

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 100 Programs

TITLE: Nondiscrimination –  
Qualified Students With  
Disabilities/Protected Handicapped  
Students

ADOPTED: August 24, 2011

REVISED:

## 103.1 NONDISCRIMINATION – QUALIFIED STUDENTS WITH DISABILITIES/PROTECTED HANDICAPPED STUDENTS

### Authority

The School Reform Commission declares it to be the policy of this district to ensure that all district programs and practices are free from discrimination against all qualified students with disabilities/protected handicapped students. The SRC recognizes its responsibility to provide academic and nonacademic services and programs equally to students with and without disabilities. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)

The district shall provide to each qualified student with a disability/protected handicapped student enrolled in the district, 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/protected handicapped student 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 laws and regulations.

The SRC encourages students and parents/guardians who believe they have been subjected to discrimination or harassment to promptly report such incidents to designated employees.

The SRC 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 district's legal and investigative obligations.

The district 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.

**In the event that the district fails to investigate a complaint of discrimination, fails to document the outcome of an investigation of discrimination, or if discrimination continues after an investigation has concluded, individuals may report submit a complaint in accordance with applicable SRC policy.**[\[10\]](#)

### Definitions

**Qualified student with a disability/protected handicapped student** - a student who has a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of the district's educational programs, nonacademic services or extracurricular activities.[\[11\]\[12\]](#)

**Section 504/ Chapter 15 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, **administrators or designers**, counselors, psychologists, school nurses, **related service providers**, outside care providers and the student's parents/guardians.[\[3\]\[8\]](#)

**Section 504 Service Agreement (Service Agreement/504 Plan)** - an individualized plan for a qualified student with a disability/protected handicapped student which sets forth the specific related aids, services, or accommodations needed by the student, which shall be implemented in school, in transit to and from school, and in all programs and procedures, so that the student has equal access to the benefits of the school's educational programs, nonacademic services, and extracurricular activities.[\[13\]](#)

**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 school's educational programs, nonacademic services, or extracurricular activities.[\[14\]](#)

### **Delegation of Responsibility**

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the SRC shall designate a district **Section 504/Chapter 15** Coordinator.[\[15\]](#)

In addition, each school within the district shall have a **Section 504/Chapter 15** Administrator and case manager.

The district shall publish and disseminate this policy and a complaint procedure on or before the first day of each school year by posting it on the district's website and in school calendars or brochures. The district shall notify parents/guardians of students residing in the district of the district's responsibilities under applicable laws and regulations, and that the district does not discriminate against qualified individuals with disabilities/**protected handicapped students**. **The notice shall include the name, position, office address, telephone number and email address of the Section 504/Chapter 15 Coordinator.**[\[16\]\[17\]](#)

### **Guidelines**

**This policy shall be made available in English and all other languages necessary to facilitate understanding by district residents.**

## Regulatory Procedure

### Identification and Evaluation

The district shall conduct an annual child find campaign to locate and identify every district student with a disability thought to be eligible for Section 504 services and protections. The district may combine this search with the district's IDEA child find efforts, in order to not duplicate efforts.[\[17\]](#)[\[18\]](#)

If a parent/guardian or the district has reason to believe that a student should be identified as a qualified student with a disability/protected handicapped student, should no longer be identified as a qualified student with a disability/protected handicapped student, or requires a change in or modification of the student's current Service Agreement, the parent/guardian or the district shall provide the other party with written notice.[\[19\]](#)[\[20\]](#)[\[21\]](#)

The district's notices to the parents/guardians shall be in the parents'/guardians' native language or mode of communication.

The district shall 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.[\[21\]](#)

The district 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.[\[21\]](#)

The district shall establish procedures for evaluation and placement that assure tests and other evaluation materials:

1. Have been validated and are administered by trained personnel.
2. Are tailored to assess educational need and are not based solely on IQ scores.
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).

### Service Agreement

If a student is determined to be a qualified student with a disability/protected handicapped student, the district shall develop a written Service Agreement for the delivery of all appropriate aids, services, or accommodations necessary to provide the student with FAPE.[\[13\]](#)

The Service Agreement shall be in writing and signed by the principal **or designee** and one (1) parent/guardian. Oral agreements may not be relied upon.[\[13\]](#)

The Service Agreement shall set forth the date the services shall begin; the date the services shall be discontinued; when appropriate, the procedure to be followed in the event of a medical emergency; specific related aids, services or accommodations the student shall receive, or if an agreement is being modified, the modified services the student shall receive.

The district shall not modify or terminate a student's current Service Agreement without the parent's/guardian's written consent.[\[19\]](#)

### Educational Programs/Nonacademic Services/Extracurricular Activities

The district shall educate a qualified student with a disability/protected handicapped student with students who are not disabled to the maximum extent appropriate to the needs of the student. A qualified student with a disability/protected handicapped student shall be removed from the regular educational environment only when the district 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.[\[22\]](#)[\[23\]](#)

The district shall not discriminate against any qualified student with a disability/protected handicapped student in its provision of nonacademic services and extracurricular activities including, but not limited to, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs, and referrals to agencies which provide assistance to individuals with disabilities.[\[22\]](#)[\[23\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)[\[27\]](#)[\[28\]](#)

### Discipline

When necessary, the district shall discipline qualified students with disabilities/protected handicapped students in accordance with state and federal laws and regulations, SRC policies **and district administrative procedures.**[\[29\]](#)[\[30\]](#)[\[31\]](#)

### Parental Involvement

Parents/Guardians have the right to inspect and review all relevant school records of the student, meet with the appropriate 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.[\[13\]](#)[\[20\]](#)[\[21\]](#)[\[32\]](#)

### Confidentiality of Student Records

All personally identifiable information regarding a qualified student with a disability/protected handicapped student 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 SRC policy.[\[33\]](#)[\[34\]](#)[\[35\]](#)

### **Referral to Law Enforcement and Reporting Requirements**

**For reporting purposes, the term incident shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.**[\[36\]](#)[\[37\]](#)[\[38\]](#)

**The Superintendent, Office of School Safety or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a qualified student with a disability/protected handicapped student, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement, and SRC policies. The Superintendent or designee shall respond in a manner that is consistent with the student's Service Agreement and Behavior Support Plan, if applicable.**[\[11\]](#)[\[13\]](#)[\[22\]](#)[\[30\]](#)[\[34\]](#)[\[36\]](#)[\[39\]](#)[\[40\]](#)[\[41\]](#)[\[42\]](#)[\[43\]](#)[\[44\]](#)[\[45\]](#)[\[46\]](#)[\[47\]](#)[\[48\]](#)[\[49\]](#)

**In making a determination of whether to notify the local police department of a discretionary incident committed by a qualified student with a disability/protected handicapped student, including a student for whom an evaluation is pending, the Superintendent, Office of School Safety or designee shall use the same criteria used for students who do not have a disability.**[\[40\]](#)[\[49\]](#)[\[50\]](#)[\[9\]](#)

**For a qualified student with a disability/protected handicapped student who does not have a Behavior Support Plan as part of the student's Service Agreement, subsequent to notification to law enforcement, the district, in consultation with the student's parent/guardian, shall consider whether a Behavior Support Plan should be developed as part of the Service Agreement to address the student's behavior.**[\[13\]](#)[\[41\]](#)

**In accordance with state law, the Superintendent shall annually, by July 31, report to the Office for Safe Schools on the required form all new incidents committed by qualified students with disabilities/protected handicapped students, including students for whom an evaluation is pending, which occurred on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity.**[\[37\]](#)[\[49\]](#)

### Procedural Safeguards

The district shall 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/protected handicapped student, 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.[\[32\]](#)[\[51\]](#)

A student or parent/guardian filing a claim of discrimination need not exhaust these procedures prior to initiating court action under Section 504.[\[20\]](#)

### ~~Parental Request For Assistance—~~

~~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:~~[\[32\]](#)

- ~~1. The district is not providing the related aids, services and accommodations specified in the student's Service Agreement.~~
- ~~2. The district has failed to comply with the procedures and state regulations.~~

~~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 and district 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.~~[\[32\]](#)

### ~~Informal Conference—~~

~~At any time, parents/guardians may file a written request with the district 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 district shall convene an informal conference. At the conference, every effort shall be made to reach an amicable agreement.~~[\[32\]](#)

### ~~Formal Due Process Hearing—~~

~~If the matters raised by the district or parents/guardians are not resolved at the informal conference, the district 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.~~[\[32\]](#)[\[52\]](#)

### ~~Judicial Appeals—~~

~~The decision of the impartial hearing officer may be appealed to a court of competent jurisdiction.~~[\[32\]](#)

## **Regulatory Procedure**

### Complaint Procedure

This complaint procedure is in addition to and does not prevent parents/guardians from using any option in the procedural safeguards system.[\[9\]](#)

### **Step 1—Reporting**

~~A student or his/her parent/guardian who believes s/he has been subject to conduct **by any student, employee or third party** that constitutes a violation of this policy is encouraged to immediately report the incident to the Section 504/Chapter 15 case manager or to any other~~

member of the school staff, including teachers, guidance counselors, ~~nurses~~, coaches and administrators.

A school employee who witnesses, 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/Chapter 15 case manager or designee.

If the Section 504/Chapter 15 case manager is the subject of a complaint, the student, parent/guardian or employee shall report the incident directly to the district's Section 504/Chapter 15 Coordinator.

The complainant or reporting employee is encouraged to use the report form available from the Section 504/Chapter 15 building administrator, but oral complaints shall be acceptable. Oral complaints shall be documented by the Section 504/Chapter 15 case manager.

## **Step 2—Investigation**

Upon receiving a complaint of discrimination, the Section 504/Chapter 15 administrator, case manager or designee shall investigate the complaint, unless the Section 504/Chapter 15 administrator, case manager or designee is the subject of the complaint or is unable to conduct the investigation.

~~The Section 504/Chapter 15 administrator, case manager or designee shall conduct an adequate, reliable and impartial investigation and shall provide the opportunity for each party to present witnesses and other evidence.~~

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.

The investigator shall attempt to secure statements from all participants in, and witnesses to the complaint. The accused shall have the right of representation during his/her interview as required by the applicable collective bargaining agreement or practice.

~~If the investigation results in a determination that the conduct being investigated may involve a violation of criminal law, the building administrator or designee 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. The investigator should coordinate with any other ongoing district or criminal investigation of the incident.~~

All investigations shall be completed by the assigned investigator within fourteen (14) days from the filing date of the complaint. Extenuating circumstances for not being able to comply with the deadline must be approved by the Section 504/Chapter 15 Coordinator. The extension must be a specified period of time not exceeding fourteen (14) days, and must be communicated to the complainant.

### Step 3—Investigative Report

~~The Section 504/Chapter 15 administrator, case manager or designee shall prepare a written report to the Section 504/Chapter 15 Coordinator within fourteen (14) 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, the basis for the determination and a recommended disposition of the complaint.~~

~~The complainant and the accused shall be provided written notice of the outcome of the investigation, including the recommended disposition. The accused shall not be notified of the individual remedies offered or provided to the complainant.~~[\[33\]](#)

### Step 4—District Action

~~If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases. The district shall take steps to prevent the recurrence of prohibited conduct and to correct the discriminatory effect on the complainant and others, if appropriate. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant.~~[\[33\]](#)

~~Disciplinary actions shall be consistent with the Code of Student Conduct, SRC policies and administrative 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 or the accused 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 Section 504/Chapter 15 Coordinator within fifteen (15) days.~~
- ~~2. The Section 504/Chapter 15 Coordinator shall review the investigation and the investigative report and may also conduct a reasonable investigation.~~
- ~~3. The Section 504/Chapter 15 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/Chapter 15 case manager who conducted the initial investigation.~~

### Legal References:

1. 22 PA Code 12.1
2. 22 PA Code 12.4
3. 22 PA Code 15.1 et seq
4. 22 PA Code 4.4



5. 29 U.S.C. 794  
6. 42 U.S.C. 12101 et seq  
7. 28 CFR Part 35  
8. 34 CFR Part 104  
9. Pol. 103  
10. Pol. 906  
11. 22 PA Code 15.2  
12. 42 U.S.C. 12102  
13. 22 PA Code 15.7  
14. Pol. 248  
15. 34 CFR 104.7  
16. 22 PA Code 15.4  
17. 34 CFR 104.32  
18. Pol. 113  
19. 22 PA Code 15.5  
20. 22 PA Code 15.6  
21. 34 CFR 104.35  
22. 22 PA Code 15.3  
23. 34 CFR 104.34  
24. 34 CFR 104.37  
25. Pol. 112  
26. Pol. 122  
27. Pol. 123  
28. Pol. 810  
29. Pol. 113.1  
30. Pol. 218  
31. Pol. 233  
32. 22 PA Code 15.8  
33. 20 U.S.C. 1232g  
34. 22 PA Code 15.9  
35. Pol. 216  
36. 22 PA Code 10.2  
37. 24 P.S. 1303-A  
38. 35 P.S. 780-102  
39. 22 PA Code 10.21  
40. 22 PA Code 10.22  
41. 22 PA Code 10.23  
42. 22 PA Code 10.25  
43. 24 P.S. 1302.1-A  
44. Pol. 113.2  
45. Pol. 218.1  
46. Pol. 218.2  
47. Pol. 222  
48. Pol. 227  
49. Pol. 805.1  
50. 22 PA Code 15.1  
51. 34 CFR 104.36  
52. 22 PA Code 14.162

**Related Information:**

28 CFR Part 35

34 CFR Part 99

Philadelphia Code of Ordinances (Fair Practice Ordinance) - 9-1101 et seq

Philadelphia Commission on Human Relations Guidance

**ADMINISTRATIVE PROCEDURES: NONDISCRIMINATION – QUALIFIED  
STUDENTS WITH DISABILITIES/PROTECTED HANDICAPPED STUDENTS  
(Attachment for Policy No. 103.1)**

**Parental Request For Assistance –**

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:[\[1\]](#)

1. The district is not providing the related aids, services and accommodations specified in the student's Service Agreement.
2. The district has failed to comply with the procedures and state regulations.

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 and district 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.[\[1\]](#)

**Informal Conference –**

At any time, parents/guardians may file a written request with the district 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 district shall convene an informal conference. At the conference, every effort shall be made to reach an amicable agreement.[\[1\]](#)

**Formal Due Process Hearing –**

If the matters raised by the district or parents/guardians are not resolved at the informal conference, the district 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.[\[1\]](#)[\[2\]](#)

**Judicial Appeals –**

The decision of the impartial hearing officer may be appealed to a court of competent jurisdiction.[\[1\]](#)

## **Complaint/Grievance Procedure**

### Complaint Procedure

This complaint procedure is in addition to and does not prevent parents/guardians from using any option in the procedural safeguards system.[3]

#### Step 1 – Reporting

A student or his/her parent/guardian who believes s/he has been subject to conduct by any student, employee or third party that constitutes a violation of this policy is encouraged to immediately report the incident to the Section 504/Chapter 15 case manager or to any other member of the school staff, including teachers, guidance counselors, nurses, coaches and administrators.

A school employee who witnesses, 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/Chapter 15 case manager or designee.

If the Section 504/Chapter 15 case manager is the subject of a complaint, the student, parent/guardian or employee shall report the incident directly to the district's Section 504/Chapter 15 Coordinator.

The complainant or reporting employee is encouraged to use the report form available from the Section 504/Chapter 15 building administrator, but oral complaints shall be acceptable. Oral complaints shall be documented by the Section 504/Chapter 15 case manager.

#### Step 2 – Investigation

Upon receiving a complaint of discrimination, the Section 504/Chapter 15 administrator, case manager or designee shall investigate the complaint, unless the Section 504/Chapter 15 administrator, case manager or designee is the subject of the complaint or is unable to conduct the investigation.

The Section 504/Chapter 15 administrator, case manager or designee shall conduct an adequate, reliable and impartial investigation and shall provide the opportunity for each party to present witnesses and other evidence.

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.

The investigator shall attempt to secure statements from all participants in, and witnesses to the complaint. The accused shall have the right of representation during his/her interview as required by the applicable collective bargaining agreement or practice.

If the investigation results in a determination that the conduct being investigated may involve a violation of criminal law, the building administrator or designee 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. The investigator should coordinate with any other ongoing district or criminal investigation of the incident.

All investigations shall be completed by the assigned investigator within fourteen (14) days from the filing date of the complaint. Extenuating circumstances for not being able to comply with the deadline must be approved by the Section 504/Chapter 15 Coordinator. The extension must be a specified period of time not exceeding fourteen (14) days, and must be communicated to the complainant.

### Step 3 – Investigative Report

The Section 504/Chapter 15 administrator, case manager or designee shall prepare a written report to the Section 504/Chapter 15 Coordinator within fourteen (14) 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, the basis for the determination and a recommended disposition of the complaint.

The complainant and the accused shall be provided written notice of the outcome of the investigation, including the recommended disposition. The accused shall not be notified of the individual remedies offered or provided to the complainant.[\[4\]](#)

#### Step 4 – District Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases. The district shall take steps to prevent the recurrence of prohibited conduct and to correct the discriminatory effect on the complainant and others, if appropriate. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant.[\[4\]](#)

Disciplinary actions shall be consistent with the Code of Student Conduct, SRC policies and administrative 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 or the accused 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 Section 504/Chapter 15 Coordinator within fifteen (15) days.
2. The Section 504/Chapter 15 Coordinator shall review the investigation and the investigative report and may also conduct a reasonable investigation.
3. The Section 504/Chapter 15 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/Chapter 15 case manager who conducted the initial investigation.

#### Legal References:

1. 22 PA Code 15.8
2. 22 PA Code 14.162
3. Pol. 103
4. 20 U.S.C. 1232g

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 100 Programs

TITLE: Curriculum  
Development

ADOPTED: April 27, 1981

REVISED: December 17,  
1990

## 105 CURRICULUM DEVELOPMENT

### Purpose

**Superintendent or his/her designee** recognizes its responsibility for the **development, assessment** and improvement of the educational program **of the schools**. To this **end**, the curriculum shall be evaluated, developed **and modified** on a continuing basis **and** in accordance with **a plan for curriculum improvement**.[\[1\]](#)

### Definition

**Curriculum** - series of planned instruction aligned with established academic standards in each subject that is coordinated, articulated and implemented in a manner designed to result in the achievement of academic standards at or above the proficient level of all students.[\[2\]](#)[\[3\]](#)[\[4\]](#)

### Authority

**The SRC is responsible for the curriculum of the district's schools. The curriculum shall be designed to provide students the opportunity to achieve the academic standards established by the SRC. Attaining the academic standards requires students to demonstrate the acquisition and application of knowledge.**[\[1\]](#)[\[2\]](#)[\[4\]](#)

**In order to provide a quality educational program for district students, the SRC shall adopt a curriculum plan that includes 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 strategies for assisting those students having difficulty attaining the academic standards.**[\[1\]](#)[\[2\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)

### Mandatory Regulatory Procedure

**The SRC is committed to the support of a full range of curricular programs. The district's curriculum shall provide the following:**

- 1. Continuous learning through effective collaboration among the schools of this district.**

2. **Continuous access for all students to sufficient programs and services of a library/media facility and classroom collection to support the educational program.**[9]
3. **Guidance and counseling services for all students to assist in career and academic planning.**[10]
4. **A continuum of educational programs and services for all students with disabilities, pursuant to law, regulations, and policies as adopted by the SRC .**[11]
5. **Limited English Proficiency programs for students whose dominant language is not English, pursuant to law, regulations, and policies as adopted by the SRC.**[12]
6. **Compensatory education programs for students, pursuant to law, regulations, and policies as adopted by the SRC.**
7. **Equal educational opportunity for all students, pursuant to law, regulations, and policies as adopted by the SRC.**[13][14]
8. **Career awareness and vocational education, pursuant to law, regulations, and policies as adopted by the SRC.**[15]
9. **Educational opportunities for identified gifted students, pursuant to law, regulations, and policies as adopted by the SRC.**[16]
10. **Regular and continuous instruction in required safety procedures.**[17]

**A listing of all curriculum materials shall be made available for the information of parents/guardians, students, staff and Commissioners.**[1][18]

### **Delegation of Responsibility**

**As the educational leader of the district, the Superintendent shall be responsible to the SRC for the district's curriculum. S/He shall establish procedures for curriculum development, evaluation and modification, which ensure the utilization of available resources, and effective participation of administrators, teaching staff members, and community members.**[1]

**With prior SRC approval, the Superintendent may conduct pilot programs as deemed necessary to the continuing improvement of the instructional program. The Superintendent shall report periodically to the SRC on the status of each pilot program, along with its objectives, evaluative criteria, and costs.**

**The SRC directs the Superintendent to pursue actively state and federal aid in support of research activities.**

### **Legal References:**



1. 22 PA Code 4.4
2. 22 PA Code 4.12
3. 22 PA Code 4.3
4. Pol. 106 - Academic Standards
5. 24 P.S. 1511
6. 24 P.S. 1512
7. Pol. 107 - Adoption of Planned Instruction
8. Pol. 127 - Assessment System
9. Pol. 109 - Resource Materials
10. Pol. 112 - Guidance Counseling
11. Pol. 113 - Special Education
12. Pol. 138 - English as a Second Language/Bilingual Education Program
13. Pol. 103 - Nondiscrimination in School and Classroom Practices
14. Pol. 103.1 - Nondiscrimination-Qualified Students With Disabilities/Protected Handicapped Students
15. Pol. 115 - Career and Technical Education
16. Pol. 114 - Gifted Education
17. Pol. 805 - Emergency Preparedness
18. Pol. 105.1 - Review of Instructional Materials by Parents/Guardians and Students

**Related Information:**

- 24 P.S. 696
- 22 PA Code 4.21
- 22 PA Code 4.22
- 22 PA Code 4.23
- 22 PA Code 4.25
- 22 PA Code 4.26
- 22 PA Code 4.27
- 22 PA Code 4.29
- 22 PA Code 4.82

# THE SCHOOL DISTRICT OF PHILADELPHIA

No. 107

SECTION:100 Programs

TITLE: Adoption of Planned  
Instruction

ADOPTED:

REVISED: January 19, 2017

## 107 ADOPTION OF PLANNED INSTRUCTION

### Purpose

**The School Reform Commission shall provide a comprehensive program of planned instruction to enable district students to achieve educational objectives and attain academic standards required for student achievement. Planned instruction shall consist of the following:**[\[1\]](#)[\[2\]](#)

1. Content, **including** materials, activities and instructional **time**.

### Delegation of Responsibility

The Superintendent **or designee** shall be responsible for continuous evaluation of the effectiveness of **the district's planned instruction** and shall recommend to the **SRC** new **and revised planned instruction** deemed to be in the best interests of **district** students.

**The Superintendent or designee shall invite the participation of administrative and professional staff members at appropriate levels in the formulation of recommendations.**

**The Superintendent or designee shall maintain a current list of all planned instruction offered by this district and shall furnish each Commissioner with a copy.**

### Mandatory Regulatory Procedures

The Superintendent's **or designee's** recommendation **shall** include the following information about the proposed **planned instruction**:

1. Applicability to students and an enumeration of the group of students affected.
2. Rationale in terms of district goals and **academic standards and justification** when it is proposed to take the place of an existing course.
3. Resources that its implementation will require, **such as** textbooks, materials, equipment, **and personnel**.

4. **Assessment** methods and **criteria** by which its **effectiveness** will be monitored and measured.

**Legal References:**

1. 22 PA Code 4.12
2. Pol. 105

**Related Information:**

- 22 PA Code 4.3
- 22 PA Code 4.11

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 100 Programs

TITLE: Home Education  
Programs

ADOPTED:

REVISED:

## 137 (NEW) HOME EDUCATION PROGRAMS

### Authority

Home education programs shall provide an appropriate education for students of compulsory school age residing in the school district and shall be conducted in accordance with state law and regulations.[\[1\]](#)[\[2\]](#)[\[3\]](#)

### Definitions

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

Home education program - a program conducted in compliance with law by the parent/guardian or person having legal custody of a child. A home education program shall not be considered a nonpublic school under the provisions of law.[\[2\]](#)

### Delegation of Responsibility

The Superintendent or designee shall develop and distribute administrative procedures for registering and monitoring home education programs.

### Legal References:

- [1. 24 P.S. 1327](#)
- [2. 24 P.S. 1327.1](#)
- [3. 22 PA Code 11.31a](#)

### Related Information:

- [24 P.S. 111](#)
- [22 PA Code 11.33](#)

# THE SCHOOL DISTRICT OF PHILADELPHIA

No. 137.1 (NEW)

SECTION: 100 Programs

TITLE: Extracurricular  
Participation By Home  
Education Students

ADOPTED:

REVISED:

## 137.1 (NEW) EXTRACURRICULAR PARTICIPATION BY HOME EDUCATION STUDENTS

### Authority

The School Reform Commission shall approve participation in the district's extracurricular activities and interscholastic athletic programs by a student enrolled in a home education program subject to the following conditions:[\[1\]](#)[\[2\]](#)

1. The student shall be a resident of the school district.
2. The student shall meet the required eligibility criteria.[\[3\]](#)[\[4\]](#)
3. The student shall maintain appropriate insurance coverage, consistent with the coverage requirements for district students.[\[4\]](#)
4. The student shall comply with SRC policies and school rules and regulations regarding extracurricular activities, interscholastic athletics, and student discipline.[\[3\]](#)[\[4\]](#)[\[5\]](#)
5. The student shall comply with policies, rules and regulations, or their equivalent, of the activity's governing organization.
6. The student shall meet attendance and reporting requirements established for all participants of the activity or program.[\[6\]](#)
7. The student shall meet the requirements for physical examinations and physical fitness and any height and/or weight restrictions established for all participants of the activity or program.[\[4\]](#)
8. The student shall comply with all requirements and directives of the district staff, coaches and administrators involved with the extracurricular activity or interscholastic athletic program.

**The SRC shall not provide individual transportation for students enrolled in home education programs who participate in the district's extracurricular activities or interscholastic athletic programs. When the district provides transportation to and from an away competition, game, event or exhibition and requires district students to use district transportation, home education students shall be required to use the transportation provided by the district.**

### **Mandatory Regulatory Procedures**

**Students attending home education programs shall be given an equal opportunity to compete for positions and participate in district extracurricular activities and interscholastic athletic programs.**

**A home education student may participate in extracurricular activities and interscholastic athletic programs only at the school building the student would be assigned to if s/he was enrolled in the school district.**

**Prior to trying-out or joining an activity, a home education student shall submit required documents and written verification of eligibility to the building principal or designee.**

**To be considered in attendance in accordance with SRC policy, the home education student must participate in a full, normally scheduled academic program, in accordance with the planned home education program and submitted documentation.[2][6]**

### **Delegation of Responsibility**

**The building principal or designee shall ensure that home education students have access to information regarding the district's extracurricular activities and interscholastic athletic programs.**

**The building principal or designee shall receive and review verification from the parent/guardian that a student has met and continues to meet the established eligibility criteria for an extracurricular activity or interscholastic athletic program.**

**The building principal or designee shall distribute information regarding eligibility criteria and student participation in extracurricular activities and interscholastic athletics to all affected by them.**

### **Legal References:**

1. 24 P.S. 1327.1
2. Pol. 137 - Home Education Programs
3. Pol. 122 - Extracurricular Activities
4. Pol. 123 - Interscholastic Athletics
5. Pol. 218 - Student Conduct and Discipline
6. Pol. 204 - Attendance

### **Related Information:**

24 P.S. 511



# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 200 Pupils

TITLE: Use of Medication/  
Medical Technology

ADOPTED: August 24, 2011

REVISED: October 13, 2016

## 210 USE OF MEDICATION/ MEDICAL TECHNOLOGY

### **Purpose**

The School Reform Commission shall not be responsible for the diagnosis and treatment of student illness. The administration of medication or utilization of **medical technology** should take place at home; however, students with health problems may require medication or **medical technology as defined in this policy** in order to permit them to function at as close to a normal level as possible in the classroom.

### **Definitions**

**Medication** - all medicines, including over-the-counter medicines prescribed by a licensed prescriber and an executed medical consent form by the parent and licensed prescriber.

**Medical technology** - suction, oxygen, or other types of equipment **used to treat or respond to a student's medical condition.**

**Licensed prescribers** -licensed physicians (M.D. and D.O.), podiatrists, dentists, optometrists, certified registered nurse practitioners and physician assistants.

### **Authority**

**The SRC directs all district employees to comply with the Pennsylvania Department of Health's Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Health Care.**

Before any medical technology may be utilized and before any medication may be administered to or by any student during school hours, the SRC shall require the written request of the parent/guardian, giving permission for such administration, and the written order of the licensed prescriber.[\[1\]](#)

### **Delegation of Responsibility**

The Superintendent or designee, in conjunction with the Office of School Health Services, shall develop administrative procedures for the administration and self-administration of students' medications and use of medical technology.



All medications and/or use of medical technology shall be administered by the Certified School Nurse, **or in the absence of the Certified School Nurse by other licensed school health staff (RN, LPN), except as otherwise noted in this policy.**

In the event of an emergency, any district employee may administer emergency care, first aid or rescue when s/he believes, in good faith, that a student needs emergency care, first aid or rescue.[\[2\]](#)

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

### **Mandatory Regulatory Procedures**

The district shall inform all parents/guardians, students and staff about the policy and **administrative** procedures governing the administration of medications and use of medical technology.

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

Student health records shall be confidential and maintained in accordance with state and federal laws and regulations, the Department of Health Guidelines, and SRC policies **and administrative procedures.**[\[3\]](#)[\[4\]](#)

Students may possess and use asthma inhalers, epinephrine auto-injectors and other emergency medications in accordance SRC policy.[\[5\]](#)

The administration of medication or utilization of medical **technology** shall be consistent with the school health program established by the SRC and, where applicable, any accommodations outlined in a student's Individualized Education Plan (IEP) or Section 504 Service Agreement.[\[7\]](#)[\[8\]](#)

### **Delivery and Storage of Medications and Medical Technology**

**Procedures shall be developed for the delivery and storage of Medication and Medical Technology specifying:**

- 1. Procedures for delivering to District facilities for storage.**
- 2. The appropriate manner of storage and the supply on hand.**
- 3. District approved forms for delivery and storage.**
- 4. Procedures for proper record keeping.**

## Disposal of Medications

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

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

## Student Self-Administration

In specific cases, individual students shall be allowed to be directly responsible for the maintenance and administration of their medication with minimal supervision. Procedures shall be developed for allowing students to self-administer medication.

**Prior to allowing a student to self-administer medication, the district shall require the following:**

1. **An order from the licensed prescriber for the medication, including a statement that it is necessary for the student to carry the medication and that the student is capable of self-administration.**
2. **Written parent/guardian consent.**
3. **An Individual Health Plan including an Emergency Care Plan.**
4. **A baseline assessment of the student's health status, conducted by the nurse.**

**In order to self-administer medication, the student must demonstrate the ability to:**

1. Respond to and visually recognize his/her name.
2. Identify his/her medication.
3. Wash hands properly.
4. Measure, pour and administer the prescribed dosage of the medication.

5. Sign the medication sheet as acknowledgment of having taken the medication/treatment.
6. Demonstrate a cooperative attitude in all aspects of self-administration of medication/treatment.
7. Notify an adult when medication is gone.

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

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

Privileges for self-administration of medication will be revoked if school policies are abused ignored, or the student is otherwise not willing or able to follow the established policies and procedures.

#### Administration of Medication/Medical Technology During Field Trips and Other School-Sponsored Activities

The district directs planning for field trips and other school-sponsored activities to start early in the school year and to include collaboration between administrators, teachers, nurses, appropriate parents/guardians and other designated health officials.[6]

Decisions regarding administration of medication/medical technology during field trips and other school-sponsored programs and activities shall be based on the student's individual needs.

#### ADMINISTRATIVE PROCEDURES FOR ADMINISTRATION OF MEDICATION/TECHNOLOGY

All medication and medical technology shall be brought to the nurse's office, or the main office if the nurse is in another building, by the parent/guardian or by another adult designated by the parent/guardian. All medication shall be stored in the original pharmacy-labeled container and kept in a locked cabinet designated for storage of medication. **Medications that require refrigeration shall be stored and locked in a refrigerator designated only for medications. The district shall not store more than a thirty-day supply of an individual student's medication.**

Medication and medical technology should be recorded and logged in with the date, name of student, name of medication, amount of medication, and signatures of the parent/guardian or designated adult delivering the medication and/or medical technology and the school health personnel receiving the medication and/or medical technology.

All medication and medical technology shall be accompanied by the appropriate district-approved form, or other written communication from the licensed prescriber.

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

An inventory of the medication, dosage used and supply remaining shall be properly recorded in the district's student information system.

### Student Self-Administration

In specific cases, individual students shall be allowed to be directly responsible for the maintenance and administration of their medication with minimal supervision. **Prior to allowing a student to self-administer medication, the district shall require the following:**

- 5. An order from the licensed prescriber for the medication, including a statement that it is necessary for the student to carry the medication and that the student is capable of self-administration.**
- 6. Written parent/guardian consent.**
- 7. An Individual Health Plan including an Emergency Care Plan.**
- 8. A baseline assessment of the student's health status, conducted by the nurse.**

**In order to self-administer medication,** the student must demonstrate the ability to:

8. Respond to and visually recognize his/her name.
9. Identify his/her medication.
10. Wash hands properly.
11. Measure, pour and administer the prescribed dosage of the medication.
12. Sign the medication sheet as acknowledgment of having taken the medication/treatment.
13. Demonstrate a cooperative attitude in all aspects of self-administration of medication/treatment.
14. Notify an adult when medication is gone.

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

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

Privileges for self-administration of medication will be revoked if school policies are abused ignored, or the student is otherwise not willing or able to follow the established policies and procedures.

**Legal References:**

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

**Related Information:**

- 24 P.S. 510
- 24 P.S. 1401
- 24 P.S. 1402
- 24 P.S. 1414.1
- Philadelphia Home Rule Charter - 12-300
- 55 PA Code 3270.133
- Pennsylvania Department of Health Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Care, March 2010

*This sample form was included in the Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Care. Do not use this form prior to consultation with your school solicitor.*

**Medication Administration Consent And  
Licensed Prescriber Order  
(Attachment to Policy No. 210)**

**(School District Name)**

Student Name: \_\_\_\_\_ Date/Time: \_\_\_\_\_

School: \_\_\_\_\_ Teacher/Grade: \_\_\_\_\_

In accordance with school policy, medication(s) should be given at home before and/or after school. However, when this is not possible, prior to receiving the medication at school, each student must provide the school nurse with a *Medication Administration Consent* form signed by the student's parent/guardian and a *Medication Order* from a licensed prescriber. All medications must be in an original prescription bottle/container from a pharmacy.

**Parent/Guardian Consent:**

I give my permission for my child, \_\_\_\_\_, to receive the following medication by a licensed prescriber during the school day. I understand that the medications will be given by school health personnel according to my child's licensed prescriber's directions.

Parent/Guardian signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian name printed: \_\_\_\_\_ Phone: \_\_\_\_\_

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**Licensed Prescriber Medication Order:**

**Patient's name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Name of medication:** \_\_\_\_\_

**Route and dosage:** \_\_\_\_\_

**Time of administration:** \_\_\_\_\_

**Directions:** \_\_\_\_\_

\_\_\_\_\_  
**Discontinuation date:** \_\_\_\_\_

**Allergies:** \_\_\_\_\_

**Licensed prescriber signature:** \_\_\_\_\_

**Licensed prescriber name printed:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 200 Pupils

TITLE: Student Records

ADOPTED: December 21, 2011

REVISED:

## 216 STUDENT RECORDS

### Purpose

The district recognizes its responsibility for the collection, retention, disclosure and protection of student records. The **district** also recognizes the legal requirement to maintain the confidentiality of student records and prohibits the unauthorized access, reproduction, and/or disclosure of student education records and personally identifiable information from such records.

### Definitions

**Attendance** - includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and the period during which a person is working under a work-study program.[\[1\]](#)

**Directory information** - information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. **Directory information** includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status; dates of attendance; participation in officially recognized 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.[\[1\]](#)[\[2\]](#)

**Directory information** - does not include a student's Social Security Number; or student identification (ID) number, except that directory information may include a student ID number, user ID, or other unique personal identifier used by the student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one (1) or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.

**Disclosure** - permitting access to or the release, transfer or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party, except the party that provided or created the record.[\[1\]](#)

**Education records** - records that are directly related to a student, maintained by the school district or by a party acting for the school district.[\[1\]\[2\]](#)

The term does not include:

1. Records kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to another individual ~~except a temporary substitute for the maker of the record.~~
2. Records of the law enforcement unit of an educational agency or institution, subject to the provisions of law and regulations.[\[3\]](#)
3. Records created or received by the district after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student.
4. Grades on peer-graded papers before they are collected and recorded by a teacher.
5. Other records specifically excluded from the definition of education record under the Family Educational Rights and Privacy Act, and implementing regulations.

**Eligible student** - a student who has attained eighteen (18) years of age or is attending an institution of postsecondary education. ~~All rights accorded to and consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student. In cases where an eligible student is dependent upon the parent as defined in Section 152 of the Internal Revenue Code, the district shall make the education records accessible to the parent of said student.~~[\[1\]\[4\]](#)

**Parent** - includes a natural parent, a guardian or an individual acting as a parent of a student in the absence of a parent/guardian. The district shall give full rights to either parent unless the district has been provided with evidence that there is a state law, court order, or a legally binding document governing such matters as divorce, separation, or custody that specifically revokes these rights.[\[1\]\[5\]](#)

**Personally identifiable information** - includes, but is not limited to:[\[1\]](#)

1. The name of a student, the student's parents or other family members.
2. The address of the student or student's family.
3. A personal identifier, such as the student's social security number, student number, or biometric record.
4. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name.
5. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not



have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

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

**Student** - includes any individual who is or has been in attendance at the district and regarding whom the district maintains education records.[\[1\]](#)

### **Authority**

The School Reform Commission shall adopt a comprehensive plan for the collection, maintenance and dissemination of student education records that complies with federal and state laws and regulations and state guidelines. Copies of the adopted student records plan shall be maintained by the district and revised as required by changes in federal or state law and regulations.[\[2\]\[6\]\[7\]\[8\]\[9\]\[10\]\[11\]\[12\]\[13\]\[14\]\[15\]\[16\]\[17\]](#)

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

### **Missing Child Registration**

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

In the event **the district receives** a request for **information** from the school records of a missing child, **the district shall:**[\[19\]](#)

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

**No information in the records shall be released without** written authorization from the law enforcement agency.

### **Delegation of Responsibility**

The Superintendent or designee, in consultation with district staff, shall be responsible for developing, implementing, and monitoring the student records plan.

All district personnel having access to student education records shall receive periodic training in the requirements of SRC policy, student records plan, and applicable federal and state laws and regulations.

Each district teacher shall prepare and maintain a record of the work and progress of each student, including the final grade and a recommendation for promotion or retention.[\[10\]](#)

## **Mandated Regulatory Procedure**

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

1. Adequate safeguards to protect the student and his/her family from an invasion of privacy when collecting, retaining and disclosing personally identifiable information.
2. Ensuring that parents and eligible students, including those who are disabled or have a primary language other than English, are effectively notified of their rights and the procedures to implement those rights, annually and upon enrollment.[\[20\]](#)
3. Procedures for the inspection, review, and copying of a student's education records by parents and eligible students. The district may charge a fee for copies of records that are made for parents so long as the fee does not effectively prevent parents from exercising their right to inspect and review those records. The district shall not charge a fee to search for or to retrieve information in response to a parental request.[\[21\]](#)[\[22\]](#)[\[23\]](#)
4. Procedures for requesting the amendment of a student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.[\[24\]](#)
5. Procedures for requesting and conducting hearings to challenge the content of the student's education records.[\[25\]](#)[\[26\]](#)
6. Enumerating and defining the types, locations and persons responsible for education records maintained by the district.
7. Determining the types of personally identifiable information designated as directory information.[\[1\]](#)[\[27\]](#)
8. Establishing guidelines for the disclosure and redisclosure of student education records and personally identifiable information from student records.[\[28\]](#)
9. Reasonable methods to ensure that school district officials obtain access to only those education records in which they have a legitimate educational interest. Such methods shall include criteria for determining who constitutes a school district official and what constitutes a legitimate educational interest.[\[20\]](#)[\[29\]](#)
10. Maintaining required records of requests for access and each disclosure of personally identifiable information from each student's education records.[\[30\]](#)
11. Ensuring appropriate review, retention, disposal and protection of student records.[\[31\]](#)
12. Transferring education records and appropriate disciplinary records to other school districts.[\[6\]](#)

## Student Recruitment

Procedures for disclosure of student records and personally identifiable information shall apply equally to military recruiters and postsecondary institutions and shall comply with law and SRC policy.[32]

### **Legal References:**

1. 34 CFR 99.3
2. 20 U.S.C. 1232g
3. 34 CFR 99.8
4. 34 CFR 99.5
5. 34 CFR 99.4
6. 24 P.S. 1305-A
7. 24 P.S. 1306-A
8. 24 P.S. 1402
9. 24 P.S. 1409
10. 24 P.S. 1532
11. 24 P.S. 1533
12. 22 PA Code 12.31
13. 22 PA Code 12.32
14. 22 PA Code 15.9
15. 22 PA Code 4.52
16. 34 CFR Part 300
17. 34 CFR Part 99
18. 35 P.S. 450.403-A
19. 35 P.S. 450.404-A
20. 34 CFR 99.7
21. 34 CFR 99.10
22. 34 CFR 99.11
23. 34 CFR 99.12
24. 34 CFR 99.20
25. 34 CFR 99.21
26. 34 CFR 99.22
27. 34 CFR 99.37
28. 34 CFR 99.30-99.39
29. 34 CFR 99.31
30. 34 CFR 99.32
31. Pol. 113.4 - Confidentiality of Special Education Student Information
32. Pol. 250 - Student Recruitment

### **Related Information:**

- 35 P.S. 450.401-A et seq
- 22 PA Code 16.65
- 55 PA Code 3270.181-3270.185
- Pol. 216.1 - Supplemental Discipline Records

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 200 Pupils

TITLE: Educational Stability  
for Children in Foster Care

ADOPTED:

REVISED:

## 255 (NEW) EDUCATIONAL STABILITY FOR CHILDREN IN FOSTER CARE

### Authority

To ensure the educational stability of children in foster care, the School Reform Commission requires the district to collaborate with the local children and youth agency and other school districts. [\[1\]](#)[\[2\]](#)[\[3\]](#)

### Definitions

**Additional costs** - the difference between what the district spends to transport a resident student to his/her assigned school and the cost to transport a child in foster care to his/her school of origin.

**Foster care** - twenty-four (24) hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and pre-adoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the state, tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is federal matching of any payments that are made. [\[4\]](#)

**School of origin** - the school in which a child is enrolled at the time of placement in foster care. If a child's foster care placement changes, the school of origin would then be considered the school in which the child is enrolled at the time of the placement change.

### Delegation of Responsibility

The Superintendent or designee, in conjunction with the Office of Student Rights and Responsibilities, shall designate a district point of contact for children in foster care, who shall have the duties and responsibilities imposed by law and SRC policy.

The district's point of contact shall coordinate with: [\[1\]](#)

1. Local children and youth agency to:

- a. Establish formal mechanisms to ensure that the district is promptly notified when a child enters foster care or changes foster care placements.
  - b. Develop a protocol on how to make best interest determinations; and
  - c. Develop and coordinate transportation procedures.
2. Other school districts on issues of transfer of records, transportation and other inter-district activities.

### **Training**

The district's point of contact for children in foster care shall provide professional development and training to school staff on the Title I foster care provisions and education needs of children in foster care, as needed.

### **Mandatory Regulatory Procedure**

A child in foster care shall continue to be enrolled in his/her school of origin unless there is a determination that it is not in his/her best interest to attend the school of origin.[\[1\]](#)

*Best Interest Determination* - The best interest determination shall be made in accordance with federal and state laws and regulations, court orders, and established local procedures.[\[1\]](#)

1. In determining whether it is in a child's best interest to remain in his/her school of origin, all factors relating to a child's best interest shall be considered, including the appropriateness of the current educational setting and proximity of foster care placement.[\[1\]](#)
2. Documentation related to the best interest determination shall be kept in the student's education record.

*Enrollment* - When a child in foster care is placed in the district and seeks enrollment in district schools, the district's point of contact shall:[\[1\]](#)[\[5\]](#)

1. Ensure the child is immediately enrolled and attending school, even if the records normally required for enrollment pursuant to district policies are not available.
2. Immediately contact the school last attended by the child to ~~obtain~~ ensure relevant academic and other records are transferred.

*Dispute Resolution* - If a dispute arises over the appropriate school placement for a child in foster care, to the extent feasible and appropriate, the child shall remain in his/her school of origin, pending resolution of the dispute.

***Assignment*** - If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize appropriate means to determine the student's assignment within the school.[6]

***Student Who Has Exited Foster Care*** - A student who exited foster care may be permitted to attend district schools, upon district approval and payment of tuition, if applicable.[7]

### **Education Records**

The district may disclose personally identifiable information from the education records of a student without written consent of the parent(s) or the eligible student if the disclosure is:[8][9][10]

1. To comply with a court order authorizing the disclosure of education records in a case where a parent is a party to a proceeding involving child abuse or neglect or a dependency matter.
2. To an agency caseworker or other representative of a state or local child welfare agency, or tribal organization, who has the right to access a student's case plan, as defined and determined by the state or tribal organization, when such agency or organization is legally responsible, in accordance with state or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the state or tribal laws applicable to protecting the confidentiality of a student's education records.

### **Transportation**

The district shall ensure that children in foster care needing transportation to their school of origin will promptly receive transportation in a cost-effective manner.[2][11]

To ensure that transportation for children in foster care is provided, arranged, and funded, the district shall collaborate with the local children and youth agency to develop a local transportation plan.[2]

The transportation plan shall address the following:[2]

1. The procedure the district and local children and youth agency will follow to:
  - a. Promptly provide transportation for children in foster care;
  - b. Promptly arrange transportation for children in foster care; and
  - c. Ensure transportation is funded in a cost-effective manner and in accordance with Section 475(4)(A) of the Social Security Act.

2. **How transportation costs will be covered if additional costs are incurred. Options include:**
  - a. **The local children and youth agency agrees to reimburse the district;**
  - b. **The district agrees to pay for the cost;**
  - c. **The district and the local children and youth agency agree to share the costs; or**
  - d. **The district of origin, the district of current residence, and the placing children and youth agency agree to share the costs.**
  
3. **Dispute resolution procedures to ensure that any disagreements regarding the cost of transportation are resolved promptly and fairly, and do not impact a student's ability to remain in the school of origin during the dispute resolution process.**

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

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

**Legal References:**

**1. 20 U.S.C. 6311**

**2. 20 U.S.C. 6312**

**3. 42 U.S.C. 675**

**4. 45 CFR 1355.20**

**5. Pol. 200 - Enrollment of Students**

**6. Pol. 206 - Assignment Within District**

**7. Pol. 202 - Eligibility of Nonresident Students**

**8. 20 U.S.C. 1232g**

**9. Pol. 113.4 - Confidentiality of Special Education Student Information**

**10. Pol. 216 - Student Records**

**11. Pol. 810 - Transportation**

**12. 34 CFR 299.13**

**Related Information:**

**34 CFR Part 99**

THE SCHOOL DISTRICT  
OF PHILADELPHIA

SECTION: 300 Employees

TITLE: Staff Use of Social  
Media and Electronic  
Communications

ADOPTED:

REVISED:

**316 (NEW) STAFF USE OF SOCIAL MEDIA AND ELECTRONIC  
COMMUNICATIONS**

**Purpose**

The District acknowledges that staff members' use of social media and electronic communications can be a powerful way to stay informed, connect, and share valuable resources and information, but can also offer another avenue for impropriety. To ensure that the educational environment is safe and conducive to learning, the School Reform Commission has set forth this policy articulating its expectations for staff members using social media and electronic communications.

**Definitions**

**Social Media** - any web-based and/or digital technologies that support interactive communication between organizations, communities, or individuals that allow the creation and exchange of user-generated content. Examples of social media include, but are not limited to, Facebook, Instagram, Snapchat, Twitter, YouTube, Messenger, LinkedIn, Google+, Vimeo, Pinterest, Flickr, WhatsApp, Tumblr, and Reddit.

**Electronic Communications** - any communication or interaction which occurs through electronic devices or means, including, but not limited to, computers, tablets, cellular and wireless devices, "smart phones", network capable music players, Internet appliances, and interactive web-based/Internet tools. Electronic communications ~~and interactions~~ include, but are not limited to, telephone calls, emails, text messages, social media website posts (text, video, and audio), electronic forums, private messages on social media websites, instant messages, video chats, and blogs.

**Student** - any individual currently enrolled in the School District of Philadelphia, including those attending alternative placements, as well as those Philadelphia residents who are homeschooled, enrolled in charter schools, attending nonpublic schools. A student is also defined as any child privately tutored by a District staff members outside the course of their employment with the District.

**Staff member** - all employees, student teachers, interns, residents, and volunteers of the School District of Philadelphia and any contractor or individual employed by a vendor or agency that provides services in or to the School District of Philadelphia.



### Authority

School District staff is expected to conduct activities in full compliance with all District policies [1][2][3][6][7], the Employee Code of Ethics [4], and other applicable Federal, State, and local laws [5].

Disciplinary action, up to and including termination, is warranted when the conduct:

- Endangers the health, safety, or welfare of students, staff members or the general public;
- Damages the reputation and image of the School District of Philadelphia as an educational institution;
- Has a negative impact on a staff member's ability to effectively perform his/her duties;
- Results in the disclosure of sensitive, inaccurate, confidential, or otherwise non-public information; and/or
- Is a violation of law or District Policy.

Disciplinary action may be taken to address staff member conduct that takes place outside of normal working hours or away from District facilities.

### Mandatory Regulatory Procedures

The Superintendent or his/her designee shall be responsible for implementing and monitoring implementation of this policy, as well as carrying out disciplinary action with regard to improper staff member use of social media and electronic communications.

The consequences for inappropriate use of social media and electronic communications will result in disciplinary action in accordance with established disciplinary procedures [1][2][3][4][6][7]; and, if the inappropriate use violates Federal, State, and/or local law [5], it will be formally reported to the proper legal authorities.

This policy is not intended to infringe on the constitutional rights of its staff members and will be applied consistent with Federal, State, and local law.

### Legal References:

1. [Policy 216- Student Records](#)
2. [Policy 815 Acceptable Use of Internet, Technology, and Network Resources](#)
3. [Policy 815.1 Internet and Media Presence](#)
4. [Policy 300- Employee Code of Ethics](#)
5. [Code of Professional Practice and Conduct for Educators](#)
6. [Policy 317 Conduct/Disciplinary Procedures](#)
7. [Policy 317.1 Educator Misconduct](#)

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 600 Finances

TITLE: District Audit

ADOPTED: April 27, 1981

REVISED:

## 619 DISTRICT AUDITS

### Purpose

The **School Reform Commission** recognizes the importance of the public's right to have access to the public records of the district, including public financial records. The public has the right under law to inspect and procure copies of the annual audit conducted by the district's external financial auditor, the City of Philadelphia Controller, the audit conducted by the PA Auditor General's office, and any other audits conducted by a legally authorized external auditor. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

### Authority

**The City of Philadelphia Controller is the independent financial auditor legally authorized to conduct the annual financial district audit. The annual financial district audit and all other legally authorized audits shall be conducted by the SRC shall appoint or employ persons or entities to conduct fiscal and performance audits in conformance with prescribed and legal standards. The completed audits shall be presented to the SRC for its examination, approval acceptance and public dissemination.** [\[2\]](#)[\[5\]](#)

~~The SRC recognizes its obligation to represent the best interests of all district residents and taxpayers. Therefore, the SRC shall make the results of the district's financial auditor's audit, the Auditor General's audit, and other legally authorized audits available to the public.~~

Special audits by special interest groups shall not be permitted.

### Delegation of Responsibility

**The Superintendent and SRC Chairperson shall annually, by December 31, submit a signed statement to the Pennsylvania Department of Education certifying that the financial statements of the school district have been properly audited pursuant to law and that in the independent auditor's opinion, the financial information submitted in the annual financial report is materially consistent with the audited financial statements. If the financial information is not deemed materially consistent, the district shall submit a revised annual financial report no later than December 31-[\[6\]](#) or upon completion of the financial audit by the City of Philadelphia Controller.**

### Legal References:

1. 24 P.S. 2401

2. 24 P.S. 696

3. 65 P.S. 67.701

4. Pol. 801 - Public Records

5. Philadelphia Home Rule Charter - 12-210

6. 24 P.S. 218

**Related Information:**

24 P.S. 437

24 P.S. 504

24 P.S. 511

24 P.S. 693

24 P.S. 1337

24 P.S. 2408

65 P.S. 67.101 et seq

Philadelphia Home Rule Charter - 12-300

THE SCHOOL DISTRICT  
OF PHILADELPHIA

SECTION: 600 Finances

TITLE: GASB Statement 34

ADOPTED:

REVISED:

**622 (NEW) GASB STATEMENT 34**

**Purpose**

The School Reform Commission recognizes the need to implement the required accounting and financial reporting standards stipulated by the Pennsylvania Department of Education which require adherence to generally accepted accounting principles.

The primary objectives of implementing the Governmental Accounting Standards Board (GASB) Statement 34 are to assure compliance with state requirements, and properly account for both the financial and economic resources of the district.

**Authority**

Participation of the school district in complying with GASB Statement 34 standards shall be in accordance with SRC policy.[\[1\]\[2\]](#)

**Delegation of Responsibility**

The responsibility to coordinate the compilation and preparation of all information necessary to implement this policy is delegated to the Chief Financial Officer.

The Chief Financial Officer is responsible for internal control procedures necessary to ensure the timely and accurate completion of the Comprehensive Annual Financial Report (CAFR) in accordance with GASB 34 and other relevant accounting principles. The final document shall be presented for independent audit to be completed in accordance with generally accepted auditing standards. Upon completion of the audit the completed document shall be presented to the SRC for acceptance. The CAFR shall form the basis of the final annual financial report to the state.

The Chief Financial Officer shall prepare the required Management Discussion and Analysis (MD&A) and transmittal letter and submit for review to the Superintendent of Schools prior to publication. The MD&A and Transmittal Letter shall be in the form required by GASB Statement 34.

Prior to submission of the completed document for SRC acceptance, the district's independent auditors shall review the CAFR in accordance with Statement of Audit Standards (SAS) requirements.

**Legal References:**

1. 24 P.S. 218

2. 24 P.S. 613

Governmental Accounting Standards Board, Statement No. 34

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 700 Property

TITLE: Use of School  
Facilities

ADOPTED: April 27, 1981

REVISED: March 24, 1994

## 707 USE OF SCHOOL FACILITIES

### Purpose

The School Reform Commission recognizes that although the primary purpose of the school buildings, facilities and property is to provide students with an appropriate learning environment, the SRC may make school facilities available to individuals and community groups without discrimination and in accordance with law and SRC policy, provided the use does not interfere with the educational program of the schools.

### Authority

The SRC directs that use of school facilities may be granted to individuals and community groups for the following types of activities:

1. Instruction in any branch of education, learning and the arts, consistent with the school district's mission.
2. Social, civic and recreational meetings and entertainment, and other uses pertaining to the welfare of the community; but such use shall be non-exclusive and open to the public with charge, please see administrative procedures.
3. Polling places for holding primaries, elections and special elections, as permitted or required by state law.
4. Recreation, physical training and athletics, including competitive athletic contests for children and adults.

No school facility, including school buildings, offices, athletic fields, schoolyards (**non parking event**), etc., shall be used for any activity which is not part of the regular public school program without prior approval of the school district **in accordance with SRC policy and established administrative procedures**. Prior **written** approval must be obtained whether the activity is to take place during school hours or before or after school hours, or nonschool days. [\[1\] All additional Out of School time programs, events or other approved activities would require a charge to cover the District's cost in accommodating the request.](#)

## **Delegation of Responsibility**

The Superintendent or designee shall implement administrative procedures for requesting and granting permission for use of school facilities and shall distribute the necessary information to individuals affected by them.

The Superintendent or designee shall establish a schedule of fees for the use of school facilities. ~~by approved groups for SRC approval.~~<sup>[1]</sup>

## **Mandatory Regulatory Procedures**

### ***Prohibited Activities:***

The following activities are strictly prohibited in school facilities when individuals, groups and organizations are granted permission to use school facilities:

1. Use of tobacco products.<sup>[2][3][4]</sup>
2. Possession, use or distribution of illegal controlled substances and/or alcoholic beverages.
3. Possession of weapons.
4. Gambling, games of chance, lotteries, raffles or other activities requiring a license under the Local Option Small Games of Chance Act, unless such activity has been expressly authorized by the SRC or administration.<sup>[5][6]</sup>
5. Conduct that would constitute a violation of local ordinances, the Pennsylvania Crimes Code, and/or state and federal laws and regulations.
6. Vandalism, disorderly conduct, or any other behavior that would alter, damage or be injurious to any district property, equipment or furnishings.<sup>[7]</sup>
7. Activities involving the use of equipment or materials which may be unsafe or may pose a danger to the user or school facilities.
8. Use of school facilities or activities for any purpose and at any time not specifically permitted by this policy.
9. No use shall be permitted for any political campaigning purposes.
10. No outside organization shall be permitted to use any school facility during instructional school time.

## **Violations**

The district reserves the right to terminate the use of **and/or remove from the school facilities any individual, group or organization who fails to comply with the terms and conditions of SRC policy and established procedures.**

**In the event an individual, group or organization violates SRC policy or the terms under which permission was granted to use school facilities, that individual, group or organization shall be disqualified from future use of a school facility.**

### **Legal References:**

1. 24 P.S. 775
2. 35 P.S. 1223.5
3. 20 U.S.C. 7182
4. 20 U.S.C. 7183
5. 10 P.S. 328.101 et seq
6. 61 PA Code 901.701
7. 24 P.S. 777

### **Related Information:**

- 24 P.S. 511
- 24 P.S. 696
- 24 P.S. 779
- 22 PA Code 403.1
- 61 PA Code 901.1
- 20 U.S.C. 7181 et seq
- 20 U.S.C. 7905
- Philadelphia Home Rule Charter - 12-300
- Philadelphia Code of Ordinances - Title 10, Sections 10-810, 10-816, 10-824, 10-825, 10-826, 10-833



USE OF SCHOOL FACILITIES ADMINISTRATIVE PROCEDURES  
(Attachment for Policy No.707)

**I. Procedures for the User**

A. New Customers

1. To become an established customer
  - a. Submit an EH45C – New Customer Request Form to the Office of Use of Facilities at [buildingusage@philasd.org](mailto:buildingusage@philasd.org). Once the EH45C is approved, the customer will receive a customer number.

B. Established Customers – External to the School District of Philadelphia

2. To request a facility
  - a. Submit a principal approved Use of Facilities Request to the main office of the requested building. The main office staff can process the form, and submit the request number to the Office of Use of Facilities.
  - b. Submit the following required documents to the Office of Use of Facilities:
    1. Indemnification Form. See section XIII for indemnification requirements.
    2. Certificate of Insurance. See section XIII for insurance requirements. *A Use of Facilities request will not be approved until both documents are obtained.*
    3. Applicant must pay, at least 10 days advance, all charges for the use of a facility. An invoice will be presented to the applicant for all charges.
    4. Requests that satisfy the preceding guidelines will be confirmed. Copies of the confirmed request can be printed in the main office of the requested school.

C. Established Customers – Internal to The School District of Philadelphia

3. To request a facility
  - a. Submit a principal approved Use of Facilities request online. The request must include payment information (i.e. ABC budget code).
  - b. Email [buildingusage@philasd.org](mailto:buildingusage@philasd.org) with the reference number.
  - c. Once the request is confirmed, a confirmation email will be sent to the requestor.

**II. Procedures for the Principal**

A. Principal as Use of Facilities Approver

1. The principal shall review each request and provide approval or rejection. The school district facilities office can override principal's decision.

2. The principal or his/her designee must submit the approved request on the online use of facilities application, and email the reference number to [buildingusage@philasd.org](mailto:buildingusage@philasd.org).

**B. Principal as Use of Facilities Customer**

1. Submit a Use of Facilities request that includes an ABC budget code to the online use of facilities application, and email the reference number to [buildingusage@philasd.org](mailto:buildingusage@philasd.org).
2. Once the request is confirmed, the principal or designee will receive a confirmation email.
3. Payment is required for all events held outside of school hours, weekends, summer and school holidays.

**III. Procedures for the Athletic Field Usage**

1. Submit a Use of Facilities request directly to [buildingusage@philasd.org](mailto:buildingusage@philasd.org), the request will be forwarded to the Executive Director of Athletics for approval.
2. Executive Director of Athletics will notify the Facilities Utilization Specialist of approval or rejection.
3. Invoice will be provided to requestor for review and payment.
4. School District of Philadelphia has the right to add School Police for any event deemed necessary for the safety of the attendees.

**IV. Procedures for Out-of-School-Time**

1. Out of School Time programs must be approved DHS or Century 21 approved to use school facilities.
2. OST will provide an updated list to Facilities to ensure only approved programs have access to building location.
3. All programs identified prior to December 2017 will be grandfathered in as an approved provider. All providers must meet the insurance requirement and sign an indemnification contract. All programs who can not maintain adequate insurance will be removed from the School District location.
4. OST will assist all programs with twilight meals and be liaison between the program and school administration.

**V. Procedures for the Office of Facilities**

A. The Facilities Utilization Specialist will process approved request. Collect all required documents and issue an invoice for requested services.

1. Either approve or disapprove application. In the event that a request for a school facility is refused, notify the organization of the reason(s) for the disapproval.

2. Collect fees in advance of use in all cases except for school sponsored activities and immediately deposit with the School District Treasurer.
3. Inform the principal that the request has been approved or rejected.

## **VI. Procedures for the Building Staff**

- A. Insure that the building is opened and closed on time.
- B. Assign additional staff when and if he is informed in advance of the need for same by School Facilities. It is determined by the Office of Operations that additional staffing is required due to the size or complexity of the event. The cost of additional staffing will be applied to the overall cost of the use of the facility by the applicant.
  1. Notify Operations Department if applicant exceeds time.

## **VII. Enforcement**

- A. Enforcement of the charges, policy, regulations, and procedures shall begin with the Department of Operations, who must ultimately authorize or reject an applicant's request for use of a school facility. However, the responsibility for compliance is not limited to School Facilities, as each principal must enforce the policy at the school level and promote community understanding.

## **VIII. Pricing**

- A. High School Rate: \$93 (includes \$63/hour for staff & \$30/hour for utilities);  
Middle School Rate: \$83 (includes \$63/hour for staff & \$20/hour for utilities);  
Elementary School Rate: \$78 (includes \$63/hour for staff & \$15/hour for utilities).
- B. Athletic Facilities:
  1. Gymnasium: Practice \$100/hour. Game/Event \$150/hour.
  2. Supersite: Practice \$125/hour. Game/Event \$250/hour.
    - a) Non-SDP: \$1,500 (Football Game Rate)
  3. Grass Field: Practice \$100/hour. Game/Event \$125/hour.
    - a) Non-SDP: \$1,000 (Football Game Rate)
  4. Track Complex (Use of Track only)

a) Practice: Youth: \$2,000/year; Non-SDP: \$2,500/year

b) Game/Event: Youth \$100/hour; Non-SDP \$100/hour.

C. Additional fees:

1. Attendance: \$50 per 100 attendees

2. Food: \$50 flat fee

D. The Superintendent has the right to waive charges or other requirements where circumstances warrant such action.

#### **IX. Use of Athletic Facilities**

A. No charge shall be made for school use of facilities on school days to 6:00 p.m.

B. No charge shall be made for practices conducted during extended holiday period (Winter and Spring break) during building staff hours.

C. Athletic Department shall be charged for use of facilities for practice sessions on Saturdays, Sundays or holidays which require overtime services.

D. Schools using athletic fields for night contests are to be charged for personnel, utilities and materials used for lining a field. If a school desires to use its own facility before and/or after any away night contest, it is to be charged.

E. Pool Usage: User required to supply lifeguards.

#### **X. Use for Department of Recreation**

A. All Department of Recreation organizations will go through the Department of Recreation for a permit to operate in a School District of Philadelphia facility.

B. Department of Recreation representative will submit requests directly to the School District of Philadelphia.

C. The Facilities Utilization Specialist will then approve or deny the request.

D. Department of Rec will be responsible for all cost outside of building operating hours.

#### **XI. Use for Voting Purposes**

A. The City of Philadelphia acting through the City Commissioners shall be permitted to use School District facilities for voting, but the School District shall be reimbursed for the cost of custodial and maintenance services as permitted by law. The School District shall endeavor to reach an agreement with the City

Commissioners with regard to the placement of the voting booths to minimize disruption to the instructional programs and to ensure that the safety of the children is not jeopardized by the presence of the voting public at the school on election day.

- B. The School District shall also endeavor to reach an agreement with the City Commissioners for indemnification against damage to premises or the theft of School District property which occurs as a result of the use of school facilities for voting.

## **XII. Responsibilities of User of School Facilities**

- A. The user must inspect the School District facilities prior to the commencement of the period of their use and must inform the School District in writing of any defects which a visual inspection would reveal. If any defects are found, the School District has the right to withdraw its prior authorization to the user to use the school facilities.
- B. The user assumes the care, custody and control of the school facilities during the period of use. The user is responsible for the monitoring and supervision of all its events at the school facilities during the period of use. Upon expiration of the period of use, the user must return the school facilities in as good order, condition and state of repair as they were prior to the event.
- C. The School District has the right to terminate the use of school facilities by the user due to the user's non-compliance with the requirements of the policy. Abuse, misuse or vandalism of the school facilities by the user will result in the suspension of the user's future privileges to use available school facilities.
- D. The user is responsible for any personal injuries or property damages occurring at the school facilities during the period of use. The user must defend, indemnify and hold the School District harmless from and against any losses or damages due to the user's non-compliance with the requirements of this policy and any losses, damages, claims and expenses arising out of any personal injuries or property damages caused by the user or which occur during the period of use.
- E. The School District is not responsible for any losses or damages occurring to the user's property at the school facilities during the period of use. The user must defend, indemnify and hold the School District harmless from and against any losses, damages, claims and expenses arising out of any personal injuries or property damages caused by the use of the property belonging to the user or the installation, erection or use of any structures, machinery or equipment belonging

to the user which occur during the period of use.

### **XIII. Insurance and Indemnification Requirements**

- A. An occurrence policy of Comprehensive Public Liability Insurance in the amount of not less than One Million Dollars (\$1,000,000) combined single limit per occurrence, or in such amount as the School District may from time to time require, shall be required for all activities. The policy shall specifically cover any damage to the School District's premises and property as well as contractual liability, independent contractor liability, personal injury perils, broad form property damage, completed operations and products liability exposure.
- B. Such policy shall (i) be evidenced by a Certificate of Insurance identifying "The School District of Philadelphia" as a NAMED insured, and (ii) bear a restrictive endorsement which provides that the policy applies only to the particular premises to be used by applicant and for claims arising out of injuries or damage occurring on the specific dates of the intended use.
- C. Such policy shall be endorsed to state that coverage shall not be suspended, voided, canceled or reduced unless ten (10) day's prior written notice by certified mail has been given to the School District of Philadelphia.
- D. The user shall furnish the School District with a satisfactory Certificate of Insurance reflecting the required insurance and cancellation notice endorsement prior to the use of the school facility.
- E. The insurance shall be placed with insurers lawfully authorized to do business in Pennsylvania. The user is responsible for informing the School District of any exception. Approval must be obtained from the School District for the use of foreign insurers.
- F. The company or agency which issues the Certificate of Insurance must provide a complete street address where it can be served with notice (no Post Office box addresses will be accepted) and a telephone number. The company or agency must certify that it is an agent of the insurance company issuing the policy and that its statement is subject to the penalties of 18 PA C.S. SS4904 relating to unsworn falsification to authorities.
- G. The School District shall not accept any policy (1) written on a claims made basis or (2) which only names the School District as an additional insured or (3) which is written only on an "excess or umbrella" basis or which carries any deductible or self-insured retention over \$500.00. However, deductibles or self-insured retentions may be declared to and approved by the School District. If the deductibles or self-insured retentions are not approved, the user shall procure a

bond guaranteeing payment of losses, investigation, claims administration and defense expenses up to the amount of the deductibles or self-insured retentions.

- H. The user shall execute an Indemnification Agreement in form and content satisfactory to the Office of General Counsel. The School District shall provide the required Indemnification Agreement to the user. The user shall submit the Indemnification Agreement to the School District prior to the use of the school facility.

*References:*

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 700 Property

TITLE: Service Animals in  
Schools

ADOPTED:

REVISED:

## 718 (NEW) USE OF SERVICE ANIMALS IN SCHOOLS

### Purpose

The School Reform Commission adopts this policy to ensure that individuals with disabilities are permitted to participate in and benefit from district programs, activities and services, and to ensure that the district does not discriminate on the basis of disability.

### Definitions

Service animal - any dog individually trained to do work or perform tasks for the benefit of an individual with a disability.[\[1\]](#)

Miniature horses may be utilized as service animals if:[\[2\]](#)

1. The miniature horse is individually trained to do work or perform tasks for the benefit of an individual with a disability.
2. The facility can accommodate the type, size and weight of the miniature horse.
3. The presence of the miniature horse does not compromise the safe operation of the facility.

The work or tasks performed by a service animal shall be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.[\[1\]](#)



The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.[\[1\]](#)

### Authority

The SRC shall permit individuals with disabilities to use service animals in district buildings; on district property; and on vehicles that are owned, leased or controlled by the school district, in accordance with this policy and applicable state and federal laws and regulations.[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)

### Mandatory Regulatory Procedure

#### *Admission of Service Animals to Schools -*

A student or an employee with a disability may submit a request to bring a service animal to school for educational or employment purposes. A student or employee seeking to bring a service animal to school must comply with the requirements as set forth in this policy and any administrative procedures governing this issue.

Parents/Guardians of students with disabilities may submit a request to the building principal for their student to bring a service animal to school. The building principal shall forward the request to the appropriate Section 504 or IEP team. The team shall gather the necessary information and evaluate the request to bring a service animal to school. Any service animal accompanying a student with a disability to school or school activities shall be handled and cared for in a manner detailed in the student's IEP or Section 504 Service Agreement.[\[7\]](#)[\[8\]](#)

Before a service animal shall be allowed in a district building, or on district property or vehicles, the district shall request the following documentation from the owner or handler of the animal:[\[6\]](#)

1. Verification of the need for a service animal.[\[2\]](#)
2. Description of the function(s) the service animal is trained to perform in relation to the individual's disability.[\[2\]](#)
3. Proof of current vaccinations and immunizations of the service animal.[\[9\]](#)

#### *Admission of Service Animals to Public Events -*

Individuals with disabilities may be accompanied by their service animals while on district property for events that are open to the general public. This right of access does not extend to the schools generally or to other activities that are not open to the general public.[\[3\]](#)[\[2\]](#)[\[10\]](#)

School administrators may inquire of the owner or handler of an animal whether the animal is required because of a disability and the specific tasks that the animal has been trained to perform, but shall not ask questions about an individual's disability.[\[2\]](#)

**The district shall not require an owner or handler of a service animal to pay an extra charge for the animal to attend events for which a fee is charged.[\[2\]](#)**

### **Delegation of Responsibility**

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

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

**The owner or handler of a service animal shall be solely responsible for:**

- 1. Supervision and care of the animal, including any feeding, exercising, clean up and stain removal.[\[2\]](#)**
- 2. Control of the animal at all times through the use of a harness, leash, tether or by other effective means.**
- 3. Damages to district buildings, property and vehicles caused by the animal.**
- 4. Injuries to students, employees, volunteers and visitors caused by the animal.**
- 5. Annual submission of documentation of vaccinations and immunizations.**

**The building principal shall receive and forward to the Superintendent or designee each completed request by an individual with a disability to be accompanied by a service animal. The Superintendent or designee shall respond to the request.**

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

- 1. Presence of the animal poses a direct threat to the health and safety of others.**
- 2. Owner or handler is unable to control the animal.**
- 3. Animal is not housebroken.**
- 4. Presence of the animal would require a fundamental alteration to the program.**

**Any individual with a service animal who is aggrieved by a decision to exclude, limit or remove a service animal may appeal that decision in accordance with applicable SRC**

**policy. The appeal must be in writing and provide detailed information regarding the basis of the appeal.[7][11][12]**

**Legal References:**

1. 28 CFR 35.104

2. 28 CFR 35.136

3. 43 P.S. 953

4. 29 U.S.C. 794

5. 42 U.S.C. 12101 et seq

6. 28 CFR 35.130

7. Pol. 103.1 - Nondiscrimination - Qualified Students With Disabilities/Protected Handicapped Students

8. Pol. 113 - Special Education

9. 3 P.S. 455.1 et seq

10. Pol. 904 - Public Attendance at School Events

11. Pol. 104 - Nondiscrimination in Employment Practices

12. Pol. 906 - Public Complaints

**Related Information:**

28 CFR Part 35

29 CFR Part 1630

Pol. 103 - Nondiscrimination in School and Classroom Practices

Pol. 707 - Use of School Facilities

THE SCHOOL DISTRICT  
OF PHILADELPHIA

SECTION: 800 Operations

TITLE: Transportation -  
Video/Audio Recording

ADOPTED:

REVISED:

**810.2 (NEW) TRANSPORTATION - VIDEO/AUDIO RECORDING**

**Purpose**

The use of video and audio recording equipment supports efforts to maintain discipline and to ensure the safety and security of all students, staff, contractors and others being transported on district-owned, operated, or contracted school buses or school vehicles.

**Definitions**

School bus - is a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.[\[1\]](#)

School vehicle - is a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.[\[1\]](#)

**Authority**

The School Reform Commission authorizes the use of video and audio recording on school buses and school vehicles for disciplinary and security purposes.[\[2\]](#)

The SRC prohibits the use of audio recording on any school bus or school vehicle that is not being used for a school-related purpose.[\[2\]](#)

**Delegation of Responsibility**

The SRC directs the Superintendent or designee to ensure that:

1. Each school bus and school vehicle that is equipped with video and audio recording equipment contains a clearly posted notice informing drivers and passengers of the potential for video and audio recording.[\[2\]](#)
2. This policy is posted on the district's publicly accessible website.[\[2\]](#)[\[3\]](#)
3. Each school year, this policy is included in the student handbook and in any other district publication that sets forth the comprehensive rules, procedures and standards of conduct.[\[2\]](#)

**Mandatory Regulatory Procedures:**

The district shall comply with the provisions of federal and state laws and regulations regarding student record requirements as applicable to the district's use and disclosure of recordings. Recordings considered part of a student's educational record shall be maintained in accordance with established student record procedures governing access, review and disclosure of student records.[\[4\]](#)[\[5\]](#)

**Legal References:**

1. [75 Pa. C.S.A. 102](#)
2. [18 Pa. C.S.A. 5704](#)
3. [24 P.S. 510.2](#)
4. Pol. 113.4 - Confidentiality of Special Education Student Information
5. Pol. 216 - Student Records

**Related Information:**

- [24 P.S. 510](#)  
Pol. 218 - Student Conduct and Discipline  
Pol. 805.1 - Relations With Law Enforcement Agencies  
Pol. 810 - Transportation  
[Philadelphia Home Rule Charter - 12-300](#)