EARLY INTERVENTION	
<p>1. Purpose Title 22 Sec. 14.104, 14.151, 14.154, 14.155 11 P.S. Sec. 875-301 et seq 20 U.S.C. Sec. 1414 34 CFR Sec. 300.1</p>	<p>The Intermediate Unit, in accordance with its mutually agreed-upon written arrangement (MAWA) with the Pennsylvania Department of Education, shall offer each eligible young child early intervention services that appropriately meet the child’s needs for educational, instructional, transitional, and related services, including services to enable the family to enhance the young child’s development. An eligible young child who requires early intervention shall receive programs and services according to an individualized education program (IEP). The IEP shall provide early intervention services which allow an eligible young child to participate in appropriate activities to the maximum extent appropriate with their nondisabled peers.</p>
<p>2. Definitions Title 22 Sec. 11.15, 14.101 11 P.S. Sec. 875-103 Pol. 201</p>	<p>Age of beginners - the age set by a Board of School Directors, pursuant to state regulation, for admission into first grade.</p>
<p>Title 22 Sec. 14.101, 14.102 20 U.S.C. Sec. 1401 34 CFR Sec. 300.8</p>	<p>Child with a disability - a child found to have one or more disabilities as defined by law, or a child who is less than the age of beginners and at least three (3) years of age who experiences developmental delays as defined by Pennsylvania law or regulation, who, by reason of these disabilities or developmental delay requires special education and related services.</p>

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<p>Title 22 Sec. 14.101, 14.102 11 P.S. Sec. 875-103 20 U.S.C. Sec. 1401</p>	<p>Eligible young child - a child, within the jurisdiction of the Intermediate Unit's MAWA, who is younger than the age of beginners for the district of residence and at least three (3) years of age; and who is identified as a child with a disability.</p>
<p>Title 22 Sec. 14.154, 14.155 20 U.S.C. Sec. 1414 34 CFR Sec. 300.320- 300.324</p>	<p>Individualized Education Program (IEP) - the written plan for the provision of free and appropriate early intervention services to an eligible young child that is developed, reviewed, implemented and revised in accordance with federal and state law and regulations. With written parental consent, the IEP shall include family services to provide assistance to the family in supporting the eligible young child's development. An individualized family service plan (IFSP) may serve as the IEP if it is consistent with policy and agreed to by the Intermediate Unit and the child's parents/guardians.</p>
<p>Title 22 Sec. 14.102, 14.155 34 CFR Sec. 300.114- 300.117</p>	<p>Least restrictive environment (LRE) - to the maximum extent appropriate, eligible young children being served in a non home-based setting shall receive early intervention services in a setting with nondisabled children. A range of service options must be considered as provided by law and regulation. Each eligible young child's IEP must contain the recommended service option placement and the rationale for why it represents the least restrictive environment.</p>
<p>Title 22 Sec. 14.151 11 P.S. Sec. 875-103</p>	<p>Mutually agreed-upon written arrangement (MAWA) - an agreement between the Intermediate Unit and the Pennsylvania Department of Education that complies with applicable law and regulations, for the delivery of early intervention services to eligible young children.</p>
<p>20 U.S.C. Sec. 1401 34 CFR Sec. 300.30</p>	<p>Parent/Guardian - for purposes of this policy, 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.</p>

<p>3. Authority  Title 22  Sec. 14.102,  14.104,  14.151-  14.158  11 P.S.  Sec. 875-301  et seq  20 U.S.C.  Sec. 1400 et seq  29 U.S.C.  Sec. 794  42 U.S.C.  Sec. 12101 et seq  34 CFR  Part 300</p>	<p>The Board directs that all eligible young children shall be identified, evaluated, and provided with appropriate educational programs and services, in accordance with federal and state law and regulations and the Intermediate Unit’s MAWA, and that the Intermediate Unit comply with all procedural safeguards and parental notification requirements. The Intermediate Unit shall ensure timely and proper development and submission of its annual Early Intervention Special Education Plan.</p>
<p>4. Delegation of  Responsibility</p>	<p>The Executive Director 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 eligible young children.</p> <p>The Director of Educational Services shall develop procedures for evaluating the effectiveness of the Intermediate Unit's Early Intervention Special Education Plan and shall periodically report to the Board the criteria and results of such evaluation.</p>
<p>5. Guidelines  Title 22  Sec. 14.154,  14.155  11 P.S.  Sec. 875-301  20 U.S.C.  Sec. 1414  34 CFR  Sec. 300.320-  300.327   Pol. 103, 103.1</p>	<p>Each eligible young child shall be offered services pursuant to an IEP, which shall provide appropriate early intervention services in the least restrictive environment, in accordance with federal and state law and regulations. The IEP team for each eligible young child shall consider whether services should be provided during break periods to maintain skills.</p> <p>The Intermediate Unit prohibits discrimination based on disability. Eligible young children are entitled to receive services and accommodations that will permit them to participate in appropriate activities as required by law.</p>

<p>Title 22 Sec. 14.104</p>	<p>The Intermediate Unit’s Early Intervention Special Education Plan shall comply with the requirements of state and federal law and regulations and the Intermediate Unit’s MAWA. The Intermediate Unit shall establish procedures to ensure the plan is updated and implemented as required. The Early Intervention Special Education Plan shall meet the format, content and time for submission of the agency plans prescribed by the Secretary of the Department of Education.</p>
<p>Title 22 Sec. 14.121, 14.152 11 P.S. Sec. 875-305</p>	<p><u>Child Find/Outreach</u></p> <p>The Director of Educational Services shall ensure that the Intermediate Unit annually conducts awareness and outreach programs and activities designed to reach residents within the boundaries served by the Intermediate Unit in accordance with the MAWA, including preschool-aged children, students who attend private schools, homeless children and children who are wards of the state.</p> <p>The Intermediate Unit’s public awareness activities shall include annual publication of a written notice in newspapers and other media notifying residents about child identification activities; available early intervention and 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 Intermediate Unit handbooks and on the Intermediate Unit web site. Public awareness activities must include information regarding potential signs of developmental delays and other risk factors that could indicate disabilities.</p>
<p>Title 22 Sec. 14.102, 14.123, 14.153 11 P.S. Sec. 875-301 20 U.S.C. Sec. 1414 34 CFR Sec. 300.300- 300.311, 300.502</p>	<p><u>Evaluations And Re-Evaluations</u></p> <p><i>Appropriate Evaluations And Purpose Of Evaluations –</i></p> <p>An appropriate evaluation shall be conducted for any child referred for evaluation because s/he is thought to be an eligible young child. Re-evaluations of eligible young children shall be conducted at least every two (2) years, unless the parents/guardians and Intermediate Unit agree that a re-evaluation is not necessary. For children with mental retardation, the re-evaluation cannot be waived. Re-evaluations may be conducted at any time by mutual agreement of the Intermediate Unit and parents/guardians or up to once a year upon parental request or due to the child’s needs. The Intermediate Unit shall comply with requirements of state and federal law and regulations when conducting evaluations and re-evaluations, conducting a review of existing data, preparing evaluation or re-evaluation reports and providing required information to parents/guardians. An initial evaluation must include information to assist the group of qualified professionals and parents/guardians to determine whether the child has a disability and needs special education and related services. A re-evaluation must include information to assist the group of qualified professionals and parents/guardians to determine whether the child continues to have a disability and needs special education and related services.</p>

*Informed Consent –*

Informed parental consent must be obtained before conducting an initial evaluation or for additional evaluations not referenced in the original consent, including a re-evaluation that involves additional assessments. Review of existing data or screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation requiring parental consent. Parental consent to an evaluation is not consent to services which may be recommended as the result of an evaluation or re-evaluation.

*Review Of Existing Data And Requirements For Evaluations –*

Initial evaluations, if appropriate, and re-evaluations require a review of existing data or information, including that provided by parents/guardians, and classroom observations in order to identify any additional assessments required to address known or suspected disabilities or needs. An appropriate evaluation shall assist in determining the content of the IEP to enable an eligible young child to participate in appropriate activities.

An appropriate evaluation of a child shall include administration of a variety of testing and assessment procedures necessary to determine the existence of suspected disabilities as defined by state and federal law. No single assessment may be used as the sole criterion to determine whether a child is an eligible young child or to determine appropriate programming. A child shall be assessed in all areas related to the suspected disability including physical development, cognitive and sensory development, learning problems, learning strengths and educational need, communication development, social and emotional development, self-help skills, and an assessment of the family's perceived strengths and needs which will enhance the child's development.

Where feasible, assessments and evaluations shall be administered in a language and form most likely to provide accurate information about what the child knows and can do academically, developmentally, and functionally.

*Qualification Of Evaluators –*

Each evaluator must be qualified to carry out the evaluation, must select and properly administer testing and assessment procedures and must report any factor that might affect the validity of results obtained. The evaluator shall hold an active certification that qualifies the evaluator to conduct that type of evaluation. If certification is not issued for the particular area of professional practice in which the evaluator is lawfully engaged, the evaluator shall hold such license or other credentials as required for the area of professional practice under state law.

<p>Pol. 103, 103.1</p> <p>34 CFR Sec. 300.502 Pol. 113.3</p> <p>11 P.S. Sec. 875-305 34 CFR Sec. 300.611- 300.625</p> <p>11 P.S. Sec. 875-301 Pol. 216</p> <p>34 CFR Sec. 300.611- 300.625</p>	<p><i>Nondiscrimination –</i></p> <p>All assessments and evaluation materials shall be selected and administered so as not to be discriminatory on a racial or cultural basis.</p> <p><i>Independent Educational Evaluations –</i></p> <p>A parent/guardian who disagrees with the results or content of an evaluation performed or obtained by the Intermediate Unit may request an independent educational evaluation at public expense. Independent educational evaluations shall be conducted in accordance with applicable law and regulations and Intermediate Unit policy.</p> <p><u>Records And Confidentiality</u></p> <p>The Intermediate Unit shall maintain a system of safeguards to protect the confidentiality of eligible young children’s educational records and personally identifiable information when collecting, storing, disclosing and destroying student records.</p> <p>Intermediate Unit staff shall maintain the confidentiality of records and personally identifiable information, as required by law and regulations.</p> <p>The Intermediate Unit shall obtain written parental consent prior to releasing a child’s record when prior consent is required by law, regulations or Board policy.</p> <p>The Intermediate Unit, upon request of the parents/guardians, shall permit the parents/guardians of an eligible young child to inspect, review or copy educational records, and shall respond to parental requests for amendment of records, in accordance with applicable law and regulations.</p> <p>The Intermediate Unit shall notify parents/guardians prior to destroying personally identifiable information in a child’s record that is no longer relevant or necessary for providing services to the child.</p>
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<p>11 P.S. Sec. 875-301 20 U.S.C. Sec. 1414 34 CFR Sec. 300.124 PDE Announcement: EI-09 #3</p>	<p><u>Transition From Infant/Toddler Programs</u></p> <p>Infant/Toddler early intervention programs shall contact the Intermediate Unit’s early intervention program prior to the third birthday of an eligible young child. A transition meeting that includes, at a minimum, the parent/guardian, a representative of the infant/toddler program, and a representative of the Intermediate Unit’s program shall be conducted in accordance with applicable federal and state law and regulations. All aspects of the child’s current early intervention services shall be reviewed at the transition meeting and included in the individualized family service plan (IFSP) in preparation for the child’s transition. The IFSP shall be converted to the IEP when an eligible young child turns three (3) years of age, if necessary to allow for uninterrupted services throughout the transition year, and as agreed to by the Intermediate Unit and the child’s parent/guardian.</p>
<p>Title 22 Sec. 14.154, 14.157 11 P.S. Sec. 875-301 PDE Announcement: EI-09 #19 PDE Part B Policies and Procedures 34 CFR Sec. 300.124</p>	<p><u>Transition To School-Aged Programs</u></p> <p>The Intermediate Unit shall annually, prior to February 1, identify all eligible young children who are approaching the age for kindergarten or the age of beginners in their school district of residence. The Intermediate Unit shall notify parents/guardians about the transition process and inform parents/guardians of children eligible for kindergarten that their children may remain in the early intervention program for another year; however, that the IEP team should fully inform parents/guardians of the advantages of transitioning to school-age programming with same-age peers.</p> <p>The Intermediate Unit shall convene transition meetings for eligible young children reaching the age of beginners that include the child’s parents/guardians and a representative of the district of residence, and shall ascertain whether the parents/guardians intend to register the child with their district of residence or another educational program for the following school year.</p>
<p>Title 22 Sec. 14.154</p>	<p>The IEP for eligible young children within one (1) year of transition to school-age programs shall include goals and objectives that address the transition process.</p>
<p>11 P.S. Sec. 875-301</p>	<p>The Intermediate Unit shall notify parents/guardians of eligible young children that their child shall no longer be eligible for early intervention services once they reach the age of beginners for their district of residence, regardless of whether the parents/guardians enroll their children in the district of residence.</p> <p>Records of eligible young children receiving early intervention services shall not be shared with the district of residence or another educational program without parental consent.</p>

<p>Title 22 Sec. 14.157 11 P.S. Sec. 875-301</p>	<p><u>Exit Criteria</u></p> <p>The Intermediate Unit shall develop procedures, subject to procedural safeguards, to provide for the exit of eligible young children from early intervention programs and services based on one or more of the following criteria:</p> <ol style="list-style-type: none"><li>1. The child has reached the age of beginners for his/her district of residence and is no longer eligible for early intervention services.</li><li>2. The child has functioned within the range of normal development for four (4) months under his/her IEP, as verified by the IEP team.</li><li>3. The parent/guardian has withdrawn the child from early intervention services.</li></ol> <p>The Intermediate Unit shall provide appropriate transition services that address the needs of the eligible young child and parents/guardians.</p>
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References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 25-2509.11

State Board of Education Regulations – 22 PA Code Sec. 11.15, 14.101, 14.102, 14.104, 14.121, 14.151-14.158

State Department of Public Welfare Regulations – 55 PA Code Sec. 3270.183, 3270.184

Early Intervention Services – 11 P.S. Sec. 875-103, 875-301 et seq.

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

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

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

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

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

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

Announcement: EI-09 #03, Pennsylvania Department of Education, Office of Child Development and Early Learning, Bureau of Early Intervention Services, *Transition of Toddlers to Preschool or Other Community Services*

Announcement: EI-09 #19, Pennsylvania Department of Education, Office of Child Development and Early Learning, Bureau of Early Intervention Services, *Transition of Preschool Children to School Age Programs*

Pennsylvania Department of Education Individuals with Disabilities Education Act Part B LEA Policies and Procedures under 34 C.F.R. §§300.101 - 300.126 (2009) - §300.124 – *Transition of Children from the Part C Program to Preschool Programs*

Pennsylvania Training and Technical Assistance Network – [www.pattan.net](http://www.pattan.net)

Board Policy – 103, 103.1, 113.2, 113.3, 113.6, 201, 216

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: SCHOOL-BASED PARTIAL  
HOSPITALIZATION  
PROGRAM – EARLY  
BEHAVIORAL INTENSIVE  
INTERVENTION

ADOPTED: August 22, 2011

REVISED:

<p>1. Purpose</p> <p>2. Authority Title 55 Sec. 5210.37 Pol. 103, 103.1, 113.5</p> <p>3. Delegation of Responsibility</p> <p>4. Guidelines  Pol. 113.5, 216</p>	<p style="text-align: center;">113.6. SCHOOL-BASED PARTIAL HOSPITALIZATION PROGRAM – EARLY BEHAVIORAL INTENSIVE INTERVENTION</p> <p>The Board shall provide a school-based partial hospitalization program based on early behavioral intensive intervention. The program shall meet the requirements of applicable law and regulations and funding guidelines.</p> <p>The Board shall provide appropriate educational programs to children enrolled in the school-based partial hospitalization program in the least restrictive environment, in accordance with applicable law and regulations and Board policy. No discrimination shall occur in the provision of programs.</p> <p>The Executive Director or designee shall develop procedures to implement the school-based partial hospitalization program.</p> <p>The Executive Director or designee shall annually recommend to the Board the employment and retention of necessary, qualified staff and provision of required facilities and services to implement the program.</p> <p><u>Intake/Admission</u></p> <p>The Intermediate Unit shall collect and maintain information for the purpose of intake, admission to, and discharge from the school-based partial hospitalization program. Information shall be maintained confidentially, in accordance with applicable law, regulations and Board policy.</p> <p>Children shall be admitted to the program based on comprehensive clinical assessments when they demonstrate a clear need for intensive and frequent intervention and all other less intensive options for treatment/intervention have been exhausted or deemed inappropriate for the individual child.</p>
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113.6. SCHOOL-BASED PARTIAL HOSPITALIZATION PROGRAM –  
EARLY BEHAVIORAL INTENSIVE INTERVENTION - Pg. 2

<p>Pol. 113.5</p>	<p>For eligible young children, placement in the program shall be determined by the interagency team members during a meeting that shall occur prior to admission. Children admitted to the program shall require intensive services that are specific to Autism Spectrum Disorder and shall be three (3) to five (5) years of age.</p> <p>Parental consent shall be required for admission to the treatment program.</p> <p><u>Treatment/Service Plan</u></p> <p>A treatment team shall develop a treatment/service plan for each child participating in the program. The team shall include, at a minimum, the child’s family or legal guardian, a psychologist, a mental health treatment specialist and an education specialist or program supervisor.</p> <p>Members of the treatment team may participate in a child’s Individualized Education Program (IEP) meetings when relevant to planning for educational needs and services or transition planning, as appropriate, in accordance with law, regulations and applicable Board policy.</p> <p>The treatment/service plan shall include required elements and be reviewed and revised based on program requirements, Intermediate Unit procedures and funding guidelines.</p> <p><u>Continuity Of Care</u></p> <p>The Intermediate Unit shall ensure continuity of care for children enrolled in the school-based partial hospitalization program. The treatment team shall cooperate with families; early intervention programs; the child’s district of residence, as appropriate; and outside agencies to meet the child’s therapeutic, educational, recreational and vocational needs.</p> <p>The Intermediate Unit shall provide family services as part of the program, focusing on facilitating behavioral interventions within the home and/or community setting. Families shall be an integral part of the treatment team and shall participate in all decisions, be informed of all treatment recommendations and offered support throughout their child’s participation in the program.</p>
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113.6. SCHOOL-BASED PARTIAL HOSPITALIZATION PROGRAM –  
EARLY BEHAVIORAL INTENSIVE INTERVENTION - Pg. 3

Title 55 Sec. 5210.58	<p><u>Medication Storage And Administration</u></p> <p>The Board acknowledges that some children enrolled in the school-based partial hospitalization program may require administration of medication in the school setting based on a licensed physician’s orders. Prescriptions may only be written by a physician and shall be dispensed only on the order of the physician.</p> <p>Medications shall include any and all substances administered by mouth, rectum, droplet, injection, gastric tube, topically, inhaled or another route. All medication use shall be monitored closely to ensure sound health and medical practices, safe storage, compliance with physician’s orders and possible reactions.</p>
Title 55 Sec. 5210.58	<p>All medications shall be kept in a secured location and each dose of medication administered by Intermediate Unit staff shall be properly recorded in the child’s record.</p> <p>The Clinical Director shall annually review and submit to the Executive Director for approval, procedures for the storage and administration of medication that ensure safe practices.</p>
Pol. 113.5, 131	<p><u>Transition</u></p> <p>The Intermediate Unit shall ensure that all children served in Intermediate Unit early childhood programs transition to kindergarten or other school programs in accordance with law and recommended practices.</p> <p>Intermediate Unit staff shall communicate and coordinate with parents/guardians, Intermediate Unit early childhood programs, children’s school district of residence, and other appropriate agencies to ensure a seamless transition and later school success.</p> <p>Ongoing parental involvement shall be encouraged throughout the process as children enter school-age settings.</p> <p><u>Program Review</u></p> <p>The Board directs that every measure shall be taken to attain quality assurance in all of its programs.</p> <p>An appropriate administrator or program supervisor shall conduct regular chart audits of children enrolled in the school-based partial hospitalization program for the purpose of quality assurance and to determine if the child continues to meet the medical necessity criteria.</p>

113.6. SCHOOL-BASED PARTIAL HOSPITALIZATION PROGRAM –  
EARLY BEHAVIORAL INTENSIVE INTERVENTION - Pg. 4

Discharge And Utilization Review

The decision to discharge a child from the program shall be made as part of the collaborative treatment plan process. Individuals included in the treatment team that shall make discharge decisions shall include the child's family; Clinical Director; consulting psychiatrist; site treatment team; County Mental Health/Mental Retardation representatives; district of residence personnel, as appropriate; therapeutic staff; treatment service facilitator; program supervisor; and other interested parties.

Discharge from the program shall occur for the following reasons:

1. Successful Treatment – if a child meets treatment goals and is no longer in need of school-based partial hospitalization programming.
2. Voluntary Consent – if a parent/guardian chooses not to consent to treatment voluntarily or withdraws consent.
3. More Restrictive Environment – if the child requires a more restrictive placement or a higher level and intensity of services.
4. Age – when a child is no longer age-appropriate for preschool services and is eligible for kindergarten or other school programming.
5. Private Insurance and Medical Assistance – if the child's family fails to cooperate with insurance company and/or Office of Medical Assistance policies, procedures, requirements and/or requests.

The psychiatrist shall have a primary role in the decision of whether or not a continued stay in the program is medically necessary.

Children in need of a Utilization Review may be identified by a member of the clinical or treatment plan team or by the parent/guardian. A child's length of stay and compliance in treatment may also result in the need for a Utilization Review.

The Utilization Review form shall be completed and discussed at regular treatment plan meetings to receive a consensus on the decision to identify a child for discharge. Once a consensus has been reached, the form shall be signed by the administrator or program supervisor and clinical supervisor, reviewed with the mental health treatment specialist and maintained in the child's chart. A copy of the form shall be maintained in the child's file located in the Intermediate Unit central office.

113.6. SCHOOL-BASED PARTIAL HOSPITALIZATION PROGRAM –  
EARLY BEHAVIORAL INTENSIVE INTERVENTION - Pg. 5

Staff Training And Development

The Intermediate Unit shall provide continuing professional development for all team members and other professionals associated with the children served within the program.

Staff development and continuing professional development shall provide training in current practices in working with children and families affected by Autism Spectrum Disorders, state and federally-mandated or recommended practices, and requirements of school-based partial hospitalization and education programs.

Staff development and continuing professional development shall take place at the beginning of the school year and throughout the school year on designated staff development days, in accordance with established procedures.

References:

State Department of Public Welfare Regulations – 55 PA Code Sec. 5210.37,  
5210.58

Board Policy – 103, 103.1, 113.2, 113.5, 131, 216

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: CAREER AND TECHNICAL  
EDUCATION

ADOPTED: February 28, 2011

REVISED:

<p>1. Purpose Title 22 Sec. 4.31, 12.41</p> <p>2. Authority 24 P.S. Sec. 914-A Pol. 100</p>	<p style="text-align: center;">115. CAREER AND TECHNICAL EDUCATION</p> <p>The Intermediate Unit shall cooperate with the career and technical schools supported by its member school districts to provide the services necessary for Intermediate Unit students enrolled in career and technical education programs.</p> <p>The Board shall approve a program of services to accommodate Intermediate Unit students enrolled in career and technical education programs of member school districts.</p> <p>References:</p> <p>Purdon’s Statutes (School Code) – 24 P.S. Sec. 9-914-A, 18-1850.1</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.31, 12.41</p> <p>Board Policy – 100</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: HOMEBOUND INSTRUCTION

ADOPTED: February 28, 2011

REVISED:

117. HOMEBOUND INSTRUCTION	
<p>1. Authority 24 P.S. Sec. 914-A, 1329 Title 22 Sec. 11.25 Pol. 100</p>	<p>The Board may coordinate with member school districts to provide, pursuant to law and regulations, homebound instruction to students confined to home or hospital for physical disability, illness, injury, urgent reasons, or when such confinement is recommended for psychological or psychiatric reasons. The period of homebound instruction for an individual shall not exceed three (3) months.</p>
<p>2. Delegation of Responsibility Title 22 Sec. 11.25</p>	<p>The Superintendent of the home school district may request approval from the Department of Education to extend the period of homebound instruction for an individual, which shall be re-evaluated every three (3) months.</p>
<p>3. Guidelines Pol. 113</p>	<p>The program of homebound instruction provided to each student shall be in accordance with the standards established by the state and the student's Individualized Education Program (IEP), if applicable.</p> <p>The Board reserves the right to withhold homebound instruction when:</p> <ol style="list-style-type: none"> <li>1. The instructor's presence in the place of a student's confinement presents a hazard to the health or safety of the teacher.</li> <li>2. A parent/guardian or other adult in authority is not present with the student during the hours of instruction.</li> <li>3. The condition of the student precludes any benefit from such instruction.</li> </ol>

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A, 13-1329

State Board of Education Regulations – 22 PA Code Sec. 11.25

Board Policy – 000, 100, 113

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: FIELD TRIPS

ADOPTED: February 28, 2011

REVISED:

121. FIELD TRIPS	
1. Purpose	<p>The Board recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important component of the instructional program. Properly planned and executed field trips can:</p> <ol style="list-style-type: none"> <li>1. Supplement and enrich learning by providing educational experiences in an environment outside the classroom.</li> <li>2. Arouse new interests among students.</li> <li>3. Help students relate school experiences to the reality of the world outside of school.</li> <li>4. Introduce community resources, such as natural, cultural, industrial, commercial, governmental, and educational.</li> <li>5. Afford students the opportunity to study real things and real processes in their actual environment.</li> </ol>
2. Definition	<p>For purposes of this policy, a field trip shall be defined as any trip by students away from school premises that is an integral part of approved planned instruction, is conducted as a first-hand educational experience not available in the classroom, and is supervised by an Intermediate Unit employee.</p>
3. Authority	<p>The Board shall annually approve a list of potential field trips. The Board shall individually approve proposed field trips that are out-of-state.</p> <p>Students on field trips remain under the supervision and responsibility of the Intermediate Unit and are subject to its rules and regulations.</p>
4. Guidelines	<p>Field trips shall be governed by guidelines which ensure that:</p> <ol style="list-style-type: none"> <li>1. The safety and well-being of students will be protected at all times.</li> </ol>

Title 22  
Sec. 4.4

2. Permission of the parent/guardian is sought and obtained before any student may participate.
3. The program supervisor and building administrator approve the purpose, itinerary and duration of each proposed trip.
4. Each field trip is properly planned, integrated with the curriculum, and followed up by appropriate activities that enhance its value.
5. The effectiveness of field trip activities is monitored and evaluated continuously.
6. Teachers are allowed flexibility and innovation in planning field trips.
7. No field trip will be approved unless it contributes to the achievement of specified instructional objectives.

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 5-517, 9-914-A

State Board of Education Regulations – 22 PA Code Sec. 4.4

Board Policy – 000, 121.1

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: COMMUNITY BASED  
INSTRUCTION

ADOPTED: February 28, 2011

REVISED:

121.1. COMMUNITY BASED INSTRUCTION	
1. Purpose	The Board recognizes that Community Based Instruction experiences are an integral part of student learning. The student’s academic situation, behavior, attendance, vocational and work-experience responsibilities shall be considered in determining what experiences are the best suited for each individual.
2. Authority	<p>The Board authorizes a program of Community Based Instruction to provide direct instruction in skills related to community living and development of social skills to enable students to interact more effectively with the community.</p> <p>Intermediate Unit staff shall provide Community Based Instruction to eligible students as specified in an Intermediate Unit program’s planned instruction.</p>
3. Guidelines	<p>Parental permission shall be required for Community Based Instruction experiences.</p> <p>Procedures and guidelines for Community Based Instruction experiences shall address the following:</p> <ol style="list-style-type: none"> <li>1. Considering safety issues for instructing in community environments.</li> <li>2. Developing objectives that correspond to IEP goals and instructional objectives.</li> <li>3. Analyzing locations for safety features and instructional opportunities.</li> <li>4. Incorporating public transit and travel skills into trips.</li> <li>5. Implementing activities that prepare students for Community Based Instruction.</li> <li>6. Including follow-up activities that reinforce experiences.</li> </ol>

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A

Board Policy – 000, 121

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: ONLINE INSTRUCTIONAL  
PROGRAMS

ADOPTED: February 28, 2011

REVISED:

124. ONLINE INSTRUCTIONAL PROGRAMS	
<p>1. Purpose</p>	<p>The Board recognizes that online instructional programs, including online learning, cyber charter schools, credit recovery programs, blended programs, and other instructional methods may be effective resources for providing both supplemental and primary academic instruction.</p>
<p>2. Authority 24 P.S. Sec. 914-A Pol. 100</p> <p>Pol. 100</p>	<p>It is the policy of the Board that the Intermediate Unit may conduct online instructional programs and services for eligible students.</p> <p>Tuition fees approved by the Board may be charged for students participating in specified programs as referenced in the Program of Services. No fees shall be charged for federal or state mandated programs.</p>
<p>3. Guidelines</p> <p>Pol. 103, 103.1</p>	<p>Online instructional programs shall provide educational opportunities in areas including but not limited to:</p> <ol style="list-style-type: none"> <li>1. Core academic courses.</li> <li>2. Elective courses.</li> <li>3. Advanced Placement courses.</li> <li>4. Credit recovery courses.</li> </ol> <p>Procedures for online instructional programs shall include guidelines for enrollment of students. Enrollment guidelines shall be inclusive. Students participating in online instructional programs may include but not be limited to:</p> <ol style="list-style-type: none"> <li>1. Students who are at risk.</li> <li>2. Students accelerating their studies.</li> </ol>

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<p>Pol. 234</p> <p>Pol. 117</p>	<ol style="list-style-type: none"><li>3. Pregnant students.</li><li>4. Students receiving homebound instruction.</li><li>5. Students in home education programs.</li><li>6. High school dropouts.</li><li>7. Students with disabilities and gifted students.</li></ol> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A</p> <p>Board Policy – 000, 100, 103, 103.1, 117, 234</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: ASSESSMENTS

ADOPTED: February 28, 2011

REVISED:

127. ASSESSMENTS	
<p>1. Purpose Title 22 Sec. 4.52</p>	<p>The Board recognizes its responsibility to develop and implement an assessment plan that will determine the degree to which students are achieving academic and early learning standards and provide information for improving the educational program.</p>
<p>2. Authority Title 22 Sec. 4.51, 4.52 Pol. 100.1</p>	<p>The Board shall approve an assessment plan for use in Intermediate Unit programs that is aligned with the adopted academic standards and state assessments. The assessment plan shall be described in the Intermediate Unit's Strategic Plan.</p>
<p>Title 22 Sec. 4.52, 12.41</p>	<p>The Board reserves the right to review the Intermediate Unit's assessment measures and to approve those that serve a legitimate purpose without infringing upon the personal rights of the students or parents/guardians.</p>
<p>Title 22 Sec. 4.4</p>	<p>The Board shall grant requests by parents/guardians to review the state assessments two (2) weeks prior to their administration, during regular Intermediate Unit office hours. The Intermediate Unit shall ensure the security of the assessment documents.</p>
<p>Title 22 Sec. 4.4</p>	<p>The Board shall grant parents/guardians the right to have their child excused from state assessments that conflict with their religious beliefs, upon receipt of a written request to the Executive Director.</p>
<p>3. Delegation of Responsibility</p>	<p>The Executive Director or designee shall recommend methods of assessment and evaluation based on his/her professional judgment, generally accepted professional practice, and staff input.</p>
<p>Pol. 919</p>	<p>The Executive Director or designee shall annually disseminate to parents/guardians and the public information regarding student assessment results, as required by federal and state law and regulations.</p> <p>The Executive Director shall recommend improvements in the curriculum and instructional practices based upon student assessment results.</p>

<p>4. Guidelines 20 U.S.C. Sec. 6311</p> <p>Title 22 Sec. 4.52, 12.41</p>	<p>Parents/Guardians shall receive information regarding their child's state assessment scores through the student's district of residence, and may obtain an explanation of assessment results.</p> <p>The Intermediate Unit shall provide assistance to students not attaining academic standards at the proficient level. The Intermediate Unit shall inform students and parents/guardians about how to access such assistance.</p> <p>References:</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.4, 4.13, 4.51, 4.52, 12.41, 403.1, 403.3</p> <p>No Child Left Behind Act – 20 U.S.C. Sec. 6311</p> <p>Board Policy – 100.1, 919</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: EARLY CHILDHOOD  
EDUCATION

ADOPTED: February 28, 2011

REVISED:

<p>1. Purpose Pol. 100</p> <p>2. Authority Pol. 113.4</p> <p>3. Delegation of Responsibility  Pol. 105</p>	<p style="text-align: center;">131. EARLY CHILDHOOD EDUCATION</p> <p>The Board recognizes its responsibility to provide quality educational services for the development, assessment and learning experiences for pregnant women and children from birth to five (5) years of age.</p> <p>The Board directs that all pre-school students with disabilities shall be identified, evaluated, and provided with appropriate educational services, in accordance with federal and state laws and regulations and Board policy.</p> <p>The Executive Director is authorized to initiate and maintain early childhood education programs when such programs are consistent with federal, state and Intermediate Unit objectives and appropriate funding.</p> <p>Qualified staff members shall provide educational services through a research-based curriculum aligned with the Pennsylvania Early Learning Standards and all other applicable law and regulations.</p> <p>References:</p> <p>Purdon’s Statutes (School Code) – 24 P.S. Sec. 9-914-A</p> <p>Board Policy – 000, 100, 103, 103.1, 105, 113.4</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: ALTERNATIVE EDUCATION

ADOPTED: February 28, 2011

REVISED:

<p>1. Purpose</p> <p>2. Authority 24 P.S. Sec. 1901-C, 1902-C, 1901-E, 1902-E</p>	<p style="text-align: center;">132. ALTERNATIVE EDUCATION</p> <p>Alternative education programs allow the Intermediate Unit to assist member districts in removing disruptive students from the regular school program in order to provide those students with educational instruction, counseling designed to modify disruptive behavior, advocacy and a return to the regular school curriculum.</p> <p>The Board authorizes the operation of alternative education programs in accordance with applicable law and regulations.</p> <p>References:</p> <p>Purdon’s Statutes (School Code) – 24 P.S. Sec. 19-1901-C et seq., 19-1901-E et seq.</p> <p>State Board of Education Regulations – 22 PA Code Sec. 11.6</p> <p>Board Policy – 000</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: LIMITED ENGLISH  
PROFICIENCY PROGRAM

ADOPTED: February 28, 2011

REVISED:

138. LIMITED ENGLISH PROFICIENCY PROGRAM	
<p>1. Purpose</p>	<p>In accordance with the Board's philosophy to provide a quality educational program to all students, the Intermediate Unit shall provide, through contract with member school districts, an appropriate planned instructional program for identified students whose dominant language is not English. The purpose of the program shall be to increase the English language proficiency of eligible students so that they can attain the academic standards established for their specific program and achieve academic success. Students who have Limited English Proficiency (LEP) will be identified, assessed and provided appropriate services.</p> <p>The Intermediate Unit's Limited English Proficiency program shall coordinate efforts with member school districts to best serve the needs of their students through instructional interventions, adaptations and accommodations as a promising way to ensure students' academic and social success.</p>
<p>2. Authority</p> <p>Title 22 Sec. 4.26 20 U.S.C. Sec. 6801 et seq Pol. 103, 103.1</p> <p>24 P.S. Sec. 914-A, 1205.1, 1205.2 Pol. 100, 333</p>	<p>The Board shall coordinate with member school districts to provide a program of educational services for each student whose dominant language is not English. Limited English Proficiency programs shall include bilingual/bicultural or English as a Second Language instruction. Programs shall be based on effective research-based theory, be implemented with sufficient resources and appropriately trained staff, and be evaluated periodically.</p> <p>The Board shall include a description of the LEP program in its Program of Services. The Intermediate Unit may coordinate with member school districts to provide appropriate training for professional staff.</p>
<p>3. Delegation of Responsibility</p>	<p>The program supervisor shall implement and supervise an LEP program that ensures appropriate LEP instruction in the Intermediate Unit's educational programs and complies with federal and state laws and regulations.</p>

<p>4. Guidelines Title 22 Sec. 11.11</p>	<p>The program supervisor, in conjunction with appropriate stakeholders, shall develop procedures regarding the LEP program.</p> <p>Each member school district shall establish procedures for identifying and assessing students whose dominant language is not English. The Home Language Survey shall be completed for each student enrolled in the member district and be filed in the student's permanent record folder through graduation. For students whose dominant language is not English, assessment of the student's English proficiency level must be completed to determine the need for English as a Second Language instruction.</p> <p>The Intermediate Unit shall ensure equal participation by LEP students in applicable instructional programs.</p> <p>The LEP program shall be designed to provide instruction that meets each student's individual needs, based on the assessment of English proficiency in listening, speaking, reading and writing. Adequate content area support shall be provided while the student is learning English, to assure achievement of academic standards.</p>
<p>Pol. 113</p>	<p>Students participating in LEP programs who are eligible for special education services shall continue to receive LEP instruction at the appropriate proficiency and developmental level.</p>
<p>Pol. 304, 333</p>	<p>The LEP program shall be evaluated for effectiveness as required, based on the attainment of English proficiency, and shall be revised when necessary.</p>
<p>20 U.S.C. Sec. 7012</p>	<p>Certified professional employees and appropriate support staff, when necessary, shall provide the LEP program.</p>
<p>20 U.S.C. Sec. 7012</p>	<p>At the beginning of each school year, the member school district shall notify parents/guardians of students qualifying for LEP programs regarding the instructional program and parental options, as required by law.</p>
<p>20 U.S.C. Sec. 6812, 6826, 7012</p>	<p>Parents/Guardians will be regularly apprised of their student's progress. Communications with parents/guardians shall be in the language understood by the parents/guardians, whenever possible.</p>
<p>20 U.S.C. Sec. 6812, 6826, 7012</p>	<p>The member school district and Intermediate Unit shall maintain an effective means of outreach to encourage parental involvement in the education of their children.</p>

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A, 12-1205.1, 12-1205.2

State Board of Education Regulations – 22 PA Code Sec. 4.13, 4.26, 11.11

Equal Education Opportunity Act, amending Educational Amendments of 1974 –  
20 U.S.C. Sec. 1703

No Child Left Behind Act – 20 U.S.C. Sec. 6801 et seq.

Improving Academic Achievement, Title 34, Code of Federal Regulations – 34 CFR  
Part 200

Board Policy – 000, 100, 102, 103, 103.1, 113, 304, 333

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: STANDARDS FOR  
PERSISTENTLY  
DANGEROUS SCHOOLS

ADOPTED: February 28, 2011

REVISED:

<p>1. Purpose Title 22 Sec. 403.6 20 U.S.C. Sec. 7912</p> <p>2. Definitions Title 22 Sec. 403.2</p>	<p style="text-align: center;">143. STANDARDS FOR PERSISTENTLY DANGEROUS SCHOOLS</p> <p>The Pennsylvania Department of Education, as required by the Unsafe School Choice Option provision of the No Child Left Behind Act (Section 9532), hereby adopts the following standards for identifying persistently dangerous schools.</p> <p>As used in these standards, the following terms shall be defined as provided herein:</p> <p>Dangerous incidents shall include both weapons possession incidents resulting in arrest (guns, knives or other weapons) and violent incidents resulting in arrest (homicide, kidnapping, robbery, sexual offenses and assaults) as reported on the Violence and Weapons Possession Report (PDE-360).</p> <p>Department shall mean the Pennsylvania Department of Education.</p> <p>Local Educational Agency or LEA shall include a school district, an area vocational-technical school, an intermediate unit or a charter school.</p> <p>Persistently dangerous school shall mean any public elementary, secondary or charter school that meets any of the following criteria in the most recent school year and in one (1) additional year of the two (2) years prior to the most recent school year:</p> <ol style="list-style-type: none"> <li>1. For a school whose enrollment is 250 or less - at least five (5) dangerous incidents.</li> <li>2. For a school whose enrollment is between 251 to 1,000 - a number of dangerous incidents that represents at least two percent (2%) of the school's enrollment.</li> <li>3. For a school whose enrollment is over 1,000 - twenty (20) or more dangerous incidents.</li> </ol>
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<p>24 P.S. Sec. 1303-A</p>	<p><u>LEA's Responsibilities</u></p> <ol style="list-style-type: none"><li>1. Pursuant to Pennsylvania's Safe Schools Act, Act 26 of 1995, as amended, all school entities as defined by the Act must report to the Department all incidents involving acts of violence; possession of a weapon; or the possession, use, or sale of a controlled substance, alcohol, or tobacco by any person on school property or at school-sponsored events or on school transportation to and from school or school-sponsored activities.</li><li>2. Within ten (10) school days of receiving notification by the Department, an LEA shall notify the parent or legal guardian of each student who attends the school that the Department has identified the school as persistently dangerous.</li><li>3. The LEA shall offer all students who attend the school the opportunity to transfer to a safe public school, including a charter school, within the LEA.</li><li>4. The notification and offer to transfer shall state that no student is required to transfer to another school.</li><li>5. Upon receipt of an application to transfer, the LEA shall transfer the student within thirty (30) calendar days.</li><li>6. When considering a student's request to transfer to another school, the LEA should take into account the particular needs of the student and the parent/guardian.</li><li>7. To the extent possible, the LEA should allow the student to transfer to a school that is making adequate yearly progress, and one that is not identified as being in school improvement, corrective action, or restructuring.</li><li>8. A charter school only has to accept a student who meets its admission criteria if space is available.</li><li>9. If there is not another safe school within the LEA to which students may transfer, the LEA is encouraged, but not required, to establish an agreement with a neighboring LEA to accept the transfer of students.</li><li>10. The LEA must submit a corrective action plan to the Department within thirty (30) calendar days of receiving notification that a school has been identified as persistently dangerous.</li></ol>
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11. The LEA must receive approval from the Department for its corrective action plan and shall implement all steps contained in its corrective action plan within the time periods specified in that plan.

12. After the Department has notified an LEA that a school is no longer identified as a persistently dangerous school, the LEA is encouraged to permit students who transferred to complete their education at their new school. LEAs may not require students to return to their original school if the students are enrolled in a charter school.

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 13-1303-A, 26-2603-B

State Board of Education Regulations – 22 PA Code Sec. 403.1, 403.2, 403.6

No Child Left Behind Act – 20 U.S.C. Sec. 7912

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: STANDARDS FOR VICTIMS  
OF VIOLENT CRIMES

ADOPTED: February 28, 2011

REVISED:

<ol style="list-style-type: none"> <li>1. Purpose Title 22 Sec. 403.6 20 U.S.C. Sec. 7912</li> <li>2. Definitions Title 22 Sec. 403.2</li> </ol>	<p style="text-align: center;">144. STANDARDS FOR VICTIMS OF VIOLENT CRIMES</p> <p>The Pennsylvania Department of Education, as required by the Unsafe School Choice Option provision of the No Child Left Behind Act (Section 9532), hereby adopts the following standards for a student who becomes a victim of a violent criminal offense while in or on the grounds of the public elementary or secondary school that s/he attends.</p> <p>As used in these standards, the following terms shall be defined as provided herein:</p> <p>Local Educational Agency or LEA shall include a school district, an area vocational-technical school, an intermediate unit or a charter school.</p> <p>Safe public school shall mean a public school that has not been designated as a persistently dangerous school under the standards for identifying persistently dangerous schools or that has had such designation removed by the Department.</p> <p>Victim or student victim shall mean the student against whom a violent criminal offense has been perpetrated while the student was in or on the grounds of the public elementary or secondary school that s/he attends.</p> <p>Violent criminal offense is defined as any of the following offenses that are set forth in Title 18 of the Pennsylvania Consolidated Statutes:</p> <ol style="list-style-type: none"> <li>1. Kidnapping.</li> <li>2. Robbery.</li> <li>3. Aggravated assault (on the student).</li> <li>4. Rape.</li> <li>5. Involuntary deviate sexual intercourse.</li> <li>6. Sexual assault.</li> </ol>
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<p>3. Guidelines</p>	<p>7. Aggravated indecent assault.</p> <p>8. Indecent assault.</p> <p>9. Attempt to commit any of the following: homicide, murder or voluntary manslaughter.</p> <p><u>Student Opportunity To Transfer</u></p> <p>The Intermediate Unit shall coordinate with the student's sending school district in providing opportunities to transfer.</p> <ol style="list-style-type: none"><li>1. Except as provided below, a student who becomes a victim of a violent criminal offense while in or on the grounds of the public elementary or secondary school that s/he attends, must be offered the opportunity to transfer to a safe public school within the LEA, including a charter school.</li><li>2. In order for a student victim to be entitled to transfer to another school under these standards, the violent criminal offense first must be reported to law enforcement authorities by the student, the student's parent/guardian, or school officials.</li><li>3. A student victim (or his/her parent/guardian) may apply to the LEA to transfer to another school within thirty (30) calendar days after the incident is reported to school authorities.</li></ol>
<p>4. Delegation of Responsibility</p>	<p><u>LEA's Responsibilities</u></p> <ol style="list-style-type: none"><li>1. Within ten (10) calendar days of receiving notice of the violent criminal offense, the LEA shall notify the student victim that s/he has the right to transfer to a safe public elementary or secondary school within the LEA, including a public charter school.</li><li>2. The notification and offer to transfer shall state that no student is required to transfer to another school.</li><li>3. Upon receipt of an application to transfer, the LEA should transfer the student as soon as possible, and shall transfer the student within ten (10) calendar days after receiving the application.</li><li>4. When considering a student's request to transfer to another school, the LEA should take into account the particular needs of the student and the parent/guardian.</li></ol>

5. To the extent possible, the LEA should allow the student to transfer to a school that is making adequate yearly progress, and one that is not identified as being in school improvement, corrective action, or restructuring.
6. A charter school only has to accept a student who meets its admission criteria if space is available.
7. If there is not another safe school within the LEA to which students may transfer, the LEA is encouraged, but not required, to establish an agreement with a neighboring LEA to accept the transfer of students.

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 26-2603-B

State Board of Education Regulations – 22 PA Code Sec. 403.1, 403.2, 403.6

No Child Left Behind Act – 20 U.S.C. Sec. 7912

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PROGRAMS

TITLE: STUDENT SERVICES

ADOPTED: February 28, 2011

REVISED:

<p>1. Authority 24 P.S. Sec. 914-A Pol. 100</p> <p>Pol. 100, 100.1</p> <p>2. Guidelines Title 22 Sec. 12.41</p> <p>Title 22 Sec. 12.41</p>	<p style="text-align: center;">146. STUDENT SERVICES</p> <p>The Board shall approve a plan for implementing a comprehensive and integrated program of student services, based on the needs of students.</p> <p>The Intermediate Unit, through the Pupil Personnel Services Program and other programs, may provide specialized psychological, social work, and psychiatric services to supplement and enhance member school district support services to students; occupational and physical therapy services; and bullying prevention services.</p> <p>The Board directs that a student services plan be reviewed and revised as necessary.</p> <p>Services offered by community agencies in Intermediate Unit programs shall be coordinated by and be under the general direction of the Intermediate Unit.</p> <p>The following categories of services shall be provided by the Intermediate Unit, in coordination with member districts, and included in the student services plan:</p> <ol style="list-style-type: none"><li>1. Developmental services that address students' needs throughout their enrollment in Intermediate Unit programs.</li><li>2. Diagnostic, intervention and referral services for students experiencing problems attaining educational achievement appropriate to their learning potential.</li><li>3. Consultation and coordination services for students who are experiencing chronic problems that require multiple services by teams or specialists.</li></ol>
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References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A

State Board of Education Regulations – 22 PA Code Sec. 12.41

Board Policy – 100, 100.1, 113, 115, 209, 210, 210.1, 227

# ALLEGHENY INTERMEDIATE UNIT 3

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UPDATED: August 22, 2011

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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: ADMISSION OF STUDENTS

ADOPTED: August 22, 2011

REVISED:

201. ADMISSION OF STUDENTS	
1. Purpose	<p>The Intermediate Unit provides a variety of programs and services to accommodate the needs of students.</p> <p>Enrollment of students shall be the responsibility of the member school districts and nonpublic schools, or specific Intermediate Unit program.</p>
2. Authority 24 P.S. Sec. 914-A, 1301 Title 22 Sec. 11.41, 14.101 et seq Pol. 103, 103.1, 113	<p>The Board shall approve admission criteria and screening procedures necessary for the admission of students into the specific programs provided by the Intermediate Unit. Admission requirements shall be consistent with federal and state laws and regulations, be based on sound educational practices, and ensure the equitable treatment of all eligible students.</p>
3. Delegation of Responsibility	<p>The Program Director or designee shall develop admission criteria and screening procedures for admission of students, utilizing appropriate staff.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A, 13-1301, 19-1925</p> <p>State Board of Education Regulations – 22 PA Code Sec. 11.41, 14.101 et seq.</p> <p>Board Policy – 103, 103.1, 113, 203</p>

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: COMMUNICABLE DISEASES  
AND IMMUNIZATION

ADOPTED: August 22, 2011

REVISED:

<p>1. Purpose</p> <p>2. Authority 24 P.S. Sec. 1303a Title 22 Sec. 11.20 Title 28 Sec. 23.81 et seq</p> <p>Title 28 Sec. 23.85</p> <p>24 P.S. Sec. 1303a Title 22 Sec. 11.20 Title 28 Sec. 23.83, 23.84, 23.85</p> <p>Title 28 Sec. 27.77</p>	<p style="text-align: center;">203. COMMUNICABLE DISEASES AND IMMUNIZATION</p> <p>The Board shares with its member school districts a responsibility to safeguard the welfare of all students and staff and affirms that the classroom/workplace environment should be such that it promotes the physical well-being of students, employees, and the public.</p> <p>In order to safeguard the school community from the spread of certain communicable diseases, the Board requires that this policy and the adopted policy of the school district of residence concerning communicable diseases and immunization shall be followed for school-age students admitted into Intermediate Unit programs.</p> <p>All students shall be immunized against specific diseases in accordance with state law and regulations, unless specifically exempt for religious or medical reasons.</p> <p>A certificate of immunization shall be maintained by the district of residence as part of the health record for each student, as required by the Pennsylvania Department of Health. A copy of the health record shall be submitted to the Intermediate Unit upon a student's enrollment in an Intermediate Unit program.</p> <p>A student who has not been immunized in accordance with state regulations shall not be admitted to or permitted to attend Intermediate Unit programs, unless exempted for medical or religious reasons or provisionally admitted by the Executive Director, in consultation with the district of residence.</p> <p>The Board requires students attending child care group settings, prekindergarten programs or early intervention programs operated by the Intermediate Unit to be immunized in accordance with the Advisory Committee on Immunization Practices (ACIP) standards.</p>
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<p>24 P.S. Sec. 1303a</p>	<p>Monitoring of immunization requirements shall be the responsibility of the student's district of residence.</p>
<p>3. Delegation of Responsibility</p>	<p>Procedures and guidelines shall be developed and implemented regarding communicable diseases and immunization requirements for all students in specialized Intermediate Unit programs. Guidelines shall address required immunizations and exclusion of students, which shall be done in accordance with applicable law and regulations and in consultation with the Allegheny County Health Department and applicable physicians.</p>
<p>4. Guidelines</p>	<p><u>Communicable Diseases</u></p>
<p>Title 28 Sec. 27.71, 27.72 Pol. 204</p>	<p>The Board authorizes that students who have been diagnosed by a physician or are suspected of having a disease by the school nurse shall be excluded from Intermediate Unit programs for the period indicated by regulations of the Department of Health for certain specified diseases and infections conditions. The Intermediate Unit shall notify and coordinate with the student's district of residence.</p>
<p>Title 28 Sec. 27.1, 27.2, 27.23</p>	<p>The school nurse or designated Intermediate Unit staff shall report the presence of suspected communicable diseases to the appropriate local health authority, as required by the Department of Health.</p>
<p>24 P.S. Sec. 1409</p>	<p>Intermediate Unit staff may review each diagnosed case of communicable disease to determine how the affected student's educational needs can be met and how to protect the health and welfare of students and staff with whom s/he may come in contact.</p> <p>The Program Director or designee shall direct that health guidelines and universal precautions designed to minimize the transmission of communicable diseases be implemented in Intermediate Unit programs.</p>
<p>24 P.S. Sec. 1409</p>	<p><u>Health Records</u></p> <p>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.</p>

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 13-1303a, 14-1402, 14-1409

State Board of Education Regulations – 22 PA Code Sec. 4.4, 4.29, 11.20

State Department of Health Regulations – 28 PA Code Sec. 23.81 et seq., 27.1, 27.2, 27.23, 27.71, 27.72, 27.76, 27.77

State Department of Public Welfare Regulations – 55 PA Code Sec. 3270.131, 3270.136, 3270.137

Board Policy – 000, 201, 204, 209



<p>Pol. 248</p> <p>5. Guidelines</p> <p>24 P.S. Sec. 1327 Pol. 103</p> <p>35 P.S. Sec. 7607</p> <p>24 P.S. Sec. 1329 Title 22 Sec. 11.25 Pol. 117</p>	<p>The Program Director or designee is authorized to establish procedures as necessary to implement this policy.</p> <p>All employees shall strive to maintain a respectful classroom climate and to prohibit physical or verbal harassment of any individual or group, including infected students.</p> <p>Intermediate Unit administrators shall notify students, parents/guardians and employees about current Intermediate Unit policies concerning HIV Infection and shall provide reasonable opportunities to discuss the policy and related concerns.</p> <p><u>Attendance</u></p> <p>Infected students have the same right to attend Intermediate Unit programs and receive services as other students and shall be subject to the same policies and rules. HIV Infection shall not factor into decisions concerning assignments, privileges or participation in any school-sponsored activity.</p> <p>Intermediate Unit authorities shall determine the educational placement of infected students on a case-by-case basis by following policies and procedures established for students with chronic health problems and students with disabilities.</p> <p>When an infected student's parents/guardians voluntarily disclose information regarding the student's condition, the employee who receives the information shall obtain the written consent of the parents/guardians to disclose the information to members of the Screening Team.</p> <p>A Screening Team may be comprised of the Executive Director or designee, representative at the Allegheny County Health Department, Superintendent of the school district of residence, program supervisor, building administrator, school nurse, student's parent/guardian, and attending physician. The Screening Team shall evaluate the infected student's educational placement. Placement decisions shall be based on the student's need for accommodations or services.</p> <p>First consideration must be given to maintaining the infected student in a regular assignment. Any decision for an alternative placement must be supported by specific facts and data.</p> <p>An infected student who is unable to attend Intermediate Unit programs, as determined by a medical examination, shall be considered for homebound instruction or an alternative placement.</p>
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<p>24 P.S. Sec. 1329, 1330 Pol. 204</p>	<p>An infected student may be excused from school attendance if the parent/guardian seeks such excusal based on the advice of medical or psychological experts treating the student.</p> <p>An infected student's placement shall be reassessed if there is a change in the student's need for accommodations or services.</p>
<p>35 P.S. Sec. 7607</p>	<p><u>Confidentiality</u></p> <p>Employees who have knowledge of an infected student's condition shall not disclose any information without prior written consent of the student's parents/guardians, consistent with the requirements of the Pennsylvania Confidentiality of HIV-Related Information Act.</p>
<p>24 P.S. Sec. 1409 35 P.S. Sec. 7607</p>	<p>All health records, notes and other documents referring to an infected student's condition shall be secured and kept confidential.</p> <p><u>Infection Control</u></p> <p>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 program supervisor and/or building administrator 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.</p> <p>The Intermediate Unit shall maintain reasonably accessible equipment and supplies necessary for infection control.</p> <p><u>Staff Development</u></p> <p>The Intermediate Unit shall provide opportunities for employees to participate in professional development related to HIV Infection.</p> <p>Designated employees may receive additional, specialized training appropriate to their positions and responsibilities.</p>

<p>Title 22 Sec. 4.29</p> <p>Title 22 Sec. 4.4, 4.29</p> <p>Title 22 Sec. 4.4, 4.29</p>	<p><u>Prevention Education</u></p> <p>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 level, as appropriate to the individual program; it shall be appropriate to students' developmental maturity, and include accurate information about reducing the risk of HIV Infection.</p> <p>Prior to HIV Infection instruction, the Intermediate Unit shall inform parents/guardians that curriculum outlines and materials used in the instruction shall be available for review.</p> <p>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 written request of the parents/guardians.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 13-1301, 13-1327, 13-1329, 13-1330, 14-1409</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.4, 4.29, 11.25</p> <p>PA Confidentiality of HIV-Related Information Act – 35 P.S. Sec. 7601 et seq.</p> <p>Board Policy – 000, 103, 117, 203, 204, 248</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: ATTENDANCE

ADOPTED: August 22, 2011

REVISED:

<p>1. Purpose 24 P.S. Sec. 1301, 1326, 1327 Title 22 Sec. 11.12, 11.41, 12.1</p> <p>2. Authority 24 P.S. Sec. 1327, 1329, 1330 Title 22 Sec. 11.23, 11.25, 11.41, 12.1</p> <p>Title 22 Sec. 11.25</p>	<p style="text-align: center;">204. ATTENDANCE</p> <p>The Board requires that students enrolled in Intermediate Unit programs attend school regularly, in accordance with state laws, regulations and program requirements. The educational programs offered by the Intermediate Unit are predicated upon the presence of the student and require continuity of instruction and classroom participation in order for students to achieve academic or early learning standards and consistent educational progress.</p> <p>Attendance shall be required of all students enrolled in Intermediate Unit programs during the days and hours that such programs are in session, except that an administrator or program supervisor may excuse a student for temporary absences when receiving satisfactory evidence of mental, physical, or other urgent reasons that may reasonably cause the student's absence. Urgent reasons shall be strictly construed and do not permit irregular attendance.</p> <p>The school district of residence, in coordination with the Intermediate Unit, shall be responsible for enforcing the compulsory attendance laws for its students.</p> <p>Attendance requirements for nonschool-aged students and students in specialized Intermediate Unit programs shall be addressed in procedures developed and implemented by those programs. Requirements shall be disseminated to students and parents/guardians participating in the specialized programs.</p> <p>The Board considers the following conditions to constitute reasonable cause for absence from school:</p> <ol style="list-style-type: none"> <li>1. Illness.</li> <li>2. Quarantine.</li> <li>3. Recovery from accident or injury, surgery, or other medical necessity.</li> <li>4. Required court attendance.</li> </ol>
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<p>Title 22 Sec. 11.26</p>	<p>5. Death in family.</p> <p>6. Family educational trips approved in advance.</p> <p>7. Adverse weather conditions.</p>
	<p>Absences shall be treated as unlawful or unexcused until the Intermediate Unit staff receives a written excuse explaining the absence, to be submitted within three (3) days of the absence.</p> <p>The Program Director or designee may develop procedures for individual Intermediate Unit programs specifying a maximum number of cumulative lawful or excused absences verified by parental notification that may be permitted during a school year or term. All absences beyond the specified cumulative days shall require an excuse from a licensed physician.</p>
<p>24 P.S. Sec. 1327 Title 22 Sec. 11.8, 11.22, 11.23, 11.28 Pol. 115, 117</p>	<p>Attendance need not always be within school facilities. A student will be considered in attendance if present at any place where an educational program is in session by authority of the Board; the student is receiving approved tutorial instruction or health or therapeutic services; the student is engaged in an approved and properly supervised independent study, work-study or career education program; or the student is receiving approved homebound instruction.</p>
<p>Title 22 Sec. 11.21</p>	<p>Upon written request by a parent/guardian, all absences occasioned by observance of the student's religion on a day approved by the Board as a religious holiday shall be excused. A penalty shall not be attached to an absence for a religious holiday.</p>
<p>Title 22 Sec. 11.23, 11.25</p>	<p>The Board will recognize other justifiable absences for part of the school day. These shall include medical or dental appointments, court appearances, family emergencies, and other urgent reasons.</p>
<p>Title 22 Sec. 11.26</p>	<p><u>Educational Tours And Trips</u></p> <p>The Board may excuse a student from school attendance to participate in an educational tour or trip not sponsored by the Intermediate Unit or school district of residence if the following conditions are met:</p> <ol style="list-style-type: none"> <li>1. The parent/guardian submits a written request for excusal prior to the absence.</li> <li>2. The student's participation has been approved by the Superintendent or designee of the school district of residence and the Program Director or designee.</li> </ol>

<p>3. Delegation of Responsibility</p> <p>Title 22 Sec. 11.41</p> <p>4. Guidelines 24 P.S. Sec. 1332, 1339 Title 22 Sec. 11.41</p> <p>24 P.S. Sec. 1332</p>	<p>3. The adult directing and supervising the tour or trip is acceptable to the parents/guardians, the Superintendent or designee of the school district of residence and the Program Director or designee.</p> <p>The Board may limit the number and duration of tours or trips for which excused absences may be granted to a student during the school term, in conjunction with the school district of residence.</p> <p>The Program Director or designee shall ensure students enrolled in Intermediate Unit programs comply with state attendance laws, regulations and program requirements.</p> <p>Intermediate Unit staff shall communicate attendance information to the school district of residence.</p> <p>The Program Director or designee shall ensure the annual distribution to staff, students and parents/guardians of the Board policies and program rules and procedures governing student attendance, absences and excusals.</p> <p>Proper child accounting is an important aspect of education that is mandated by law, regulations and program requirements, and shall be strictly adhered to in all programs operated by the Intermediate Unit.</p> <p>Designated Intermediate Unit employees shall be responsible for preparing and submitting complete and accurate child accounting information for those students enrolled in their programs and following procedures established for attendance/accounting in their programs.</p> <p>References:</p> <p>Purdon’s Statutes (School Code) – 24 P.S. Sec. 9-914-A, 13-1301, 13-1326, 13-1327, 13-1329, 13-1330, 13-1332, 13-1333, 13-1338, 13-1339, 13-1354</p> <p>State Board of Education Regulations – 22 PA Code Sec. 11.8, 11.12, 11.21, 11.22, 11.23, 11.25, 11.26, 11.28, 11.34, 11.41, 12.1</p> <p>Board Policy – 000, 115, 117</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: CONFIDENTIAL  
COMMUNICATIONS OF  
STUDENTS

ADOPTED: August 22, 2011

REVISED:

207. CONFIDENTIAL COMMUNICATIONS OF STUDENTS	
<p>1. Purpose</p>	<p>The Board recognizes that particular written and oral communications between students and certain Intermediate Unit personnel must be confidential.</p>
<p>2. Authority 24 P.S. Sec. 914-A</p>	<p>The Board directs Intermediate Unit personnel to comply with all federal and state laws, regulations and Board policy concerning confidential communications of students.</p>
<p>3. Guidelines Title 22 Sec. 12.12</p>	<p>Information received in confidence from a student may be revealed to the student's parent/guardian, designated administrator or other appropriate authority by the staff member who received the information when the health, welfare or safety of the student or other persons clearly is in jeopardy.</p>
<p>Title 22 Sec. 12.12 42 Pa. C.S.A. Sec. 5945, 8337</p>	<p>Use of a student's confidential communications to Intermediate Unit personnel in legal proceedings is governed by laws and regulations appropriate to the proceedings.</p>
<p>4. Delegation of Responsibility</p>	<p>In qualifying circumstances, a staff member may reveal confidential information to administrators and appropriate authorities.</p> <p>In qualifying circumstances, the designated administrator may reveal confidential information to a student's parent/guardian and appropriate authorities, including law enforcement personnel.</p>

References:

Purdon’s Statutes (School Code) – 24 P.S. Sec. 9-914-A

State Board of Education Regulations – 22 PA Code Sec. 12.12

Confidential Communications to School Personnel – 42 Pa. C.S.A. Sec. 5945

PA Civil Immunity of School Officers/Employees Relating to Drug or Alcohol Abuse – 42 Pa. C.S.A. Sec. 8337

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: HEALTH SERVICES/  
MEDICAL RECORDS

ADOPTED: August 22, 2011

REVISED:

209. HEALTH SERVICES/MEDICAL RECORDS	
<p>1. Authority 24 P.S. Sec. 1401, 1402, 1403 Title 22 Sec. 12.41 Title 55 Sec. 3270.131</p> <p>Title 22 Sec. 12.41</p>	<p>The Board recognizes its responsibility to safeguard the health of all students and shall require that students enrolled in programs operated by the Intermediate Unit comply with state law, regulations, program requirements and the policy of the school district of residence governing health examinations and health services.</p> <p>The Intermediate Unit shall provide required health services when necessary.</p>
<p>2. Delegation of Responsibility Title 22 Sec. 12.41</p> <p>24 P.S. Sec. 1409</p>	<p>The Program Director or designee shall develop procedures regarding provision of health services, student medical records and reporting and treating accidents and injuries.</p> <p>Program supervisors shall be responsible for disseminating procedures regarding student health services to the staff in their programs.</p> <p>The Program Director or designee shall request all medical records from the previous school district, school program or Intermediate Unit for each student transferring into an Intermediate Unit program.</p>
<p>3. Guidelines</p> <p>24 P.S. Sec. 1409</p> <p>24 P.S. Sec. 1409 Pol. 216</p>	<p><u>Confidentiality Of Health Records</u></p> <p>All health records of students shall be confidential. The contents of health records shall only be released when necessary for the health of the student or to a physician at the written request of the parent/guardian.</p> <p>The individual records of health examinations shall be maintained as a confidential record, subject to statute and Board policy.</p>

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 14-1401-14-1419

State Board of Education Regulations – 22 PA Code Sec. 12.41

State Department of Health Regulations – 28 PA Code Sec. 23.1 et seq.

State Department of Public Welfare Regulations – 55 PA Code Sec. 3270.131

Board Policy – 000, 216

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: POSSESSION/USE OF ASTHMA  
INHALERS/EPINEPHRINE  
AUTO-INJECTORS

ADOPTED: August 22, 2011

REVISED:

<p>1. Authority 24 P.S. Sec. 1414.1 Pol. 103.1</p> <p>2. Definitions 24 P.S. Sec. 1401</p> <p>3. Guidelines 24 P.S. Sec. 1414.1 Title 22 Sec. 12.41</p>	<p style="text-align: center;">210.1. POSSESSION/USE OF ASTHMA INHALERS/EPINEPHRINE AUTO-INJECTORS</p> <p>The Board shall permit students participating in applicable Intermediate Unit programs to possess asthma inhalers and epinephrine auto-injectors and to self-administer the prescribed medication in compliance with state law and Board policy.</p> <p><b>Asthma inhaler</b> shall mean a prescribed device used for self-administration of short-acting, metered doses of prescribed medication to treat an acute asthma attack.</p> <p><b>Epinephrine auto-injector</b> shall mean a prescribed disposable drug delivery system designed for the self-administration of epinephrine to provide rapid first aid for persons suffering the effects of anaphylaxis.</p> <p><b>Self-administration</b> shall mean a student’s use of medication in accordance with a prescription or written instructions from a licensed physician, certified registered nurse practitioner or physician assistant.</p> <p>Before a student may possess or use an asthma inhaler or epinephrine auto-injector in the school setting, the Board shall require the following:</p> <ol style="list-style-type: none"> <li>1. A written request from the parent/guardian that the Intermediate Unit complies with the order of the licensed physician, certified registered nurse practitioner or physician assistant.</li> <li>2. A written statement from the parent/guardian acknowledging that the Intermediate Unit is not responsible for ensuring the medication is taken and relieving the Intermediate Unit and its employees of responsibility for the benefits or consequences of the prescribed medication.</li> </ol>
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	<p>3. A written statement from the licensed physician, certified registered nurse practitioner or physician assistant that states:</p> <ul style="list-style-type: none"> <li>a. Name of the drug.</li> <li>b. Prescribed dosage.</li> <li>c. Times medication is to be taken.</li> <li>d. Length of time medication is prescribed.</li> <li>e. Diagnosis or reason medication is needed, unless confidential.</li> <li>f. Potential serious reaction or side effects of medication.</li> <li>g. Emergency response.</li> <li>h. If student is qualified and able to self-administer the medication.</li> </ul>
<p>24 P.S. Sec. 1414.1</p>	<p>The student shall notify the school nurse immediately following each use of an asthma inhaler or epinephrine auto-injector.</p>
	<p>The Intermediate Unit reserves the right to require a statement from the licensed physician, certified registered nurse practitioner or physician assistant for the continued use of a medication beyond the specified time period.</p>
<p>24 P.S. Sec. 1414.1</p>	<p>A written request for student use of an asthma inhaler and/or epinephrine auto-injector shall be submitted annually, along with required written statements from the parent/guardian and an updated prescription.</p>
<p>24 P.S. Sec. 1409 Pol. 216</p>	<p>Student health records shall be confidential and maintained in accordance with state and federal laws and regulations.</p>
<p>24 P.S. Sec. 1414.1</p>	<p>A student whose parent/guardian completes the written requirements for the student to possess an asthma inhaler or epinephrine auto-injector and to self-administer the prescribed medication in the school setting shall demonstrate to the school nurse the competency for self-administration and responsible behavior in use of the medication. Determination of competency for self-administration shall be based on the student's age, cognitive function, maturity and demonstration of responsible behavior.</p>

<p>24 P.S. Sec. 1414.1 Pol. 113.1, 218, 227</p>	<p>Students shall be prohibited from sharing, giving, selling, and using an asthma inhaler or epinephrine auto-injector 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 shall result in loss of privilege to self-carry the asthma inhaler or epinephrine auto-injector and disciplinary action in accordance with Board policy.</p>
<p>24 P.S. Sec. 1414.1</p>	<p>If the Intermediate Unit denies a student’s request to self-carry an asthma inhaler or epinephrine auto-injector or the student has lost the privilege of self-carrying an asthma inhaler or epinephrine auto-injector, the student’s prescribed medication shall be appropriately stored at a location in close proximity to the student. The student’s classroom teachers shall be informed where the medication is stored and the means to access the medication.</p>
<p>24 P.S. Sec. 1414.1 Title 22 Sec. 12.3 Pol. 218</p>	<p>The Intermediate Unit shall annually distribute to students and parents/guardians this policy along with the Code of Conduct.</p> <p>The Intermediate Unit shall post this policy on the Intermediate Unit’s website.</p>
<p>4. Delegation of Responsibility</p>	<p>The building administrator, in conjunction with the school nurse(s) or program supervisors, may develop administrative regulations for student possession of asthma inhalers or epinephrine auto-injectors and self-administration of prescribed medication.</p> <p>References:</p> <p>Purdon’s Statutes (School Code) – 24 P.S. Sec. 14-1401, 14-1409, 14-1414.1</p> <p>State Board of Education Regulations – 22 PA Code Sec. 12.3, 12.41</p> <p>State Department of Public Welfare Regulations – 55 PA Code Sec. 3270.133</p> <p>Board Policy – 000, 103.1, 113.1, 216, 218, 227</p>

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: REPORTING STUDENT  
PROGRESS

ADOPTED: August 22, 2011

REVISED:

212. REPORTING STUDENT PROGRESS	
1. Purpose	The Board believes that cooperation between the Intermediate Unit, school district of residence and home is a vital element in the progress and education of each student.
Pol. 216	The Board acknowledges the Intermediate Unit's responsibility to keep parents/guardians and the school district of residence informed of individual students' academic achievement and progress on IEP goals and objectives, where applicable. The Board also recognizes the effects of state and federal laws and regulations governing student records.
2. Authority	The Program Director will develop a system of reporting student progress that requires all appropriate staff members to comply, as part of their teaching responsibility, with a reporting system which may include academic progress reports; IEP progress reports, where applicable; report cards; parent/guardian conferences with teachers; and parent/guardian conferences with the school district of residence's staff.
3. Delegation of Responsibility	<p>Since the methods and areas of progress measurement may differ among the various programs, the program supervisor shall be responsible to provide information and report forms to appropriate staff.</p> <p>Internal consistency within each program shall be maintained.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A</p> <p>Board Policy – 213, 216</p>

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: ASSESSMENT OF STUDENT  
PROGRESS

ADOPTED: August 22, 2011

REVISED:

213. ASSESSMENT OF STUDENT PROGRESS	
<p>1. Purpose</p>	<p>The Board recognizes that a system of assessing student achievement can help students, teachers, and parents/guardians to understand and evaluate a student's progress toward educational goals and academic standards.</p>
<p>2. Definition Title 22 Sec. 4.11</p>	<p><b>Assessment</b> shall be the system of measuring and recording student progress and/or achievement that enables the student, parents/guardians and teachers to determine a student's attainment of established academic or early learning standards, learn the student's strengths and weaknesses, and know where targeted instruction is required.</p>
<p>3. Authority 24 P.S. Sec. 1531 Title 22 Sec. 4.11, 4.12, 4.28, 4.51, 4.52 Pol. 102, 127</p>	<p>The Board directs that the Intermediate Unit's educational programs shall include a system of assessing all students' academic progress. The system shall include descriptions of how achievement of academic or early learning standards and/or IEP goals will be measured and how this information will be used in Intermediate Unit programs to assist students having difficulty meeting required standards or goals.</p> <p>Assessment systems for students participating in short-term programs shall be in accordance with specific program procedures, including adequate intake assessments and providing for communication with the school district of residence and/or receiving school or program in which the student enrolls.</p>
<p>Title 22 Sec. 4.52</p>	<p>Students with disabilities shall be provided appropriate accommodations when necessary to complete the assessment process.</p>
<p>Title 22 Sec. 4.52</p>	<p>The assessment system shall include a variety of assessment strategies.</p>
<p>4. Delegation of Responsibility Title 22 Sec. 4.52</p>	<p>The Program Director or designee shall develop and/or implement an assessment system to measure student progress, in accordance with Intermediate Unit goals and state regulations.</p>

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 15-1531

State Board of Education Regulations – 22 PA Code Sec. 4.11, 4.12, 4.28, 4.51, 4.52

Board Policy – 102, 127, 212

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: EDUCATION RECORDS

ADOPTED: August 22, 2011

REVISED:

<p>1. Purpose</p> <p>2. Authority 24 P.S. Sec. 1305-A, 1306-A, 1402, 1409, 1532, 1533</p>	<p style="text-align: center;">216. EDUCATION RECORDS</p> <p>The educational interests of students require the collection, retention, and use of data and information about individuals and groups of students in order to effectively address their total educational, psychological, social, emotional and physical development, while ensuring the student’s and parent’s/guardian’s right to privacy. The Intermediate Unit shall maintain educational records for students for legitimate educational purposes.</p> <p>The Board recognizes its responsibility for collection, retention, disposition, dissemination and security of student records. The Board also recognizes the legal requirement to maintain the confidentiality of education records.</p> <p>The Intermediate Unit shall collect, maintain and disseminate information on individuals receiving Intermediate Unit services for the following purposes:</p> <ol style="list-style-type: none"> <li>1. To verify or facilitate an individual’s placement or eligibility for placement, in accordance with applicable law and regulations.</li> <li>2. To provide necessary information for making appropriate educational decisions.</li> <li>3. To interpret professional results and recommendations to the professional staff.</li> <li>4. To communicate professional results and recommendations to the student, when appropriate, and parents/guardians.</li> <li>5. To enable teachers, guidance counselors and other professional staff directly concerned with the student to analyze student progress.</li> <li>6. To enable teachers and other professional staff to counsel with parents/guardians, professional persons and students about educational progress.</li> </ol>
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<p>Title 22 Sec. 4.52, 12.31, 12.32, 15.9 20 U.S.C. Sec. 1232g 34 CFR Part 99</p> <p>3. Definitions</p> <p>20 U.S.C. Sec. 1232g 34 CFR Sec. 99.3</p> <p>20 U.S.C. Sec. 1232g 34 CFR Sec. 99.3</p>	<p>7. To provide a record of evaluation results which, with written parental or eligible student permission, can be transmitted to authorized professional sources outside the school setting and to other educational institutions.</p> <p>8. To provide any other records required by law.</p> <p>9. To facilitate the exchange of educational records within the justice system.</p> <p>The Board shall adopt a comprehensive plan for the collection, maintenance and dissemination of 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 Intermediate Unit and revised as required by changes in federal or state law. The student records plan covers all education records maintained on all children, youth and adults referred for programs, enrolled in programs, and previously enrolled in programs of the Intermediate Unit.</p> <p>The Board requires that parents/guardians and eligible students eighteen (18) years and older be notified upon enrollment and annually of the policies and procedures of the Intermediate Unit regarding student educational records, the data collected through representational consent, the conditions for disclosure of information, access and amendment request rights of parents/guardians or eligible students to student records, and notice of where the student records policy may be obtained.</p> <p><b>Authorized agent</b> - an Intermediate Unit employee who is given access to the education record by Board policy. Each program shall define and maintain a listing of its authorized agents.</p> <p><b>Consent</b> - may be individual or representational. All consent must be informed.</p> <p><b>Directory information</b> - information contained in an educational record of a former or present 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, date and place of birth, telephone listing, electronic mail address, photograph, major field of study, dates of attendance, grade level, enrollment status, i.e., full-time or part-time, participation in officially recognized 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.</p> <p><b>Disclosure</b> - to permit access to or the release, transfer, or other communication of personally identifiable information contained in the student's education records, by any means, including oral, written, or electronic means, to any party except the party identified as the party that provided or created the record.</p>
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<p>20 U.S.C. Sec. 1232g 34 CFR Sec. 99.3</p>	<p><b>Education records</b> - records that are directly related to a student; and are maintained by the Intermediate Unit or by a party acting for the Intermediate Unit. The term includes directory information as defined above.</p>
	<p>The term does not include:</p>
	<ol style="list-style-type: none"> <li>1. Professional working files that are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute.</li> <li>2. Records on a student who is eighteen (18) years of age or older, or is attending an institution of postsecondary education that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his/her professional capacity or assisting in a paraprofessional capacity; made, maintained, or used only in connection with treatment of the student; and disclosed only to individuals providing the treatment. For the purposes of this definition, treatment does not include educational activities that are part of the student's program of instruction at this Intermediate Unit.</li> <li>3. Records of any law enforcement or security unit attached to any program or building of the Intermediate Unit.</li> <li>4. Records created or received by the Intermediate Unit after an individual is no longer a student, which do not relate to the individual's attendance as a student.</li> <li>5. Grades on peer-graded papers before they are collected and recorded by a teacher.</li> </ol>
<p>20 U.S.C. Sec. 1232g 34 CFR Sec. 99.3</p>	<p><b>Eligible student</b> - a student who has reached eighteen (18) years of age and is competent to comprehend the procedures requiring this consent or is attending an institution of postsecondary education.</p>
	<p>A student's consent alone must be obtained when s/he becomes an eligible student.</p>
<p>34 CFR Sec. 99.3</p>	<p><b>Parent/Guardian</b> - a parent of a student and includes a natural parent, a guardian, a surrogate parent, or an individual acting as a parent in the absence of a parent/guardian. The Intermediate Unit will presume that either parent/guardian may exercise rights provided in this policy and the student records plan unless the student's file contains legally binding documentation to the contrary. Rights will be extended to each parent/guardian individually and the program shall communicate with each parent/guardian individually if written notification of individual residences is provided to the program supervisor.</p>

<p>34 CFR Sec. 99.3</p> <p>4. Delegation of Responsibility</p>	<p><b>Personally identifiable information</b> - includes the following:</p> <ol style="list-style-type: none"> <li>1. The student's name.</li> <li>2. The name of the student's parent/guardian or other family members.</li> <li>3. The address of the student or student's family.</li> <li>4. A personal identifier, such as the student's social security number, student number or biometric record.</li> <li>5. Other indirect identifiers, such as the student's mother's maiden name.</li> <li>6. 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.</li> <li>7. Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.</li> </ol> <p><b>Individual consent</b> - consent given by the parents/guardians of a student who is under the age of eighteen (18), or by an eligible student. Individual consent is required whenever the proposed action relates to the rights and protections of an individual student, such as videotaping or photographing for publicity purposes or participating in an activity outside the school or classroom premises. Individual consent shall be made in writing.</p> <p><b>Informed consent</b> - requires that the individual fully understands that for which s/he is giving approval. This includes the methods by which the information will be collected, the uses to which it will be put, the methods by which it will be recorded and maintained, the time period for which it will be retained, and the persons to whom it will be available and under what conditions. The information necessary for informed consent shall be presented in the individual's native language, if necessary.</p> <p><b>Representational consent</b> - consent given by the Board on behalf of the students.</p> <p>The Program Director or designee shall be responsible for implementing and monitoring the adopted student records plan which meets all legal requirements.</p>
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4. Addressing requests of parents/guardians or eligible students for amendment of education records, including provisions for hearings, in accordance with law, regulations and Board policy and procedures.
5. Maintaining and transferring education records, in accordance with law, regulations, state guidelines and Board policy and procedures.
6. Destruction of education records, in accordance with law, regulations, state guidelines and Board policy and procedures.

Parents/Guardians or eligible students shall provide signed and dated written consent prior to the Intermediate Unit's disclosure of personally identifiable information from the student's educational record in all situations except as specified in this policy, the student records plan and procedures, and in accordance with law and regulations.

When a disclosure is made following individual informed consent of the parent/guardian or eligible student, the Intermediate Unit program shall provide the parent/guardian or eligible student with a copy of the records disclosed, if a parent/guardian or eligible student so requests.

Information obtained from another source by the Intermediate Unit shall not be further released without the individual informed consent of the parent/guardian or eligible student.

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 13-1305-A, 13-1306-A, 14-1402, 14-1409, 15-1532, 15-1533

State Board of Education Regulations – 22 PA Code Sec. 4.52, 12.31, 12.32, 14.121, 15.9

State Department of Public Welfare Regulations – 55 PA Code Sec. 3270.182, 3270.183, 3270.184

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

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

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

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

Board Policy – 113, 113.4, 138, 216.1, 800

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: SUPPLEMENTAL DISCIPLINE  
RECORDS

ADOPTED: August 22, 2011

REVISED:

216.1. SUPPLEMENTAL DISCIPLINE RECORDS	
<p>1. Authority 24 P.S. Sec. 1304-A, 1305-A, 1307-A 42 Pa. C.S.A. Sec. 6341</p>	<p>The Intermediate Unit shall maintain required records concerning adjudicated students and transfer students disciplined for offenses involving weapons, alcohol, drugs and violence on school property.</p>
<p>2. Guidelines  42 Pa. C.S.A. Sec. 6341</p>	<p><u>Adjudicated Students</u></p> <p>Building administrators or program supervisors shall receive from the court, through the juvenile probation department, information concerning the adjudication of an enrolled student. Such reports shall include a description of delinquent acts committed by the student, disposition of the case, probation or treatment reports, prior delinquent history, the supervision plan, and any other information deemed necessary.</p> <p>The building administrator or program supervisor must share this information with the student's teacher and the principal of another school to which the student may transfer.</p> <p>Required reports concerning an adjudicated student shall be maintained separately from the student's official school record.</p>
<p>24 P.S. Sec. 1304-A</p>	<p><u>Transfer Students</u></p> <p>Upon enrollment in an Intermediate Unit program, or in coordination with the school district of residence, the parent/guardian or person having charge of the student shall provide a sworn statement or affirmation stating whether the student previously was or presently is suspended or expelled from any public or private school for an offense involving weapons, alcohol or drugs; willful infliction of injury to another</p>

<p>24 P.S. Sec. 1304-A</p> <p>24 P.S. Sec. 1305-A Pol. 216</p>	<p>person; or any act of violence committed on school property. The statement shall include the dates of suspension or expulsion and the name of the school from which the student was suspended or expelled for these reasons.</p> <p>Parents/Guardians shall be informed that any willful false statements concerning this registration shall be a misdemeanor of the third degree.</p> <p>This registration statement shall be maintained as part of the student's disciplinary record.</p> <p>When a student transfers to a school or program from another school district, a nonpublic school, or other school within this Intermediate Unit, the Intermediate Unit shall obtain a certified copy of the student's disciplinary record from the school from which the student is transferring. The sending school shall have ten (10) days from receipt of the request to provide the disciplinary record. This record shall be maintained as part of the student's disciplinary record and shall be available for inspection as required by law.</p> <p>When a student transfers from a school or program to another school district, a nonpublic school or other school within the Intermediate Unit, the Intermediate Unit shall transmit a certified copy of the student's disciplinary record within ten (10) days of receiving the request from the school to which the student has transferred.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 13-1304-A, 13-1305-A, 13-1307-A</p> <p>Adjudication of Juveniles – 42 Pa. C.S.A. Sec. 6341</p> <p>Family Educational Rights and Privacy Act – 20 U.S.C. Sec. 1232g</p> <p>Safe and Drug-Free Schools and Communities Act – 20 U.S.C. Sec. 7165</p> <p>Board Policy – 216</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: STUDENT DISCIPLINE

ADOPTED: August 22, 2011

REVISED:

218. STUDENT DISCIPLINE	
1. Purpose	The Board finds that student conduct is closely related to learning. An effective educational program requires a safe and orderly school environment. The Board believes in and supports a positive approach to the management of student behavior problems. Disciplinary procedures should be designed to allow for flexibility in accommodating individual needs and situations.
2. Definition Title 22 Sec. 12.5	<b>Corporal punishment</b> - physical punishment of a student for an infraction of the discipline policy.
3. Authority 24 P.S. Sec. 914-A Title 22 Sec. 12.3, 12.4 Pol. 103, 103.1	The Board shall establish fair, reasonable and nondiscriminatory rules and procedures regarding the conduct of all students in Intermediate Unit programs during the time they are under the supervision of the Intermediate Unit while on school property, while present at school-sponsored activities, and while traveling to or from school and school-sponsored activities.
Title 22 Sec. 12.3, 12.4 Pol. 103, 103.1	The Board shall adopt appropriate Codes of Conduct for Intermediate Unit programs to govern student discipline. Students shall not be subject to disciplinary action because of race, sex, color, religion, sexual orientation, national origin or handicap/disability.
Title 22 Sec. 12.5	The Board prohibits the use of corporal punishment by Intermediate Unit staff.
Title 22 Sec. 12.2 Pol. 235	Each student must adhere to Board policies and the applicable Code of Conduct governing student discipline.

<p>4. Guidelines Pol. 233</p> <p>Pol. 233</p> <p>Title 22 Sec. 12.5</p> <p>Title 22 Sec. 12.5</p>	<p><u>Off-Campus Activities</u></p> <p>This policy shall also apply to student conduct that occurs off school property and would violate the Code of Conduct if any of the following circumstances exist:</p> <ol style="list-style-type: none"> <li>1. The conduct occurs during the time the student is traveling to and from the Intermediate Unit, an Intermediate Unit program or an Intermediate Unit sponsored activity, whether or not via Intermediate Unit furnished transportation.</li> <li>2. Student expression or conduct materially and substantially disrupts the operations of the school or Intermediate Unit program, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school or Intermediate Unit program.</li> <li>3. The conduct has a direct nexus to attendance at school, an Intermediate Unit program, or an Intermediate Unit sponsored activity, for example, a transaction conducted outside of school pursuant to an agreement made in school, that would violate the Code of Conduct if conducted in school.</li> <li>4. The conduct involves the theft or vandalism of Intermediate Unit property.</li> <li>5. There is otherwise a nexus between the proximity or timing of the conduct in relation to the student's attendance at school, Intermediate Unit programs, or Intermediate Unit sponsored activities.</li> </ol> <p>Any student disciplined by an Intermediate Unit or district employee shall have the right to notice of the infraction.</p> <p>Suspensions and expulsions shall be carried out in accordance with Board policy.</p> <p><u>Corporal Punishment</u></p> <p>The Board prohibits the use of corporal punishment to discipline students.</p> <p>Reasonable force may be used by teachers and school authorities under any of the following circumstances: to quell a disturbance, obtain possession of weapons or other dangerous objects, for the purpose of self-defense, and for the protection of persons or property.</p>
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<p>5. Delegation of Responsibility</p> <p>Title 22 Sec. 12.3 Pol. 235</p> <p>24 P.S. Sec. 1317, 1318</p> <p>24 P.S. Sec. 1302.1-A, 1303-A</p> <p>Pol. 805</p> <p>24 P.S. Sec. 1303-A Pol. 218.1, 218.2, 222, 227</p> <p>24 P.S. Sec. 1303-A</p>	<p>Each program providing direct services to students shall ensure that reasonable and necessary rules and procedures are developed to implement Board policy governing student conduct.</p> <p>The Program Director or designated administrator for each program shall publish and distribute to staff, students and parents/guardians the rules and procedures for student behavior contained in the applicable Code of Conduct, the sanctions that may be imposed for violations of those rules, and a listing of students' rights and responsibilities. A copy of each Code of Conduct shall be available in the Intermediate Unit office and each school library.</p> <p>The building administrator and/or program supervisor shall have the authority to assign discipline to students and to take reasonable action necessary to control the conduct of students, subject to the policies, rules and procedures of the Intermediate Unit and school district of residence, if applicable, and to the student's due process right to notice, hearing, and appeal.</p> <p>When conduct so warrants, the building administrator or program supervisor shall, in accordance with the Code of Conduct and the memorandum of understanding, contact the police department who has jurisdiction over the relevant Intermediate Unit property.</p> <p>The memorandum of understanding shall provide procedures for local law enforcement response including, but not limited to, investigation of the incident, interrogation and custody of the student.</p> <p><u>Required Reports</u></p> <p>The Executive Director shall annually, by July 31, report to the Office of Safe Schools on the required form all new incidents that occurred on Intermediate Unit property and involved conduct including, but not limited to, acts of violence, weapons, terroristic threats, controlled substances, alcohol or tobacco.</p> <p>The Executive Director shall annually, no later than July 1, submit the prepared Office of Safe Schools report to the police department with jurisdiction over the relevant Intermediate Unit building for review and comparison with police incident data. Discrepancies shall be resolved in accordance with the procedures outlined in the memorandum of understanding.</p>
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References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A, 13-1302.1-A, 13-1303-A, 13-1317, 13-1318

State Board of Education Regulations – 22 PA Code Sec. 12.1 et seq.

Board Policy – 103, 103.1, 218.1, 218.2, 222, 227, 233, 235, 805

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: WEAPONS

ADOPTED: August 22, 2011

REVISED:

218.1. WEAPONS	
<p>1. Purpose</p>	<p>The Board recognizes that the physical safety of students, employees, and program participants is essential for the safe operation of Intermediate Unit programs and for the establishment of a positive environment for learning. Possession of weapons in the school setting is a threat to the safety of students and staff and is prohibited by law.</p>
<p>2. Definitions 24 P.S. Sec. 1301-A, 1317.2</p>	<p><b>Weapon</b> - the term shall include but not be limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, replica of a weapon, and any other tool, instrument or implement capable of inflicting serious bodily injury.</p> <p>The term does not include any device that is authorized by the Intermediate Unit for a legitimate educational purpose and which is used in accordance with that educational purpose.</p> <p><b>Possessing</b> - a student is in possession of a weapon when the weapon is found on the person of the student, in the student's locker or storage space, under the student's control while on Intermediate Unit property, on property being used by the Intermediate Unit, at any Intermediate Unit function or activity, at any Intermediate Unit event held away from the Intermediate Unit, or while the student is coming to or from the site of an Intermediate Unit program.</p>
<p>3. Authority 24 P.S. Sec. 1317.2</p>	<p>The Board prohibits students from possessing and bringing weapons and replicas of weapons into any Intermediate Unit operated classroom or building; onto property owned, leased or occupied by the Intermediate Unit; to any Intermediate Unit sponsored activity; onto any public vehicle providing transportation to or from an Intermediate Unit program or sponsored activity; or while the student is coming to or from the site of an Intermediate Unit program.</p>
<p>24 P.S. Sec. 1317.2 Pol. 113.1, 233</p>	<p>The Board, in coordination with the school district of residence, shall expel from participation in Intermediate Unit programs, for a period of not less than one (1) year, any student who violates this weapons policy. Such expulsion shall be given in</p>

<p>24 P.S. Sec. 1317.2 18 U.S.C. Sec. 930 20 U.S.C. Sec. 1400 et seq Pol. 113.1</p>	<p>conformance with formal due process proceedings required by law. The Executive Director may recommend modifications of such expulsion requirement on a case-by-case basis, following federal and state laws and regulations.</p> <p>In the case of a student with disabilities, the Intermediate Unit shall take all necessary steps to comply with the Individuals with Disabilities Education Act and follow Board policy.</p>
<p>4. Delegation of Responsibility 24 P.S. Sec. 1302.1-A</p>	<p>The Executive Director, building administrator, program supervisor or designee shall react promptly to information and knowledge concerning possession of a weapon. Such action shall be in compliance with state law and regulation and with the procedures set forth in the memorandum of understanding with local law enforcement officials.</p>
<p>24 P.S. Sec. 1303-A, 1317.2</p>	<p>The Program Director or designee shall immediately report the discovery of any weapon prohibited by this policy to local law enforcement officials, the Executive Director, and shall inform the student's parents/guardians.</p> <p>The Program Director or designee shall report any violation of this policy by a student to the Superintendent of the school district of residence.</p>
<p>24 P.S. Sec. 1303-A, 1317.2</p>	<p>The Executive Director shall annually, by July 31, report all incidents relating to acts of violence or possession of a weapon to the Office of Safe Schools on the required form, in accordance with state law and regulation.</p>
<p>5. Guidelines</p>	<p>Annual written notice of the Board policy prohibiting weapons shall be given to employees, students, program participants and parents/guardians; posted on the website; and posted in every building owned, leased, or occupied by the Intermediate Unit.</p>
<p>24 P.S. Sec. 1317.2</p>	<p>An exception to this policy may be made by the Executive Director, who shall prescribe special conditions or procedures to be followed.</p> <p>This policy does not limit the right of law enforcement officials and licensed and approved security personnel, in the performance of their duties, to carry authorized weapons on Intermediate unit property or any property owned, leased, or occupied by the Intermediate Unit.</p>

<p>24 P.S. Sec. 1317.2</p>	<p>Intermediate Unit employees, students, and program participants shall report any knowledge regarding possession of weapons on Intermediate Unit property to the building administrator and the program supervisor, who will in turn report it to the Executive Director.</p> <p><u>Transfer Students</u></p> <p>When the Intermediate Unit receives a student who transfers from a public or private school during an expulsion period for an offense involving a weapon, the Intermediate Unit, in coordination with the student's school district of residence, may assign that student to an alternative assignment or may provide alternative education, provided the assignment does not exceed the expulsion period.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 13-1301-A, 13-1302.1-A, 13-1303-A, 13-1317.2</p> <p>Possession of Weapon on School Property – 18 Pa. C.S.A. Sec. 912</p> <p>Gun Control Act – 18 U.S.C. Sec. 921, 922, 930</p> <p>Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.</p> <p>Gun-Free Schools Act – 20 U.S.C. Sec. 7151</p> <p>Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300</p> <p>Board Policy – 113.1, 218, 225, 233, 805</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: TERRORISTIC THREATS/ACTS

ADOPTED: August 22, 2011

REVISED:

218.2. TERRORISTIC THREATS/ACTS	
<p>1. Purpose</p>	<p>The Board recognizes the danger that terroristic threats by students presents to the safety and welfare of students, staff and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat.</p>
<p>2. Definitions 18 Pa. C.S.A. Sec. 2706</p>	<p><b>Terroristic threat</b> - shall mean a threat, communicated either directly or indirectly, to commit any crime of violence with the intent to terrorize another; to cause evacuation of a building, place of assembly or facility of public transportation; or to otherwise cause serious public inconvenience, or cause terror or serious public inconvenience with reckless disregard of the risk of causing such terror or inconvenience.</p>
<p>3. Authority</p> <p>20 U.S.C. Sec. 1400 et seq Pol. 113.1</p>	<p>The Board prohibits any Intermediate Unit student from communicating terroristic threats or committing terroristic acts directed at any student, employee, Board member, community member or Intermediate Unit property.</p> <p>In the case of a student with disabilities, the Intermediate Unit shall take all steps necessary to comply with the Individuals with Disabilities Education Act and follow Board policy.</p>
<p>4. Delegation of Responsibility 24 P.S. Sec. 1302.1-A Pol. 805</p> <p>Title 22 Sec. 12.2</p>	<p>The Board directs the Executive Director to react promptly to information and knowledge concerning a possible or actual terroristic threat. Such action shall be in compliance with state law and regulation and with the procedures set forth in the memorandum of understanding with local law enforcement officials.</p> <p>The Program Director or designee shall be responsible for developing procedures to implement this policy.</p> <p>Staff members and students shall be notified of their responsibility for informing the building administrator or program supervisor regarding any information or knowledge relevant to a possible or actual terroristic threat.</p>

<p>24 P.S. Sec. 1303-A</p>	<p>The building administrator or program supervisor shall immediately inform the Executive Director after receiving a report of such a threat.</p> <p>The Executive Director shall annually, by July 31, report all incidents to the Office of Safe Schools on the required form in accordance with state law and regulation.</p> <p>References:</p> <p>Purdon’s Statutes (School Code) – 24 P.S. Sec. 13-1302.1-A, 13-1303-A</p> <p>State Board of Education Regulations – 22 PA Code Sec. 12.2</p> <p>Terroristic Threats – 18 Pa. C.S.A. Sec. 2706</p> <p>Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1400 et seq.</p> <p>Individuals With Disabilities Education, Title 34, Code of Federal Regulations – 34 CFR Part 300</p> <p>Board Policy – 000, 113.1, 225, 233, 805</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: GANGS

ADOPTED: August 22, 2011

REVISED:

218.3. GANGS	
1. Purpose	The Board recognizes that a school campus is a place that has appropriate rules and regulations to ensure a safe and healthy environment which is conducive to learning for all students.
2. Authority 24 P.S. Sec. 914-A	The Board prohibits activities of secret fraternities, sororities, gangs or other clubs not sponsored by established organizations of the Intermediate Unit or member school districts in Intermediate Unit programs, on school property, at school-sponsored activities, and while traveling to or from school or school-sponsored activities.
3. Guidelines Pol. 218, 233	Students who threaten the safety or well-being of others, vandalize school property, or disrupt school activities shall be disciplined in accordance with Board policy and procedures.
Pol. 218, 233	Incidents involving initiations, hazing, intimidation and/or related activities likely to cause bodily danger, physical harm or personal degradation or disgrace resulting in physical or mental harm to students or staff are prohibited and shall result in discipline in accordance with Board policy and procedures.
Pol. 218, 233	Any student wearing, carrying, distributing, or displaying gang paraphernalia; exhibiting behavior or gestures which symbolize gang membership; or causing and/or participating in activities which intimidate or affect the attendance or personal safety or well-being of another student or staff member shall be subject to disciplinary action in accordance with Board policy and procedures.
4. Delegation of Responsibility	<p>The Program Director or designee shall provide professional development in gang behavior and characteristics to facilitate staff identification of students engaging in gang activities.</p> <p>Intermediate Unit staff shall promote membership in authorized school groups and activities as an alternative to gang activity.</p>

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A

Board Policy – 218, 233

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: STUDENT COMPLAINT  
PROCESS

ADOPTED: August 22, 2011

REVISED:

219. STUDENT COMPLAINT PROCESS	
1. Purpose	The Board recognizes that students have the right to request redress of complaints. In addition, the Board believes that the inculcation of respect for established procedures is an important part of the educational process. Accordingly, individual and group complaints shall be recognized, and appropriate appeal procedures shall be provided.
2. Definition	For purposes of this policy, a <b>student complaint</b> shall be one that arises from actions that directly affect the student's participation in an approved educational program.
3. Authority	The Board and its employees shall recognize the complaints of students, provided that such complaints are submitted according to the guidelines established by Board policy.
4. Guidelines	<p>The student should first make the complaint known to the staff member most closely involved or, if none is identifiable, a teacher or other staff member known to the student; and they shall attempt to resolve the issue informally and directly.</p> <p>For complaints that must move beyond the first step, the student shall prepare a written statement of his/her complaint which shall set forth:</p> <ol style="list-style-type: none"> <li>1. Specific nature of the complaint and a brief statement of relevant facts.</li> <li>2. Manner and extent to which the student believes s/he has been adversely affected.</li> <li>3. Relief sought by the student.</li> <li>4. Reasons why the student feels entitled to the relief sought.</li> </ol>

The complaint may then be submitted, in turn, to the building administrator or program supervisor, the Executive Director and the Board, with a suitable period of time allowed at each level for hearing of the complaint and preparation of a response.

At each level, the student shall be afforded the opportunity to be heard personally by the school authority, with any accommodations necessary for communications.

The student may seek the assistance of a parent/guardian at any step.

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: STUDENT EXPRESSION/  
DISTRIBUTION AND POSTING  
OF MATERIALS

ADOPTED: August 22, 2011

REVISED:

<p>1. Purpose Title 22 Sec. 12.9</p> <p>2. Definitions</p>	<p style="text-align: center;">220. STUDENT EXPRESSION/DISTRIBUTION AND POSTING OF MATERIALS</p> <p>The right of public school students to freedom of speech is guaranteed by the Constitution of the United States and the constitution of the Commonwealth. The Board respects the right of students to express themselves in word or symbol and to distribute and post materials in areas designated for posting as a part of that expression. The Board also recognizes that exercise of that right must be limited by the Intermediate Unit's responsibility to maintain an orderly school environment and to protect the rights of all members of the school community.</p> <p>This policy addresses student expression in general and distribution and posting of materials that are not part of school-sponsored activities. Materials sought to be distributed or posted as part of the curricular programs of the Intermediate Unit shall be regulated as part of the Intermediate Unit's educational program.</p> <p><b>Distribution</b> - students handing nonschool materials to others on school property or during school-sponsored programs or events; placing upon desks, on or in lockers; or engaging in any other manner of delivery of nonschool materials to others while on school property or during school functions. When email, text messaging or other technological delivery is used as a means of distributing or accessing nonschool materials via use of school equipment, during school programs or while on school property or at school functions, it shall be governed by this policy. Off-campus or after hours distribution, including technological distribution, that does or is likely to materially or substantially interfere with the educational process, including school activities, school work, or discipline and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights is also covered by this policy.</p> <p><b>Expression</b> - verbal, written or symbolic representation or communication.</p> <p><b>Nonschool materials</b> - any printed or written materials meant for posting or general distribution to others that are not prepared as part of the curricular program of the Intermediate Unit, including but not limited to fliers, invitations, announcements, pamphlets, posters, Internet bulletin boards, personal websites and the like.</p>
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<p>3. Authority Title 22 Sec. 12.9</p> <p>24 P.S. Sec. 511 Title 22 Sec. 12.2, 12.9</p> <p>24 P.S. Sec. 914-A Title 22 Sec. 12.9</p> <p>Title 22 Sec. 12.2</p>	<p><b>Posting</b> - publicly displaying nonschool materials on school property or at school-sponsored events, including but not limited to affixing such materials to walls, doors, bulletin boards, easels, the outside of lockers; on school-sponsored or student websites; through other school-owned technology and the like.</p> <p>Students have the right to express themselves unless such expression is likely to or does materially or substantially interfere with the educational process, including school activities, school work, or discipline and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights.</p> <p>Student expression that occurs on school property or at school-sponsored programs or events is fully governed by this policy. In addition, off-campus or after hours expression is governed by this policy if the student expression involved constitutes unprotected expression as stated in this policy and provided the off-campus or after hours expression does or is likely to materially or substantially interfere with the educational process, including school activities, school work, or discipline and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights.</p> <p>The Board shall require that distribution and posting of nonschool materials occur only at the places and during the times set forth in written procedures. Such procedures shall be written to permit the orderly operation of Intermediate Unit and school programs, while recognizing the rights of students to engage in protected expression.</p> <p><u>Unprotected Student Expression</u></p> <p>The Board reserves the right to designate and prohibit manifestations of student expression that are not protected by the right of free expression because they violate the rights of others or where such expression is likely to or does materially or substantially interfere with school activities, school work, or discipline and order on school property or at school functions including but not limited to:</p> <ol style="list-style-type: none"> <li>1. Libel of any specific person or persons.</li> <li>2. Advocating the use or advertising the availability of any substance or material that may reasonably be believed to constitute a direct and serious danger to the health or welfare of students.</li> <li>3. Using obscene, lewd, vulgar or profane language – whether verbal, written or symbolic.</li> </ol>
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<p>Title 22 Sec. 12.9</p>	<ol style="list-style-type: none"><li>4. Inciting violence; advocating use of force; or encouraging violation of federal, state or municipal law, Board policy or Intermediate Unit or school rules or procedures.</li><li>5. Are likely to or do materially or substantially interfere with the educational process, including school activities, school work, or discipline and order on school property or at school functions; threaten serious harm to the school or community; encourage unlawful activity; or interfere with another's rights.</li><li>6. Violating written procedures on time, place and manner for posting and distribution of otherwise protected expression.</li></ol> <p>Spontaneous student expression which is otherwise protected speech is not prohibited by this section.</p> <p><u>Discipline For Engaging In Unprotected Expression</u></p> <p>The Board reserves the right to prohibit the posting or distribution of nonschool materials containing unprotected expression and to prohibit students from engaging in other unprotected student expression, as well as to stop unprotected student expression when it occurs. The Board reserves the right to discipline students for engaging in unprotected expression. Where such expression occurs off campus and away from school functions, a nexus between the unprotected expression and a substantial and material disruption of the Intermediate Unit or school program must be established.</p> <p><u>Distribution Of Nonschool Materials</u></p> <p>The Board requires that students who wish to distribute or post nonschool materials on school property or at school programs shall submit them three (3) school days in advance of planned distribution or posting to the building administrator and/or program supervisor, who shall forward a copy to the Program Director.</p> <p>If the nonschool materials contain unprotected expression as stated in this policy, the building administrator and/or program supervisor shall notify the students that they may not post or distribute the materials because the materials constitute a violation of Board policy.</p> <p>If notice is not given during the period between submission and the time for the planned distribution or posting, students may proceed with the planned distribution or posting, provided they comply with written procedures on time, place and manner of posting or distribution of nonschool materials.</p>
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<p>Pol. 219</p>	<p>Students who post or distribute nonschool materials in compliance with this provision may still be ordered to desist such distribution if the materials are later found to be unprotected expression under this policy.</p> <p>Students who distribute printed materials shall be responsible for clearing any litter that results from their activity and shall schedule the event so that they do not miss instructional time themselves.</p> <p><u>Posting Of Nonschool Materials</u></p> <p>If a school building hosting an Intermediate Unit program or an Intermediate Unit building has an area where individuals are allowed to post nonschool materials, students may post such items as well, if the materials do not constitute unprotected expression and the items are submitted for prior review in the same manner as if the students were going to distribute them.</p> <p>Such materials shall be officially dated, and the Intermediate Unit or school may remove the materials within ten (10) days of the posting or other reasonable time as stated in the procedures relating to posting.</p> <p><u>Review Of Student Expression</u></p> <p>School officials shall not censor or restrict nonschool materials or other student expression for the sole reason that it is critical of the Intermediate Unit or school or its administration, or because the views espoused are unpopular or may make people uncomfortable.</p> <p>Student-initiated religious expression is permissible and shall not be prohibited except as to time, place and manner of distribution, or if the expression involved violates some other part of this policy, e.g., because it is independently determined to be unprotected expression under the standards and definitions of this policy.</p> <p>The review for unprotected expression shall be reasonable and not calculated to delay distribution.</p> <p>Appeal of the reviewer's decision may be made to the Executive Director and then to the Board, in accordance with Board policy and Intermediate Unit and school procedures.</p>
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<p>4. Delegation of Responsibility</p> <p>Pol. 218</p>	<p>The building administrator and/or program supervisor shall determine the designation of the places and times nonschool materials may be distributed. Such designations may take into account maintenance of the flow of student traffic throughout the school and shall limit distribution of nonschool materials to noninstructional times.</p> <p>Disciplinary action may be determined by the Intermediate Unit and school administrators for students who distribute or post nonschool materials in violation of this policy and Intermediate Unit and school procedures, or who continue the manifestation of unprotected expression after a person in authority orders that they desist. Disciplinary actions shall be included in the disciplinary Code of Conduct.</p> <p>This Board policy and any procedures written to implement this policy shall be referenced in student handbooks so that students can access them for further information.</p> <p>References:</p> <p>Purdon’s Statutes (School Code) – 24 P.S. Sec. 5-511, 9-914-A</p> <p>State Board of Education Regulations – 22 PA Code Sec. 12.2, 12.9</p> <p>Board Policy – 218, 219</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: DRESS AND GROOMING

ADOPTED: August 22, 2011

REVISED:

221. DRESS AND GROOMING	
<p>1. Purpose</p>	<p>The Board recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference.</p>
<p>2. Authority 24 P.S. Sec. 1317.3 Title 22 Sec. 12.11</p> <p>Title 22 Sec. 12.11</p>	<p>The Board has the authority to impose limitations on students' dress in school. The Board will not interfere with the right of students and their parents/guardians to make decisions regarding their appearance, except when their choices disrupt the educational program of the Intermediate Unit or school or constitute a health or safety hazard.</p> <p>Students shall be required to wear certain types of clothing while participating in physical education classes, technical education, extracurricular activities, or other situations where special attire may be required to ensure the health or safety of the student.</p>
<p>3. Delegation of Responsibility</p> <p>Title 22 Sec. 12.11</p> <p>Pol. 325</p>	<p>The building administrator and/or program supervisor shall be responsible to monitor student dress and grooming, and to enforce Board policy and Intermediate Unit and school rules governing student dress and grooming.</p> <p>The Program Director or designee shall ensure that all rules implementing this policy impose only the minimum necessary restrictions on the exercise of the student's taste and individuality.</p> <p>Staff members shall be instructed to demonstrate, by example, positive attitudes toward neatness, cleanliness, propriety, modesty, and good sense in attire and appearance.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 13-1317.3</p> <p>State Board of Education Regulations – 22 PA Code Sec. 12.11</p> <p>Board Policy – 325</p>

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: TOBACCO USE

ADOPTED: August 22, 2011

REVISED:

222. TOBACCO USE	
<p>1. Purpose</p>	<p>The Board recognizes that tobacco use by students presents a health and safety hazard that can have serious consequences for both users and nonusers and the safety and environment of the Intermediate Unit and its programs.</p>
<p>2. Definition 18 Pa. C.S.A. Sec. 6306.1</p>	<p>For purposes of this policy, <b>tobacco use</b> shall be defined as use and/or possession of a lighted or unlighted cigarette, cigar and pipe; other lighted smoking product; and smokeless tobacco in any form.</p>
<p>3. Authority 35 P.S. Sec. 1223.5 20 U.S.C. Sec. 7183</p>	<p>The Board prohibits tobacco use and possession by students at any time in an Intermediate Unit building and on any property, buses, vans and vehicles that are owned, leased or controlled by the Intermediate Unit.</p>
<p>18 Pa. C.S.A. Sec. 6306.1</p>	<p>The Board prohibits tobacco use and possession by students at Intermediate Unit sponsored activities that are held off Intermediate Unit or school property.</p>
<p>4. Delegation of Responsibility</p>	<p>The Intermediate Unit may initiate prosecution of a student who possesses or uses tobacco in violation of this policy.</p>
<p>24 P.S. Sec. 1303-A</p>	<p>The Program Director or designee shall annually notify students, parents/guardians and staff about the Board's tobacco use policy by publishing such policy in student handbooks, parent newsletters, posted notices, the Intermediate Unit website, and other efficient methods.</p>
<p>5. Guidelines 18 Pa. C.S.A. Sec. 6306.1</p>	<p>The Executive Director shall annually, by July 31, report all incidents of possession, use or sale of tobacco by any person on Intermediate Unit property to the Office of Safe Schools on the required form, in accordance with state law and regulation.</p>
	<p>A student convicted of possessing or using tobacco in violation of this policy may be fined in accordance with the law or admitted to alternative adjudication in lieu of imposition of a fine.</p>

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A, 13-1303-A

Tobacco Use Prohibition – 18 Pa. C.S.A. Sec. 6306.1

School Tobacco Control – 35 P.S. Sec. 1223.5

Pro-Children Act of 2001 – 20 U.S.C. Sec. 7181 et seq.

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: CARE OF INTERMEDIATE  
UNIT PROPERTY

ADOPTED: August 22, 2011

REVISED:

<p>1. Purpose</p> <p>2. Authority</p> <p>24 P.S. Sec. 777, 914-A Pol. 218, 233</p>	<p style="text-align: center;">224. CARE OF INTERMEDIATE UNIT PROPERTY</p> <p>The Board believes that the programs of the Intermediate Unit should help students learn to respect property and develop feelings of pride in community institutions.</p> <p>The Board charges each student enrolled in Intermediate Unit programs with responsibility for the proper care of the school supplies and equipment entrusted to the student's use.</p> <p>It is the policy of the Board that students who willfully cause damage to Intermediate Unit property may be subject to disciplinary measures and may be expected to make restitution. Students and others who damage or deface Intermediate Unit property may be prosecuted and punished under law. Parents/Guardians shall be held accountable for the actions of their child.</p> <p>The Board may report to appropriate juvenile authorities any student whose damage of Intermediate Unit property is serious or chronic in nature. In no case shall referral to juvenile authorities be made without prior notification to the student's parent/guardian.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 1-109, 7-777, 8-801, 9-914-A</p> <p>Board Policy – 218, 233</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: SEARCHES

ADOPTED: August 22, 2011

REVISED:

226. SEARCHES	
<p>1. Purpose</p>	<p>The Board acknowledges the need to respect the rights of students to be free from unreasonable searches and seizures while fulfilling the Intermediate Unit’s interest in protecting and preserving the health, safety and welfare of the school population, enforcing rules of conduct, and maintaining an appropriate atmosphere conducive to learning.</p>
<p>2. Authority Pa. Const., Art. I Sec. 8 24 P.S. Sec. 914-A Title 22 Sec. 12.14 U.S. Const., Amendment IV</p> <p>Pol. 218.1, 227</p>	<p>Intermediate Unit officials have the authority to lawfully search students or their belongings, including lockers, storage spaces, automobiles, electronic devices, purses, backpacks, clothing, and other possessions, without a warrant, when in the Intermediate Unit, while attending an Intermediate Unit program, while on Intermediate Unit grounds or when otherwise under supervision of the Intermediate Unit, if there is a reasonable suspicion that the place or thing to be searched contains prohibited contraband, material that would pose a threat to the health, safety and welfare of the school population, or evidence that there has been a violation of the law, Board policy, or school rules. The scope and extent of searches must be reasonable in relation to the nature of the suspected evidence, contraband or dangerous material and to the grounds for suspecting that it may be found in the place or thing being searched.</p> <p>The Board has a compelling interest in protecting and preserving the health, safety and welfare of the school population, which under certain circumstances may warrant general or random searches of students and their lockers, storage spaces, vehicles or other belongings without individualized suspicion, for the purpose of finding or preventing entry onto Intermediate Unit property and into Intermediate Unit programs of controlled substances, weapons or other dangerous materials.</p>
<p>3. Delegation of Responsibility</p>	<p>The Board authorizes the administration to conduct searches of students or their belongings, including lockers, storage spaces, automobiles, electronic devices, purses, backpacks, clothing, and other possessions in accordance with the standards set forth in this policy.</p>

<p>Title 22 Sec. 12.14</p>	<p>The Executive Director or designee, in consultation with the Intermediate Unit solicitor, shall develop guidelines and procedures to implement this policy, and shall ensure that Intermediate Unit staff who are involved in carrying out searches or determining when searches will be conducted receive appropriate periodic training about such procedures and currently applicable legal standards.</p> <p>Students, parents/guardians and staff shall be notified at least annually, or more often if deemed appropriate by administration, about the standards and procedures in effect pursuant to this policy.</p>
<p>4. Guidelines</p> <p>Title 22 Sec. 12.14</p>	<p><u>Individualized Suspicion Searches</u></p> <p>Students or their belongings, including lockers, storage spaces, automobiles, electronic devices, purses, backpacks, clothing, and other possessions, may be searched without a warrant when in the Intermediate Unit, on Intermediate Unit grounds or when otherwise under Intermediate Unit supervision, if there is a reasonable suspicion that the place or thing to be searched contains prohibited contraband, material that would pose a threat to the health, safety and welfare of the school population, or evidence that there has been a violation of the law, Board policy, or school rules. The scope and extent of searches must be reasonable in relation to the nature of the suspected evidence, contraband or dangerous material and to the grounds for suspecting that it may be found in the place or thing being searched.</p> <p>In determining whether reasonable suspicion exists, the building administrator, program supervisor or designee always should be able to articulate what is being looked for, and why it is thought to be located in the particular place to be searched. The scope of a search should be limited to the place or places the item sought is believed to be.</p> <p>Examination by Intermediate Unit staff of text messages, call logs, files, images or other data contained in a student's mobile telephone or other electronic device, without the student's consent, normally constitutes a search that must be justified by reasonable suspicion that material in violation of law, Board policy or school rules, or evidence of such a violation, is contained in the particular files, directories or other data locations being examined in the device.</p> <p><u>Random Or General Searches Without Individualized Suspicion</u></p> <p>Under certain circumstances, random or general searches of students and their belongings, including student lockers, storage spaces or vehicles parked on Intermediate Unit property, may be conducted during the school day or upon</p>

Pol. 805	<p>entry into Intermediate Unit buildings or Intermediate Unit activities, in the absence of suspicion focused on a particular student or students, for the purpose of finding or preventing entry onto Intermediate Unit property or activities of controlled substances, weapons or other dangerous materials. Such searches normally will be conducted in a minimally intrusive manner using screening methods such as dogs or other animals trained to detect controlled substances, explosives or other harmful materials by smell, as well as metal detectors and other technology. When such screening methods provide a reasonable suspicion that particular students, items or places possess or contain controlled substances, weapons or other dangerous material, screening may be followed by physical searches of those particular students, items or places on an individualized basis.</p> <p>Random or general searches for weapons may be conducted when there are circumstances, information or events tending to indicate increased likelihood that students may be armed or headed for physical confrontation because of community strife or tensions, or as a continuation or escalation of a prior incident, in or out of school, which threatens to spill over into school, into an Intermediate Unit sponsored activity, or into other times and places that students are under Intermediate Unit supervision.</p> <p>Random or general searches for controlled substances may be conducted when there are circumstances, events or information tending to indicate significant drug use, possession or trafficking among students in school.</p> <p>Random or general searches not based on individualized suspicion must be approved in advance by the Executive Director or designee, in consultation with the Intermediate Unit solicitor. Coordination with law enforcement officials will be accomplished as provided in the memorandum of understanding with the applicable law enforcement agency.</p> <p><u>Searches Upon Consent</u></p> <p>Searches may be conducted at any time, with or without reasonable suspicion, if the student has given knowing and voluntary consent specific to the place to be searched.</p> <p>The administration may establish rules and procedures governing certain privileges enjoyed by students, such as the privilege of parking a vehicle on Intermediate Unit grounds, that make the student's consent to random searches or inspections a condition of access to the privilege.</p>
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<p>Pol. 805</p>	<p><u>Searches By Or At The Request Of Law Enforcement Officials</u></p> <p>The legal standards governing searches initiated by school officials are less strict than the standards applicable to law enforcement authorities in many situations. When searches of students, student belongings, vehicles, lockers or storage spaces are conducted by or at the request of law enforcement officials, with or without the involvement of Intermediate Unit staff, the law enforcement officials are solely responsible for ensuring that a warrant has been issued or that the circumstances otherwise permit the search to be lawfully conducted in accordance with the standards applicable to law enforcement actions. Intermediate Unit staff will not interfere with or obstruct searches initiated by law enforcement, but may assist when law enforcement officials have requested such assistance and have represented that a warrant has been issued or that they otherwise have proper authority for a lawful search.</p> <p><u>Locker Inspections And Searches</u></p> <p>Lockers or storage spaces are assigned to or otherwise made available to students as a convenience for the safe storage of books, clothing, school materials and limited personal property, and to facilitate movement between classes and activities and to and from the Intermediate Unit and Intermediate Unit programs. Such lockers or storage spaces are and shall remain the property of the Intermediate Unit, and to the extent students have any expectation of privacy of lockers or storage spaces at all, it is very limited.</p> <p>No student may place or keep in a locker or storage space any substance or object that is prohibited by law, Board policy or school rules, or that constitutes a threat to the health, safety or welfare of the occupants of the building or the building itself. Students are required to ensure that their lockers or storage spaces do not contain spoiled food items or beverages, or soiled clothing which may attract pests, create odors or cause unhealthy conditions. A student locker or storage space may be opened and inspected for cleanliness, with or without the consent of the student, whenever there are odors, pests or other indications that a locker or storage space contains spoiled food, soiled clothing in need of laundering or similarly unhealthy matter.</p> <p>Students are exclusively responsible for locking their assigned lockers to ensure the security of their personal belongings and school property entrusted to them. Students are permitted to secure their assigned lockers only with locks provided by the Intermediate Unit, or if the Intermediate Unit does not provide locks, personal combination locks for which the combination has been provided to designated staff.</p>
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Prior to an individual locker or storage space search or inspection, the student to whom the locker or storage space is assigned shall be notified and be given a reasonable opportunity to be present. However, when there is a reasonable suspicion that a locker or storage space contains materials which pose a threat to the health, welfare or safety of the school population, student lockers or storage spaces may be searched without prior notice to the student.

The building administrator, program supervisor or a designated staff person shall be present whenever a student locker or storage space is inspected for cleanliness or is searched. The building administrator, program supervisor or designee shall maintain written records of all occasions when a locker or storage space is searched or inspected. Such records shall include the reason(s) for the search, persons present, objects found and their disposition.

Searches Involving Removal Of Clothing Or Examination Beneath Clothing

Searches of students involving the removal of undergarments or examination beneath undergarments are subject to stricter standards than are required to justify other searches of a student's person or belongings. Such searches by Intermediate Unit staff are permitted only when the basis for suspicion establishes either:

1. That the reasons for believing that the items being searched for are concealed specifically inside undergarments are stronger reasons than grounds that would support only a more general reasonable suspicion that the student is in possession of the items or has them somewhere on the student's person; or,
2. That the quantity or nature of the items being sought present a higher level of danger to the school population than other kinds of contraband.

Searches involving the removal of or examination beneath any clothing of a student, other than jackets, coats or other outerwear, shall be conducted only by a staff person of the same gender as the student, with at least one (1) other staff person of the same gender present as a witness, and in a location assuring privacy from observation by persons not involved in the search or of the opposite sex.

Searches by Intermediate Unit staff involving the removal of undergarments or examination beneath undergarments will be conducted only after consultation with the Intermediate Unit solicitor.

Handling And Disposal Of Items Found In The Course Of Searches

Any items or material found during a search or inspection, the student's possession of which is in violation of law, Board policies or school rules, or otherwise is evidence of such a violation, may be confiscated, and may be used as evidence in student discipline proceedings or a criminal investigation, even if such items or material were not the original objective of the search or inspection.

The building administrator or program supervisor shall be responsible to ensure that confiscated items or material are properly inventoried and secured until the conclusion of disciplinary action, if any, and are then properly disposed of if not appropriate to be returned to the student. Items or materials that are evidence of a criminal offense, or that are not lawful for ordinary citizens to possess will be promptly turned over to proper law enforcement authorities for custody or disposal.

References:

Pennsylvania Constitution – PA Const. Art. I, Sec. 8

Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A

State Board of Education Regulations – 22 PA Code Sec. 12.14

United States Constitution – Amendment IV

Board Policy – 218.1, 226.1, 227, 805

In re F.B., 555 Pa. 661, 726 A.2d 361, 368 (1999)

Commonwealth v. Cass, 551 Pa. 25, 709 A.2d 350, 355-56 (1998)

Safford Unified School Dist. No. 1 v. Redding, 129 S.Ct. 2633 (U.S. 2009)

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: USE OF METAL DETECTORS

ADOPTED: August 22, 2011

REVISED:

226.1. USE OF METAL DETECTORS	
1. Purpose	The Board recognizes the privacy rights of each individual student but also must ensure the safety and security of students, staff and Intermediate Unit facilities.
2. Authority	In view of the escalating presence of weapons in schools and communities across the nation and locally, the Board authorizes the use of metal detectors to minimize the risk of weapons in our schools and to enhance school security.
Pol. 226	In order to maintain a safe learning environment, administrators shall exercise the right to conduct searches of students and/or belongings, based on reasonable suspicion, and may inspect the contents of any backpack, purse or parcel that activates the metal detector for the purpose of determining whether a weapon is concealed. Searches shall be conducted in accordance with Board policy and procedures.
3. Definitions	<b>Metal detector</b> - stationary, walk-through and/or handheld detection device.
24 P.S. Sec. 1317.2 Pol. 218.1	<b>Weapon</b> - shall include but not be limited to any knife, cutting instrument, cutting tool, nunchaku stick, firearm, shotgun, rifle, replica of a weapon and/or any other tool, instrument or implement capable of inflicting serious bodily injury.
4. Guidelines	Administrators shall not selectively use a metal detector on one (1) student or a nonrandomly selected group of students except on reasonable suspicion that a weapon will be found.  Metal detectors may be used either at random without cause at times determined by the building administrator or program supervisor, or as otherwise prescribed by the Board, or they may be used for reasonable suspicion on a selective basis. Care shall be exercised to ensure that the selection of students to be subjected to the detection process as part of a random sweep be demonstrably according to chance. It shall be the obligation of the person conducting the metal detector searches to be able to justify that no bias entered the selection process.

226.1. USE OF METAL DETECTORS - Pg. 2

<p>Pol. 709</p> <p>5. Delegation of Responsibility</p>	<p>All persons entering a school of the Intermediate Unit may be required to submit to a metal detector search. The Intermediate Unit shall ensure that appropriate notification regarding use of metal detectors is posted and disseminated.</p> <p>Building administrators and the Program Director shall establish and implement procedures for the use of metal detectors in a nondiscriminatory manner in Intermediate Unit schools and programs.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A, 13-1317.2</p> <p>Board Policy – 000, 218.1, 226, 709</p>
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227. CONTROLLED SUBSTANCES/PARAPHERNALIA - Pg. 2

<p>3. Authority 24 P.S. Sec. 914-A Title 22 Sec. 12.3</p> <p>Pol. 218</p>	<p>For purposes of this policy, <b>look-alike drugs</b> shall include any pill, capsule, tablet, powder, plant matter or other item or substance that is designed or intended to resemble a controlled substance prohibited by this policy, or is used in a manner likely to induce others to believe the material is a controlled substance.</p> <p>The Board prohibits students from using, possessing, distributing, and being under the influence of any controlled substances during school hours, at any time while on Intermediate Unit property, at any program or activity sponsored by the Intermediate Unit, and during the time spent traveling to and from programs and activities sponsored by the Intermediate Unit.</p> <p><u>Off-Campus Activities</u></p> <p>This policy shall also apply to student conduct that occurs off Intermediate Unit or school property and would violate the Code of Conduct if any of the following circumstances exist:</p> <ol style="list-style-type: none"><li>1. The conduct occurs during the time the student is traveling to and from the Intermediate Unit, an Intermediate Unit program or an Intermediate Unit sponsored activity, whether or not via Intermediate Unit furnished transportation.</li><li>2. Student expression or conduct materially and substantially disrupts the operations of the school or Intermediate Unit program, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school or Intermediate Unit program.</li><li>3. The conduct has a direct nexus to attendance at school, an Intermediate Unit program, or an Intermediate Unit sponsored activity, for example, a transaction conducted outside of school pursuant to an agreement made in school, that would violate the Code of Conduct if conducted in school.</li><li>4. The conduct involves the theft or vandalism of Intermediate Unit property.</li><li>5. There is otherwise a nexus between the proximity or timing of the conduct in relation to the student's attendance at school, Intermediate Unit programs, or Intermediate Unit sponsored activities.</li></ol>
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227. CONTROLLED SUBSTANCES/PARAPHERNALIA - Pg. 3

<p>4. Delegation of Responsibility</p> <p>24 P.S. Sec. 1302.1-A, 1303-A 42 Pa. C.S.A. Sec. 8337 Pol. 218, 233</p> <p>24 P.S. Sec. 1302.1-A Pol. 805</p> <p>24 P.S. Sec. 1303-A</p>	<p>The Program Director or designee shall develop procedures to identify and control substance abuse in Intermediate Unit programs which:</p> <ol style="list-style-type: none"> <li>1. Establish procedures to deal with students suspected of using, possessing, being under the influence, or distributing controlled substances in Intermediate Unit programs, up to and including a recommendation for expulsion and referral for prosecution, and notification of law enforcement officials.</li> <li>2. Disseminate to students, parents/guardians and staff the Board policy and procedures governing student abuse of controlled substances.</li> </ol> <p>The Executive Director or designee shall react promptly to information and knowledge concerning possible or actual incidents of possession, use or sale of controlled substances. Such action shall be in compliance with state law and regulation and with the procedures set forth in the memorandum of understanding with local law enforcement officials.</p> <p>The Executive Director shall annually, by July 31, report all incidents of possession, use and sale of controlled substances by any person on Intermediate Unit property to the Office of Safe Schools on the required form, in accordance with state law and regulation.</p>
<p>5. Guidelines</p>	<p>In all cases involving students and controlled substances, the need to protect the school community from undue harm and exposure to drugs shall be recognized.</p> <p><u>Reasonable Suspicion/Testing</u></p> <p>If based on the student's behavior, medical symptoms, vital signs or other observable factors, the program supervisor or building administrator has reasonable suspicion that the student is under the influence of alcohol or a controlled substance, the student shall be required to leave the classroom. Intermediate Unit staff shall contact the student's parent/guardian and school district of residence. The student may be referred to law enforcement authorities and/or outside agencies and may be required to submit to drug or alcohol testing.</p>

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A, 13-1302.1-A, 13-1303-A

State Board of Education Regulations – 22 PA Code Sec. 12.3

PA Controlled Substance, Drug, Device and Cosmetic Act – 35 P.S.  
Sec. 780-101 et seq.

Steroids – 35 P.S. Sec. 807.1 et seq.

PA Civil Immunity of School Officers/Employees Relating to Drug or Alcohol  
Abuse – 42 Pa. C.S.A. Sec. 8337

Individuals With Disabilities Education Act – 20 U.S.C. Sec. 1415

Controlled Substances Act – 21 U.S.C. Sec. 801 et seq.

Board Policy – 000, 210, 218, 233, 805

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: PUBLIC PERFORMANCES BY STUDENTS

ADOPTED: August 22, 2011

REVISED:

230. PUBLIC PERFORMANCES BY STUDENTS	
1. Purpose	The Board recognizes the value of students sharing their talents and skills with the community through student participation and performances in public events.
2. Authority 24 P.S. Sec. 914-A	The Board endorses public performances outside of the Intermediate Unit program by students when they constitute a learning experience that contributes to the educational program; they do not interfere with other scheduled activities; and the circumstances of the event do not pose a threat to the health, safety or well-being of the students who are involved.
3. Delegation of Responsibility	All requests for public performances by student groups require the approval of the building administrator or program supervisor, who shall report such requests to the Board.
4. Guidelines	<p>Parental permission shall be sought and received before students may participate in any public performance.</p> <p>No student shall be compelled to participate in a public performance or be penalized in any way for failure to do so.</p> <p>The interests of students shall be protected and guarded against exploitation.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 9-914-A</p>

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: SUSPENSION AND EXPULSION

ADOPTED: August 22, 2011

REVISED:

233. SUSPENSION AND EXPULSION	
<p>1. Purpose Title 22 Sec. 12.6, 12.7, 14.143 20 U.S.C. Sec. 1400 et seq 34 CFR Part 300 Pol. 113.1</p>	<p>The Board recognizes that exclusion from the educational programs of the Intermediate Unit, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and one that cannot be imposed without due process. The Intermediate Unit shall define and publish the types of offenses that would lead to exclusion from Intermediate Unit programs. Exclusions affecting students with disabilities shall be governed by applicable state and federal law and regulations.</p>
<p>2. Authority 24 P.S. Sec. 1318 Title 22 Sec. 12.6, 12.8</p>	<p>The Board, in coordination with the school district of residence and applicable program requirements, may suspend or expel a student from Intermediate Unit programs for such time as it deems necessary, or may permanently expel a student. The Board shall coordinate with the school district of residence to ensure such disciplinary action is done in accordance with applicable law and regulations and includes proper hearings.</p> <p>The Intermediate Unit shall coordinate with the school district of residence to ensure an appropriate education is provided in accordance with law and regulations.</p>
<p>3. Delegation of Responsibility</p> <p>Pol. 218</p> <p>Pol. 216</p>	<p>The Program Director or designee shall develop procedures to implement this policy which include:</p> <ol style="list-style-type: none"> <li>1. Publication of each Code of Conduct, in accordance with Board policy on student discipline.</li> <li>2. Procedures that ensure due process when a student is being deprived of the right to attend Intermediate Unit programs.</li> <li>3. Regulations regarding student records which require that records of disciplinary suspension be maintained in accordance with Board policy on student records.</li> </ol>

4. The name of a student who has been disciplined shall not become part of the agenda or minutes of a public meeting, nor part of any public record of the Board. Such students may be designated by code.

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 13-1318

State Board of Education Regulations – 22 PA Code Sec. 12.3, 12.6, 12.7, 12.8, 14.143

Local Agency Law – 2 Pa. C.S.A. Sec. 101 et seq.

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

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

Board Policy – 000, 113, 113.1, 216, 218

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: PREGNANT/MARRIED  
STUDENTS

ADOPTED: August 22, 2011

REVISED:

<p>1. Purpose 24 P.S. Sec. 1326 Title 22 Sec. 12.1</p> <p>2. Authority</p> <p>3. Guidelines</p>	<p style="text-align: center;">234. PREGNANT/MARRIED STUDENTS</p> <p>A student who is eligible to attend Intermediate Unit programs and is married and/or pregnant shall not be denied an educational program solely because of marital status, pregnancy, pregnancy-related disabilities, or potential or actual parenthood.</p> <p>The Board reserves the right to require as a prerequisite for attendance in Intermediate Unit programs and activities that each pregnant student present to the building administrator or program supervisor a licensed physician's written statement that such activity will not be injurious to her health nor jeopardize her pregnancy.</p> <p>A pregnant student whose mental or physical condition prevents her from attending regular Intermediate Unit programs, when such condition is certified by a licensed physician, may be assigned to an alternate educational program.</p> <p>A student who has received an alternate educational program for reasons associated with her pregnancy shall be readmitted to Intermediate Unit programs upon her request and the written statement of a licensed physician that she is physically fit to do so.</p> <p>References:</p> <p>Purdon's Statutes (School Code) – 24 P.S. Sec. 13-1326</p> <p>State Board of Education Regulations – 22 PA Code Sec. 12.1</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: STUDENT RIGHTS/SURVEYS

ADOPTED: August 22, 2011

REVISED:

235. STUDENT RIGHTS/SURVEYS	
1. Purpose	This policy sets forth guidelines by which student rights and responsibilities are determined, consistent with law and regulations.
2. Definition	<b>Personal information</b> means individually identifiable information including a student's or parent's/guardian's name, address, telephone number, or social security number.
3. Authority 24 P.S. Sec. 914-A Title 22 Sec. 4.4, 12.1, 12.3, 12.4, 12.9	The Board has the authority and responsibility to establish reasonable rules and regulations for the conduct and deportment of Intermediate Unit students. At the same time, no student shall be deprived of equal treatment and equal access to the educational program, due process, a presumption of innocence, and free expression and association, in accordance with Board policy and school rules.
4. Guidelines Title 22 Sec. 12.2, 12.3	Attendant upon the rights established for each student are certain responsibilities, which include regular attendance; conscientious effort in classroom work and homework; conformance to Board policies and Intermediate Unit and school rules and regulations; respect for the rights of staff, students, administrators, and others; and expression of ideas and opinions in a respectful manner.
Title 22 Sec. 12.3 Pol. 218	A listing of students' rights and responsibilities shall be included in the Code of Conduct, which shall be distributed annually to students and parents/guardians.
Pol. 105.1	<u>Instructional Materials</u>  The parent/guardian shall be notified annually that all instructional materials, including teachers' manuals, audiovisuals, and other supplementary instructional material used in the instructional program shall be available for inspection by the parents/guardians of students, in accordance with Board policy. Instructional materials do not include tests or academic assessments.

<p>Pol. 235.1</p> <p>Title 22 Sec. 12.41 20 U.S.C. Sec. 1232h</p> <p>Title 22 Sec. 4.4 20 U.S.C. Sec. 1232h</p> <p>Title 22 Sec. 4.4 20 U.S.C. Sec. 1232h</p> <p>20 U.S.C. Sec. 1232h</p>	<p><u>Surveys/Evaluations</u></p> <p>All surveys and instruments used to collect information from students shall relate to the Intermediate Unit's educational objectives.</p> <p>The parent/guardian shall be informed of the nature and scope of individual surveys and their relationship to the educational program of their child and the parent's/guardian's right to inspect, upon request, a survey created by a third party prior to administration or distribution to a student. Such requests shall be in writing and submitted to the program supervisor.</p> <p>No student shall be required, without written parental consent for students under eighteen (18) years of age or written consent of emancipated students or those over eighteen (18) years, to submit to a survey, analysis, or evaluation that reveals information concerning:</p> <ol style="list-style-type: none"> <li>1. Political affiliations or beliefs of student or parent/guardian.</li> <li>2. Mental and psychological problems of the student or family.</li> <li>3. Sexual behavior or attitudes.</li> <li>4. Illegal, antisocial, self-incriminating or demeaning behavior.</li> <li>5. Critical appraisals of other individuals with whom respondents have close family relationships.</li> <li>6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers.</li> <li>7. Religious practices, affiliations, or beliefs of the student or parent/guardian.</li> <li>8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.</li> </ol> <p>However, such survey, analysis or evaluation may be conducted on a voluntary basis, provided that the student and parent/guardian have been notified of their right to inspect all related materials and to opt the student out of participation.</p> <p>The Intermediate Unit shall implement procedures to protect student identity and privacy when a survey contains any of the restricted subject areas listed above.</p>
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<p>5. Delegation of Responsibility</p> <p>20 U.S.C. Sec. 1232h</p> <p>Title 22 Sec. 12.3</p>	<p>The Program Director or designee shall develop and promulgate procedures consistent with law and Board policy to ensure that student rights under specific conditions are properly recognized and maintained.</p> <p>The Intermediate Unit shall annually notify the parent/guardian concerning:</p> <ol style="list-style-type: none"><li>1. Contents of this policy and its availability.</li><li>2. Contents of the applicable Code of Conduct.</li><li>3. Approximate dates that any surveys requesting personal information may be scheduled.</li><li>4. Procedures to request access to survey instruments prior to administration.</li><li>5. Procedures for opting students out of participation in surveys.</li></ol> <p>References:</p> <p>Purdon’s Statutes (School Code) – 24 P.S. Sec. 9-914-A</p> <p>State Board of Education Regulations – 22 PA Code Sec. 4.4, 12.1, 12.2, 12.3, 12.4, 12.9, 12.41, 403.1</p> <p>Protection of Pupil Rights – 20 U.S.C. Sec. 1232h</p> <p>Board Policy – 000, 105.1, 218, 235.1</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: RESEARCH – INSTITUTIONAL  
REVIEW BOARD

ADOPTED: August 22, 2011

REVISED:

<p>1. Purpose</p> <p>2. Authority 45 CFR Part 46</p> <p>3. Definition</p>	<p style="text-align: center;">235.1. RESEARCH – INSTITUTIONAL REVIEW BOARD</p> <p>The Intermediate Unit recognizes the legitimate need to protect the rights and welfare of students participating in research activities.</p> <p>In accordance with federal regulations, the Board establishes the Institutional Review Board (IRB) with the authority to approve, require modifications, or disapprove all research activities involving humans that fall within its jurisdiction prior to implementation. The IRB review shall assure, both in advance and through periodic monitoring, that appropriate steps are taken to protect the rights and welfare of human research subjects.</p> <p>The jurisdiction of the Intermediate Unit IRB includes all human subject research that is:</p> <ol style="list-style-type: none"> <li>1. Sponsored by the Intermediate Unit.</li> <li>2. Conducted by or under the direction of any employee or agent of this Intermediate Unit in connection with his/her Intermediate Unit responsibilities.</li> <li>3. Conducted under the direction of any employee or agent of this Intermediate Unit using any property or facility of this Intermediate Unit.</li> <li>4. Involving the use of the Intermediate Unit’s nonpublic information to identify or contact human research subjects or prospective subjects.</li> </ol> <p><b>Human subject research</b> - is systematic investigation, which obtains data from or about a living individual, including testing and evaluation, which is designed to develop or to contribute to generalizable knowledge, whether the information is obtained directly from the person or from another source such as:</p> <ol style="list-style-type: none"> <li>1. Intervention - including physical procedures, manipulation of the subject or the subject’s environment, i.e, by assigning subjects to experimental conditions.</li> </ol>
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References:

Protection of Human Subjects, Title 45, Code of Federal Regulations – 45 CFR  
Part 46

Board Policy – 216, 235, 830

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: ELECTRONIC DEVICES

ADOPTED: August 22, 2011

REVISED:

<p>1. Purpose</p> <p>2. Definition</p> <p>3. Authority</p> <p>24 P.S. Sec. 1317.1</p>	<p style="text-align: center;">237. ELECTRONIC DEVICES</p> <p>The Board adopts this policy in order to maintain an educational environment that is safe and secure for Intermediate Unit students and employees.</p> <p><b>Electronic devices</b> shall include all devices that can take photographs; record audio or video data; store, transmit or receive messages or images; or provide a wireless, unfiltered connection to the Internet. Examples of these electronic devices include, but shall not be limited to, digital cameras, smart phones, cell phones, PDAs of all types, portable video devices, and personally-owned laptops of all types.</p> <p>The Board authorizes program supervisors to establish and publish procedures governing use of electronic devices by students during the instructional day in Intermediate Unit buildings; on Intermediate Unit property; on Intermediate Unit buses and vehicles; and during the time students are under the supervision of the Intermediate Unit. The Board prohibits use of electronic devices in locker rooms, bathrooms, health suites and other changing areas at any time.</p> <p>The Board prohibits possession of personally-owned laser pointers and attachments and telephone paging devices/beepers by students in Intermediate Unit buildings; on Intermediate Unit property; on Intermediate Unit buses and vehicles; and at activities sponsored by the Intermediate Unit. Building administrators and program supervisors may prohibit possession of other electronic devices within specified programs and shall provide notification of such prohibition to students and parents/guardians.</p> <p>The Intermediate Unit shall not be liable for the loss, damage or misuse of any electronic device.</p> <p><u>Electronic Images And Photographs</u></p> <p>The Board prohibits the taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to texting and emailing.</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: STUDENT WELLNESS

ADOPTED: August 22, 2011

REVISED:

246. STUDENT WELLNESS	
<p>1. Purpose</p>	<p>Allegheny Intermediate Unit 3 recognizes that student wellness and proper nutrition are related to students' physical well-being, growth, development, and readiness to learn. The Board is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education, and regular physical activity as part of the total learning experience. In a healthy school environment, students will learn about and participate in positive dietary and lifestyle practices that can improve student achievement.</p>
<p>2. Authority 24 P.S. Sec. 1422.1 42 U.S.C. Sec. 1751 nt Pol. 100.1</p>	<p>The Board adopts the Student Wellness Policy based on the recommendations of the appointed Wellness Advisory Committee and in accordance with federal and state laws. The policy shall be included in the Intermediate Unit's Strategic Plan.</p> <p>To ensure the health and well-being of all students, the Board establishes that the Intermediate Unit, in cooperation with sending school districts, shall provide to students a comprehensive nutrition program consistent with federal and state requirements.</p>
<p>3. Delegation of Responsibility Pol. 808</p>	<p>The Program Director or designee shall be responsible to monitor Intermediate Unit programs and curriculum to ensure compliance with this policy, related policies and established guidelines or procedures.</p> <p>Staff members responsible for programs related to student wellness shall report to the Executive Director or designee regarding the status of such programs.</p> <p>The Executive Director or designee shall report annually to the Board on the Intermediate Unit's compliance with law and policies related to student wellness.</p>

<p>42 U.S.C. Sec. 1751 nt</p> <p>4. Guidelines</p> <p>24 P.S. Sec. 1422</p>	<p>The Executive Director or designee shall provide to the Board an assurance that Intermediate Unit guidelines for reimbursable meals are not less restrictive than regulations and guidelines issued for intermediate units in accordance with federal law.</p> <p>The Board authorizes the Executive Director to establish appropriate procedures to implement this policy in each affected program.</p> <p><u>Wellness Advisory Committee</u></p> <p>The Board, upon the advice of the Executive Director, shall appoint a Wellness Advisory Committee comprised of: Board members, Intermediate Unit administrators, food service representatives, a school nurse, and a teacher.</p> <p>The Wellness Advisory Committee serves as an advisory committee regarding student health issues and developed the Student Wellness Policy that complies with law and was recommended to the Board for adoption.</p> <p>Individuals who conduct student medical and dental examinations of Intermediate Unit students shall submit to the Wellness Advisory Committee annual reports and later reports on the remedial work accomplished during the year, as required by law.</p> <p><u>Nutrition Education</u></p> <p>The goal of nutrition education is to teach, encourage and support healthy eating by students. Promoting student health and nutrition enhances readiness for learning and increases student achievement.</p> <p>Nutrition education shall be integrated into other subjects to complement but not replace academic standards based on nutrition education.</p> <p>Consistent nutrition messages shall be disseminated throughout the Intermediate Unit, sending school districts, classrooms, cafeterias, homes, community and media.</p> <p><u>Physical Activity</u></p> <p>The Intermediate Unit shall provide opportunities for developmentally- and age-appropriate physical activity during the school day for all students. This activity shall be designed to achieve optimal wellness, fitness, and performance benefit.</p> <p>Students and the community shall have access to physical activity facilities outside school hours whenever and wherever possible.</p>
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Physical Education

Physical education classes shall be the means through which all students learn, practice and are assessed on developmentally appropriate skills and knowledge necessary for lifelong, health-enhancing physical activity.

Safe and adequate equipment, facilities and resources shall be provided for physical education courses.

Nutrition Guidelines

All foods available in Intermediate Unit programs during the school day shall be offered to students with consideration for promoting student health and reducing childhood obesity.

Foods provided through the National School Lunch or School Breakfast Programs shall comply with federal nutrition standards under the School Meals Initiative.

References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 5-504.1, 13-1337.1, 14-1422, 14-1422.1

Child Nutrition and WIC Reauthorization Act of 2004 – 42 U.S.C. Sec. 1751 notes

Board Policy – 000, 100.1, 102, 105, 808

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: UNLAWFUL HARASSMENT

ADOPTED: August 22, 2011

REVISED:

248. UNLAWFUL HARASSMENT	
<p>1. Purpose</p>	<p>The Board strives to provide a safe, positive learning climate for students in Intermediate Unit programs. Therefore, it shall be the policy of the Intermediate Unit to maintain an educational environment in which harassment in any form is not tolerated.</p>
<p>2. Authority 43 P.S. Sec. 951 et seq Title IX 20 U.S.C. Sec. 1681 et seq 29 CFR Sec. 1606.8(a)</p>	<p>The Board prohibits all forms of unlawful harassment of students and third parties by all Intermediate Unit students and staff members, contracted individuals, vendors, volunteers, and third parties in the programs. The Board encourages students and third parties who have been harassed to promptly report such incidents to the designated employees.</p> <p>The Board directs that complaints of harassment shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the Intermediate Unit's legal and investigative obligations.</p> <p>No reprisals or retaliation shall occur as a result of good faith charges of harassment.</p>
<p>3. Definitions 29 CFR Sec. 1606.8(a)</p>	<p>For purposes of this policy, <b>harassment</b> shall consist of verbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, sex, age, disability, sexual orientation or religion when such conduct:</p> <ol style="list-style-type: none"> <li>1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive educational environment.</li> <li>2. Has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance.</li> <li>3. Otherwise adversely affects an individual's learning opportunities.</li> </ol>

<p>29 CFR Sec. 1604.11(a)</p> <p>4. Delegation of Responsibility Pol. 103</p>	<p>For purposes of this policy, <b>sexual harassment</b> shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:</p> <ol style="list-style-type: none"> <li>1. Submission to such conduct is made explicitly or implicitly a term or condition of a student's academic status.</li> <li>2. Submission to or rejection of such conduct is used as the basis for academic or work decisions affecting the individual.</li> <li>3. Such conduct deprives a student of educational aid, benefits, services or treatment.</li> <li>4. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the student's academic performance or creating an intimidating, hostile or offensive educational environment.</li> </ol> <p>In order to maintain an educational environment that discourages and prohibits unlawful harassment, the Board designates the Supervisor of Fiscal Services as the Compliance Officer for the Intermediate Unit.</p> <p>The Compliance Officer shall publish and disseminate this policy and the complaint procedure at least annually to students, parents/guardians, employees, independent contractors, vendors, and the public. The publication shall include the position, office address and telephone number of the Compliance Officer.</p> <p>The administration shall be responsible to provide training for Intermediate Unit students and employees regarding all aspects of unlawful harassment.</p> <p>Each staff member shall be responsible to maintain an educational environment free from all forms of unlawful harassment.</p> <p>Each student shall be responsible to respect the rights of their fellow students and Intermediate Unit employees and to ensure an atmosphere free from all forms of unlawful harassment.</p> <p>The building administrator or program supervisor shall be responsible to complete the following duties when receiving a complaint of unlawful harassment:</p> <ol style="list-style-type: none"> <li>1. Inform the student or third party of the right to file a complaint and the complaint procedure.</li> </ol>
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<p>5. Guidelines</p>	<ol style="list-style-type: none"><li>2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.</li><li>3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.</li><li>4. Refer the complainant to the Compliance Officer if the building administrator or program supervisor is the subject of the complaint.</li></ol> <p><u>Complaint Procedure – Student/Third Party</u></p> <p><b>Step 1 – Reporting</b></p> <p>A student or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building administrator, program supervisor or Intermediate Unit employee.</p> <p>An Intermediate Unit employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building administrator or program supervisor.</p> <p>If the building administrator or program supervisor is the subject of a complaint, the student, third party or employee shall report the incident directly to the Compliance Officer.</p> <p>The complainant or reporting employee is encouraged to use the report form available from the building administrator or program supervisor, but oral complaints shall be acceptable.</p> <p><b>Step 2 – Investigation</b></p> <p>Upon receiving a complaint of unlawful harassment, the building administrator or program supervisor shall immediately notify the Compliance Officer. The Compliance Officer shall authorize the building administrator or program supervisor to investigate the complaint, unless the building administrator or program supervisor is the subject of the complaint or is unable to conduct the investigation.</p> <p>The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.</p> <p>The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.</p>
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**Step 3 – Investigative Report**

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

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

**Step 4 – Intermediate Unit Action**

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

Disciplinary actions shall be consistent with the Code of Conduct, Board policies and program procedures, applicable collective bargaining agreements, and state and federal laws, and may include educational activities and/or counseling services.

If it is concluded that a student has knowingly made a false complaint under this policy, such student shall be subject to disciplinary action.

Appeal Procedure

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

References:

Pennsylvania Human Relations Act – 43 P.S. Sec. 951 et seq.

Federal Anti-Discrimination Law – 20 U.S.C. Sec. 1681 et seq. (Title IX)

Harassment Regulations and Guidelines

Code of Federal Regulations – 29 CFR Sec. 1604.11(a), 1606.8(a)

Office for Civil Rights – Revised Sexual Harassment Guidance: Harassment of Students By School Employees, Other Students, or Third Parties

Board Policy – 103, 806

**REPORT FORM FOR COMPLAINTS OF UNLAWFUL HARASSMENT**

Complainant: \_\_\_\_\_

Home Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_

School Building/Intermediate Unit Program: \_\_\_\_\_

Date of Alleged Incident(s): \_\_\_\_\_

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

Race

Color

National Origin

Sex

Age

Disability

Religion

Sexual Orientation

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

\_\_\_\_\_

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

\_\_\_\_\_

Describe the incident as clearly as possible, including what force, if any, was used; verbal statements, i.e., threats, requests, demands, etc.; what, if any, physical contact was involved.

Attach additional pages if necessary: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

When and where incident occurred: \_\_\_\_\_

List any witnesses who were present: \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_  
Complainant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received By

\_\_\_\_\_  
Date

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: BULLYING/  
CYBERBULLYING

ADOPTED: August 22, 2011

REVISED:

249. BULLYING/CYBERBULLYING	
<p>1. Purpose</p>	<p>The Board is committed to providing a safe, positive learning environment for students and staff attending Intermediate Unit programs and promotes positive interpersonal relationships among all members of the Intermediate Unit community. The Board recognizes that bullying creates an atmosphere of fear and intimidation, violates the basic rights of students to be in a safe environment necessary for student learning, and may lead to more serious violence. Therefore, the Board prohibits bullying by Intermediate Unit students on Intermediate Unit property, leased or owned; in school buildings; on school buses, including bus stops and routes of travel to and from the bus stops or school property; or at school-sponsored events and/or activities whether occurring on or off campus. It is a violation of this policy for any Intermediate Unit staff member to tolerate bullying.</p>
<p>2. Definitions 24 P.S. Sec. 1303.1-A</p>	<p><b>Bullying</b> means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting, that is severe, persistent or pervasive and has the effect of doing any of the following:</p> <ol style="list-style-type: none"> <li>1. Substantial interference with a student’s education.</li> <li>2. Creation of a threatening environment.</li> <li>3. Substantial disruption of the orderly operation of the school.</li> </ol> <p><b>Bullying</b>, as defined in this policy, includes cyberbullying.</p>
<p>24 P.S. Sec. 1303.1-A</p>	<p><b>School setting</b> means in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school.</p>
<p>3. Authority 24 P.S. Sec. 1303.1-A</p>	<p>The Board prohibits all forms of bullying by Intermediate Unit students.</p>

<p>4. Delegation of Responsibility</p> <p>24 P.S. Sec. 1303.1-A</p> <p>24 P.S. Sec. 1303.1-A</p> <p>24 P.S. Sec. 1303.1-A</p>	<p>The Board encourages students who experience bullying to promptly report it to any adult employee of the Intermediate Unit, including teachers, building principal, program supervisor, bus driver, or other school employees supervising school-sponsored activities. Parents/Guardians may contact the school or the Intermediate Unit to report acts of bullying.</p> <p>The Board directs that complaints of bullying shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the Intermediate Unit’s legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith reports of bullying.</p> <p>Nothing in this policy prevents Intermediate Unit employees from enforcing, imposing discipline, or fulfilling their professional responsibilities under other Board policies or student disciplinary rules.</p> <p>Each student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying.</p> <p>The Program Director or designee shall develop procedures to implement this policy.</p> <p>The Program Director or designee shall ensure that this policy and procedures are reviewed annually with students.</p> <p>Intermediate Unit administrators and other appropriate Intermediate Unit staff, shall review this policy every three (3) years and recommend necessary revisions to the Board.</p> <p>The Intermediate Unit administration shall annually provide the following information with the Safe School Report:</p> <ol style="list-style-type: none"> <li>1. Board’s Bullying Policy.</li> <li>2. Report of bullying incidents.</li> <li>3. Information on the development and implementation of any bullying prevention, intervention or education programs.</li> </ol>
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<p>5. Guidelines 24 P.S. Sec. 1303.1-A Title 22 Sec. 12.3 Pol. 218</p> <p>24 P.S. Sec. 1302-A, 1303.1-A</p> <p>24 P.S. Sec. 1303.1-A Pol. 218, 233</p>	<p>The Code of Conduct, which shall contain this policy, shall be disseminated annually to students.</p> <p>This policy shall be accessible in every Intermediate Unit classroom. The policy shall be posted in a prominent location within each Intermediate Unit building included in student/parent handbooks, and posted on the website.</p> <p><u>Education</u></p> <p>The Intermediate Unit may develop and implement bullying prevention and intervention programs. Such programs shall provide Intermediate Unit staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.</p> <p><u>Consequences For Violations</u></p> <p>A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Conduct, which may include:</p> <ol style="list-style-type: none"><li>1. Counseling within the Intermediate Unit or school.</li><li>2. Parental conference.</li><li>3. Loss of school privileges.</li><li>4. Exclusion from school-sponsored activities.</li><li>5. Detention.</li><li>6. Suspension.</li><li>7. Expulsion.</li><li>8. Referral to law enforcement officials.</li></ol> <p>The program supervisor or building principal may also take appropriate steps to ensure students' safety, which may include separating and supervising the students involved, providing employee support for students as needed, and the implementation of a safety plan and/or a supervision plan with parents/guardians.</p>
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References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 13-1302-A, 13-1303.1-A

State Board of Education Regulations – 22 PA Code Sec. 12.3

Board Policy – 000, 218, 233, 248

# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: STUDENT RECRUITMENT

ADOPTED: August 22, 2011

REVISED:

<p>1. Authority 10 U.S.C. Sec. 503</p> <p>2. Guidelines 10 U.S.C. Sec. 503</p> <p>10 U.S.C. Sec. 503</p> <p>3. Delegation of Responsibility</p>	<p style="text-align: center;">250. STUDENT RECRUITMENT</p> <p>In accordance with law, the Board shall permit disclosure of required student information about secondary students to representatives of postsecondary institutions and to representatives of the Armed Forces of the United States.</p> <p>Equitable access to secondary students shall be granted to postsecondary education representatives, military recruiters and prospective employers.</p> <p>Postsecondary institutions and military recruiters shall have access to secondary students' names, addresses and telephone numbers, unless the student or parent/guardian requests that such information not be released without prior written parental consent.</p> <p>The Intermediate Unit shall notify parents/guardians of the right of the secondary student or parent/guardian to request that student information not be released to representatives of postsecondary institutions and/or military recruiters without prior written parental consent.</p> <p>The building administrator or program supervisor shall determine under what conditions and when access to secondary students will be provided to representatives of postsecondary institutions, military recruiters and prospective employers.</p> <p>The building administrator or program supervisor reserves the right to deny access to students when such access will materially and substantially interfere with the proper and orderly operation and discipline of the school; is likely to cause violence or disorder; or will constitute a violation of the rights of other students.</p> <p>References:</p> <p>National Defense Authorization Act for Fiscal Year 2002 – 10 U.S.C. Sec. 503</p> <p>No Child Left Behind Act – 20 U.S.C. Sec. 7908</p>
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# ALLEGHENY INTERMEDIATE UNIT 3

SECTION: PUPILS

TITLE: HOMELESS STUDENTS

ADOPTED: August 22, 2011

REVISED:

<p>1. Authority 24 P.S. Sec. 1306 Title 22 Sec. 11.18 42 U.S.C. Sec. 11431 et seq</p> <p>2. Definitions 42 U.S.C. Sec. 11434a</p>	<p style="text-align: center;">251. HOMELESS STUDENTS</p> <p>The Board recognizes its obligation to ensure that homeless students, including preschool-aged children, have access to the same educational programs and services provided to other students in participating school districts. The Board shall make reasonable efforts to encourage their enrollment and eliminate existing barriers to their attendance and education, in compliance with federal and state law and regulations and in conjunction with participating school districts.</p> <p>The Board shall waive policies and procedures that create barriers for enrollment, attendance, transportation and success in school of homeless students, based on the recommendation of the Executive Director.</p> <p><b>Homeless students</b> are defined as individuals lacking a fixed, regular and adequate nighttime residence, which include the following conditions:</p> <ol style="list-style-type: none"> <li>1. Sharing the housing of other persons due to loss of housing or economic hardship.</li> <li>2. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations.</li> <li>3. Living in emergency, transitional or domestic violence shelters.</li> <li>4. Abandoned in hospitals.</li> <li>5. Awaiting foster care placement.</li> <li>6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings.</li> <li>7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings.</li> <li>8. Living as migratory children in conditions described in previous examples.</li> </ol>
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<p>3. Delegation of Responsibility 42 U.S.C. Sec. 11432</p> <p>4. Guidelines 42 U.S.C. Sec. 11432</p> <p>24 P.S. Sec. 1306 42 U.S.C. Sec. 11432</p> <p>24 P.S. Sec. 1306 42 U.S.C. Sec. 11432</p>	<p>9. Living as run-away children.</p> <p>10. Abandoned or forced out of homes by parents/guardians or caretakers.</p> <p>11. Living as school age unwed mothers in houses for unwed mothers if they have no other living accommodations.</p> <p><b>School of origin</b> is defined as the school the student attended when permanently housed or the school in which the student was last enrolled.</p> <p>The Board designates the Regional Coordinator, Homeless Children’s Initiative, to serve as the Intermediate Unit’s liaison for homeless students and families.</p> <p>Students shall not be discriminated against, segregated nor stigmatized based on their status as homeless.</p> <p><u>Enrollment/Placement/Transportation</u></p> <p>Enrollment, placement and transportation decisions regarding homeless students shall be the responsibility of the participating school district, with assistance from the Intermediate Unit where appropriate, in accordance with applicable federal and state laws.</p> <p><u>Services</u></p> <p>Homeless students shall be provided services comparable to those offered to other students in participating school districts, including, but not limited to, transportation services; school nutrition programs; vocational programs and technical education; preschool programs; programs for students with limited English proficiency; and educational services for which students meet eligibility criteria, such as programs for disadvantaged students, students with disabilities, and gifted and talented students.</p>
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References:

Purdon's Statutes (School Code) – 24 P.S. Sec. 13-1306

State Board of Education Regulations – 22 PA Code Sec. 11.18, 403.1

McKinney-Vento Act – 20 U.S.C. Sec. 6301 et seq.

Education For Homeless Children – 42 U.S.C. Sec. 11431 et seq.

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

Guidelines for Enrollment of Homeless Children – Federal Register,  
67 Fed. Reg. 10698

PA Education for Homeless Children and Youth State Plan

Board Policy – 000, 201, 203, 204, 209, 216, 810