

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 100 Programs

TITLE: Exemption from  
Instruction

ADOPTED:

REVISED:

## 105.2 (NEW) EXEMPTION FROM INSTRUCTION

### Purpose

**The School District respects the rights of parents to have their children excused from specific instruction that conflicts with their religious beliefs. The School Reform Commission adopts this policy to ensure that parents/guardians have the right to have their children excused from specific instruction that conflicts with their religious beliefs.[1][2]**

### Definitions

**Parent/guardian/surrogate under IDEA:**

- **A biological or adoptive parent of a child;**
- **A foster parent;**
- **A guardian authorized to act as the child’s parent, or authorized by a court to make educational decisions for the child**
- **An individual acting as a parent in the place of the biological or adoptive parent with whom the child lives (including a grandparent, stepparent, or other relative) or a person who is legally responsible for the child’s welfare); or**
- **A surrogate parent who has been appointed by an educational agency or an educational decision maker appointed by a court in accordance with IDEA.**

**Eligible Student:**

### Authority

**The district shall excuse any student from specific instruction, upon written request of the parent/guardian or eligible student, in accordance with established administrative procedures.[2]**

**All students excused from specific instruction shall be required to achieve the learning outcomes established by the school and necessary for graduation through alternate means as determined by the district. [3]**

### Mandatory Regulatory Procedures

**Administrative guidelines accompany this policy and set forth the procedures for parental request to view the curriculum, academic standards and instructional materials**

**Attachment for policy #105.2: Procedures for Parental Request to View the Curriculum, Academic Standards and Instructional Materials**

**Administrative Guidelines and related documents for parents may be found on the Office of Curriculum, Instruction, and Assessment website.**

**Legal References:**

1. 22 PA Code 11.7
2. 22 PA Code 4.4
3. 22 PA Code 4.4

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 100 Programs

TITLE: Gifted Education

ADOPTED:

REVISED:

## GIFTED EDUCATION (NEW)

### Purpose

In accordance with the School Reform Commission's philosophy to develop the special abilities of each student, the district shall provide gifted education services and programs designed to meet the individual educational needs of identified gifted students.[\[1\]](#)[\[2\]](#)[\[3\]](#)

### Definitions

**Gifted student** - “a student with outstanding intellectual and creative ability the development of which requires specially designed programs or support services, or both, not ordinarily provided in the regular education program.” PA School Code (24 P. S. § 13-1371).[\[4\]](#)

**Gifted Individualized Education Plan (GIEP)** - a written plan describing the educational program and services to be provided to a gifted student, based on and responsive to the results of an evaluation and written report, and developed by a team of individuals in accordance with state regulations.[\[4\]](#)

**Gifted Multidisciplinary Evaluation (GMDE)** - systematic process of testing, assessment and other evaluative processes used by a team to develop a recommendation about whether or not a student is gifted and needs gifted education.[\[4\]](#)

**Gifted Multidisciplinary Team (GMDT)** - a team of designated individuals who conduct a GMDE. The GMDT shall be formed on the basis of the student's needs and shall be comprised of the student's parents/guardians; a certified school psychologist; persons familiar with the student's educational experience and performance; one (1) or more of the student's current teachers; persons trained in the appropriate evaluation techniques; and, when possible, persons familiar with the student's cultural background. A single member of the GMDT may meet two (2) or more of the specified qualifications.[\[4\]](#)[\[5\]](#)

**Mentally gifted** - outstanding intellectual and creative ability, the development of which requires specially designed programs and/or support services not ordinarily provided in the regular education program. The term includes a student with an IQ of 130 or higher or

who meets established multiple criteria indicating gifted ability, or a student with an IQ lower than 130 when other educational criteria strongly indicate gifted ability.[\[1\]\[4\]\[6\]](#)

### Authority

**The School District of Philadelphia believes that all students should be challenged at their appropriate instructional level and that ongoing data analysis is a critical element in delivering appropriate instruction and intervention. The District is committed to developing the talents and strengths of all of our students and providing all students with a variety of options and activities to challenge their creativity.**

**The district shall develop and implement a gifted education plan every six (6) years, as required by law and regulations. Prior to approval by the SRC, the gifted education plan shall be made available for public inspection and comment in the district's administrative offices and in the Family and Community Engagement Center for a minimum of twenty-eight (28) days.[\[7\]\[8\]](#)**

**The district's gifted education plan shall address:**

- 1. The district's process for identifying gifted children in need of specially designed instruction.**
- 2. The gifted special education programs offered by the district.**
- 3. Reports of gifted students, personnel and program elements, and costs, as required by the Department of Education.**

**The Superintendent/designee may enter into cooperative agreements to provide gifted education services and programs.[\[9\]](#)**

**The Superintendent/designee directs that the district's gifted education program shall provide the following in accordance with Applicable Law:**

- 1. System to locate and identify all students within the district who are thought to be gifted and in need of specially designed instruction.[\[6\]](#)**
- 2. Screening and evaluation process that meet Applicable Laws, to determine students' educational needs.[\[6\]](#)**
- 3. Procedures to determine whether a student is mentally gifted. Determination of gifted ability shall not be based on IQ score alone; a range of assessments including a student's performance and potential shall be utilized.[\[6\]](#)**

4. **Gifted Individualized Education Plan (GIEP) developed, and subsequently modified, for each student based on his/her unique needs and the written report of the Gifted Multidisciplinary Team (GMDT).**[\[5\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)
5. **Safeguards for the due process rights of gifted students.**[\[13\]](#)
6. **Notification to teachers of their responsibilities to each of their identified gifted students, as provided in the student's Gifted Individualized Education Plan (GIEP).**[\[11\]](#)

**The district shall provide all required notices and information to parents/guardians of gifted students, document all consents and responses of parents/guardians, and adhere to all established timelines.**[\[11\]](#)[\[14\]](#)[\[15\]](#)

### **Confidentiality of Student Records**

**All personally identifiable information regarding a gifted 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 Board of Education regulations, and SRC policy.**[\[17\]](#)[\[18\]](#)[\[19\]](#)

***Attachment for policy #114: Gifted Education Plan***

### **Legal References:**

1. [24 P.S. 1371](#)
2. [22 PA Code 16.1 et seq](#)
3. [22 PA Code 4.28](#)
4. [22 PA Code 16.1](#)
5. [22 PA Code 16.22](#)
6. [22 PA Code 16.21](#)
7. [22 PA Code 16.4](#)
8. [22 PA Code 4.13](#)
9. [22 PA Code 16.2](#)
10. [22 PA Code 16.23](#)
11. [22 PA Code 16.32](#)
12. [22 PA Code 16.33](#)
13. [22 PA Code 16.63](#)
14. [22 PA Code 16.61](#)
15. [22 PA Code 16.62](#)
16. [22 PA Code 16.41](#)
17. [22 PA Code 16.65](#)
18. [20 U.S.C. 1232g](#)
19. [Pol. 216 - Student Records](#)

**Related Information:**

22 PA Code 11.12

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 100 Programs

TITLE: Career and Technical  
Education

ADOPTED:

REVISED:

## CAREER AND TECHNICAL EDUCATION (NEW)

### Purpose

The School Reform Commission shall provide a program of career and technical education in order to:[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

1. Prepare students for employment as in-demand workers in high-skilled, family-sustaining wage, as defined by Pennsylvania Department of Labor and Industry, and high-priority/emerging occupations.
2. Prepare students for enrollment in postsecondary education programs.
3. Assist students with awareness of career pathways, by providing students comprehensive informational and experiential opportunities to become informed decision-makers.
4. Ensure that all students, regardless of age, race, color, religion, sex, sexual orientation, disability or special needs have access to career and technical education programs. The transition plans for students with IEPs are connected with their career and technical education program.

### Authority

In order to provide students with a career and technical education program, the Superintendent, or his designees, shall establish and maintain career and technical instruction in district high schools and participate in a program of career development.[\[2\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

The Superintendent, or his designees, shall ensure that all students and parents/guardians are informed, via publication and outreach (e.g., school visits, school visits to middle schools, print, online, school fairs), of the student's right to participate in career and technical education programs and courses and that students with disabilities enrolled in such programs are entitled to services under state and federal laws and regulations.[\[5\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

**Career and technical** education programs shall consist of a series of planned academic and vocational technical education courses that are integrated into and **articulated throughout the curriculum of district schools.**[\[4\]](#)[\[5\]](#)[\[12\]](#)[\[13\]](#)

Career and technical education programs shall be standard-based; prepare students for obtainment of licensure or industry skills certification or Pennsylvania Skills Certificate, as required; provide extended classroom experience; instruct students in safety practices and accident prevention; and meet minimum time requirements.[\[5\]](#)[\[12\]](#)[\[14\]](#)

Career and technical education courses must include content based upon occupational analysis, clearly stated performance objectives deemed critical to successful employment, and assessment of student competencies based upon performance standards. Student records shall include the results of the assessment of student competencies.[\[5\]](#)[\[15\]](#)

In order to maintain a program of career and technical education, **the Superintendent, or his designees, shall:**

1. **Approve the content, organization and assessment standards of all technical courses.**[\[5\]](#)
2. **Approve the placement of students in work-based learning programs and supervise the nature and conduct of their employment.**[\[5\]](#)[\[16\]](#)[\[17\]](#)
3. **Operate programs in compliance with applicable laws and regulations governing career and technical education.**[\[5\]](#)[\[12\]](#)
4. **Employ and supervise certified district staff teaching career and technical education courses.** Such personnel shall be responsible for keeping up with the technology, practices and standards of their professional areas.[\[19\]](#)[\[20\]](#)[\[21\]](#)
5. **Provide adequate facilities, equipment and resource materials.**[\[22\]](#)[\[23\]](#)[\[24\]](#)
6. **Establish appropriate local and occupational advisory committees to advise the SRC, administration and staff concerning the aspects of the career and technical education program delegated to each committee.** The SRC delegates the responsibility to appoint members of the local and occupational advisory committees to the Superintendent or his designees. A majority of the members of the occupational advisory committee shall be employees and employers in the occupation for which training is being provided by the district.[\[25\]](#)[\[26\]](#)[\[27\]](#)[\[28\]](#)

### **Mandatory Regulatory Procedure - Child Abuse Prevention Requirements**



**Employers who participate in district internship, externship, work study, co-op, or similar programs shall adopt policies and procedures that ensure compliance with the following procedures required by the Child Protective Services Law.**

***Identification of Adult Responsible for Child's Welfare -***

**When a District student under the age of eighteen (18) years old participates in an internship, externship, work study, co-op, or similar program with an outside employer, the District and the employer shall, prior to commencing participation, identify an adult(s) who will be the student's supervisor while the child participates in the program. The identified adult(s) will be the person responsible for the child's welfare.[\[29\]](#)[\[30\]](#)**

**The identified adult(s) shall be in the immediate vicinity of the child at regular intervals during the program. Immediate vicinity shall mean an area in which an individual is physically present with a child and can see, hear, direct and assess the activities of the child.[\[29\]](#)[\[30\]](#)**

***Certifications -***

**Prior to commencement of the program, the identified adult shall submit the following information to the Superintendent or designee:[\[30\]](#)**

- 1. PA Child Abuse History Clearance - which must be less than sixty (60) months old.**
- 2. PA State Police Criminal History Record Information - which must be less than sixty (60) months old.**
- 3. Federal Criminal History Report - which must be less than sixty (60) months old.**
- 4. Disclosure Statement – which is a statement swearing or affirming applicant has not been disqualified from service by reason of conviction of designated criminal offenses or being listed as the perpetrator in a founded report of child abuse.[\[31\]](#)**

**The Superintendent or designee shall review the information and determine if information is disclosed that precludes identification of the adult as the supervisor responsible for the child's welfare.**

**Information submitted by an identified adult in accordance with this policy shall be maintained centrally in a manner similar to that for school employees.**

***Arrest or Conviction Reporting Requirements -***

**An identified adult shall notify the employer, in writing, within seventy-two (72) hours of the occurrence, of an arrest or conviction required to be reported by law.[\[31\]](#)**

An identified adult shall also report to the employer, within seventy-two (72) hours of notification, that s/he has been listed as a perpetrator in the Statewide database, in accordance with the Child Protective Services Law.[\[31\]](#)

Failure to accurately report such occurrences may subject the identified adult to disciplinary action up to and including termination of employment and criminal prosecution.[\[31\]](#)

The employer shall immediately require an identified adult to submit new certifications when there is a reasonable belief that the identified adult was arrested for or has been convicted of an offense required to be reported by law, was named as a perpetrator in a founded or indicated report, or has provided written notice of such occurrence.[\[31\]](#)

If the employer receives notice of such occurrences from either the adult or a third party, the employer shall immediately report that information to the Superintendent or designee in writing.[\[31\]](#)

### *Child Abuse Reporting -*

Identified adults who have reasonable cause to suspect that a child is the victim of child abuse shall make a report of suspected child abuse in accordance with the Child Protective Services Law.[\[32\]](#)[\[33\]](#)

### *Attachment for policy #115: Career and Technical Education Guidelines*

#### **Legal References:**

1. [24 P.S. 1806](#)
2. [24 P.S. 1844](#)
3. [22 PA Code 12.41](#)
4. [22 PA Code 339.2](#)
5. [22 PA Code 4.31](#)
6. [24 P.S. 1802](#)
7. [24 P.S. 502](#)
8. Pol. 103 - Nondiscrimination in School and Classroom Practices
9. Pol. 103.1 - Nondiscrimination - Qualified Students With Disabilities/Protected Handicapped Students
10. Pol. 113 - Special Education
11. Pol. 138 - English as a Second Language/Bilingual Program
12. [22 PA Code 339.22](#)
13. Pol. 105 - Curriculum
14. [22 PA Code 339.23](#)
15. Pol. 216 - Student Records
16. [22 PA Code 11.28](#)

- 17. 22 PA Code 339.29
- 18. 24 P.S. 1809
- 19. 24 P.S. 1106
- 20. 24 P.S. 1212
- 21. 22 PA Code 339.41
- 22. Pol. 109 - Resource Materials
- 23. Pol. 110 - Instructional Supplies
- 24. Pol. 701 - Facilities Planning
- 25. 24 P.S. 1808
- 26. 22 PA Code 339.13
- 27. 22 PA Code 339.14
- 28. 22 PA Code 4.33
- 29. 23 Pa. C.S.A. 6303
- 30. 23 Pa. C.S.A. 6344
- 31. 23 Pa. C.S.A. 6344.3
- 32. 23 Pa. C.S.A. 6311
- 33. Pol. 806 - Child Abuse
- 34. 22 PA Code 339.21
- 35. 22 PA Code 339.4
- 36. 22 PA Code 339.30
- 37. Pol. 122 - Extracurricular Activities

**Related Information:**

- 24 P.S. 1801
- 24 P.S. 1807
- 23 Pa. C.S.A. 6301 et seq
- 22 PA Code 339.1 et seq
- 22 PA Code 4.34
- 22 PA Code 4.35
- 20 U.S.C. 2301 et seq

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 200 Pupils

TITLE: Attendance

ADOPTED:

REVISED:

## ATTENDANCE

### Purpose

The School Reform Commission recognizes that attendance is an important factor in educational success, and supports a comprehensive approach to identify and address attendance issues.[\[1\]](#)

### Definitions

Compulsory school age shall mean the period of a child's life from the time the child's parents/guardians elect to have the child enter school, and which shall be no later than six (6) years of age until the child reaches seventeen (17) years of age. The term does not include a child who holds a certificate of graduation from a regularly accredited, licensed, registered or approved high school.[\[2\]](#)

Habitually truant shall mean six (6) or more school days of unexcused absences during the current school year by a child subject to compulsory school attendance.[\[2\]](#)

Truant shall mean having incurred three (3) or more school days of unexcused absences during the current school year by a child subject to compulsory school attendance.[\[2\]](#)

Person in parental relation shall mean a:[\[2\]](#)

1. Custodial biological or adoptive parent.
2. Noncustodial biological or adoptive parent.
3. Guardian of the person of a child.
4. Person with whom a child lives and who is acting in a parental role of a child.

This definition shall not include any county agency or person acting as an agent of the county agency in the jurisdiction of a dependent child as defined by law.[\[3\]](#)

School-based or community-based attendance improvement program shall mean a program designed to improve school attendance by seeking to identify and address the

**underlying reasons for a child's absences. The term may include an educational assignment in an alternative education program, provided the program does not include a program for disruptive youth established pursuant to Article XIX-C of the Pennsylvania Public School Code.**[\[2\]](#)

### **Authority**

Attendance shall be required of all students during the days and hours that school is in session, except that **authorized district staff** may excuse a student for temporary absences upon receipt of satisfactory evidence of mental, physical, or other urgent reasons that may reasonably cause the student's absence.[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)

**The SRC shall establish and enforce attendance requirements, in accordance with applicable laws and regulations, SRC policy and administrative procedures.**

### **Compulsory School Attendance Requirements**

**All students of compulsory school age who reside in the district shall be subject to the compulsory school attendance requirements.**[\[4\]](#)

A student shall be considered in attendance if present at any place where school is in session by authority of the SRC; the student is receiving approved tutorial instruction, or health or therapeutic services; the student is engaged in an approved and properly supervised independent study, work-study or career education program; or the student is receiving approved homebound instruction.[\[4\]](#)[\[7\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)

The following students shall be excused from the requirements of attendance at district schools, upon request and with the required approval:

1. On certification by a physician or submission of other satisfactory evidence and on approval of the Pennsylvania Department of Education, children who are unable to attend school or apply themselves to study for mental, physical or other reasons that preclude regular attendance.[\[5\]](#)[\[6\]](#)[\[16\]](#)
2. Students enrolled in nonpublic or private schools in which the subjects and activities prescribed by law are taught.[\[4\]](#)[\[17\]](#)
3. Students attending college who are also enrolled part-time in district schools, to include dual enrollment and middle college.[\[18\]](#)
4. Students attending a home education program **or private tutoring** in accordance with law.[\[4\]](#)[\[13\]](#)[\[19\]](#)[\[20\]](#)[\[21\]](#)[\[22\]](#)
5. Students fifteen (15) or sixteen (16) years of age whose enrollment in private trade or business schools has been approved.[\[4\]](#)

6. Students fifteen (15) years of age, and fourteen (14) years of age who have completed the highest elementary grade, engaged in farm work or private domestic service under duly issued permits.[\[6\]](#)
7. Students sixteen (16) years of age regularly employed during the school session and holding a lawfully issued employment certificate.[\[6\]\[11\]](#)

### **Excused/Lawful Absence**

The following conditions **or situations** constitute reasonable cause for absence from school:

- Excused Absence or Other Urgent Reasons
  - Excused Early Dismissal
  - Illness, **including if a student is dismissed by designated district staff during school hours for health-related reasons.**[\[5\]\[8\]](#)
  - Quarantine
  - Recovery from Accident
  - Required Court Appearance
  - Death in Family
  - Educational Trip/Tour with approval
    - The parent/guardian submits a written request for excusal prior to the absence.
    - The student's participation has been approved by the Superintendent or principal.
    - The adult directing and supervising the tour or trip is acceptable to the parents/guardians and the Superintendent.
    - College tours, trade school tours, career and technical training program tours, community college tours, or tours of other non-school district schools, **with prior approval.**
    - The **district** may limit the number and duration of non-school-sponsored educational tours or trips for which excused absences may be granted to a student during the school **year.**
  - Observance of a religious holiday **observed by bona fide religious group**, upon prior written parental request.[\[23\]](#)
  - Authorized school activities, including athletic events.
  - Excused Lateness
  - Out of School Suspension
- ~~1. Family emergency:~~
  - ~~2. Participation in a project sponsored by a statewide or countywide 4-H, Future Farmers of America (FFA) or combined 4-H and FFA group, upon prior written request.~~[\[1\]\[5\]](#)
  - ~~3. Nonschool-sponsored educational tours or trips, if the following conditions are met:~~[\[5\]\[24\]](#)
    - ~~a. The parent/guardian submits a written request for excusal prior to the absence:~~

- ~~b. The student's participation has been approved by the Superintendent or principal.~~
  - ~~e. The adult directing and supervising the tour or trip is acceptable to the parents/guardians and the Superintendent.~~
4. ~~College tours, trade school tours, career and technical training program tours, community college tours, or tours of other non-school district schools, **with prior approval.**~~

The ~~district~~ may limit the number and duration of non-school-sponsored educational tours or trips for which excused absences may be granted to a student during the school year.

### *Temporary Excusals -*

The following students may **be temporarily excused** from the requirements of attendance at district schools:

1. Students receiving tutorial instruction in a field not offered in the district's curricula from a properly qualified tutor approved by the Superintendent, when the excusal does not interfere with the student's regular program of studies.[4][10][13]
2. Students participating in a religious instruction program, **if the following conditions are met:**[23][25]
  - a. The parent/guardian **submits** a written request **for excusal. The request shall identify and describe the instruction, and the dates and hours of instruction.**
  - b. **The student shall not miss** more than thirty-six (36) hours per school year **in order to attend classes for religious instruction.**
  - c. **Following each absence, the parent/guardian shall submit a statement attesting that the student attended the instruction, and the dates and hours of attendance.**
3. **School age** children unable to attend school upon recommendation of the school physician and a psychiatrist or school psychologist, **or both**, and with approval of the Secretary of Education of the Pennsylvania Department of Education.[16]

### Unexcused/Unlawful Absences

**For purposes of this policy, absences which do not meet the criteria indicated above shall be considered an unexcused/unlawful absence.**

**An out-of-school suspension may not be considered an unexcused absence.**[\[2\]](#)

Unexcused Lateness

Unexcused Absence

Unexcused Early Dismissal

### **Delegation of Responsibility**

The Superintendent or designee shall annually notify students, parents/guardians, staff **and the Philadelphia Department of Human Services or the Philadelphia Juvenile Court** about the district's attendance policy by publishing such policy in student/parent handbooks, on the district website, and through other efficient **communication** methods.[\[1\]](#)[\[26\]](#)

**The Superintendent or designee, in coordination with the district office of Attendance and Truancy, shall be responsible for the implementation and enforcement of this policy.**

The Superintendent or designee shall develop administrative procedures necessary for the implementation of this policy which:

1. Govern the **maintenance** of attendance records in accordance with law.[\[27\]](#)[\[28\]](#)
2. **Detail the process for submission of requests and excuses for student absences.**
3. **Detail the process for written notices, School Attendance Improvement Conferences, School Attendance Improvement Plans, and referrals to a school-based or community-based attendance improvement program, the local children and youth agency, or the appropriate judge.**
4. **Ensure that students legally absent have an opportunity to make up work.**

### **Mandatory Regulatory Procedure**

#### **Enforcement of Compulsory Attendance Requirements**

##### *~~Student is Truant-~~*

~~When a student has been absent for three (3) days during the current school year without a lawful excuse, SDP staff shall provide The Three Day Legal Notice (C-31) to the person in parental relation who resides in the same household as the student within ten (10) school days of the student's third unexcused absence.~~[\[29\]](#)

~~The notice shall:~~[\[29\]](#)

1. ~~Be in the mode and language of communication preferred by the person in parental relation;~~



- ~~2. Include a description of the consequences if the student becomes habitually truant; and~~
- ~~3. When transmitted to a person who is not the biological or adoptive parent, also be provided to the child's biological or adoptive parent, if the parent's mailing address is on file with the school and the parent is not precluded from receiving the information by court order.~~

~~The notice may include the offer of a School Attendance Improvement Conference.~~[\[29\]](#)

~~If the student incurs additional unexcused absences after issuance of the notice and a School Attendance Improvement Conference was not previously held, district staff shall offer a School Attendance Improvement Conference.~~[\[29\]](#)

~~District staff shall notify the person in parental relation in writing and by telephone of the date and time of the School Attendance Improvement Conference.~~[\[29\]](#)

~~The purpose of the School Attendance Improvement Conference is to examine the student's absences and reasons for the absences in an effort to improve attendance with or without additional services.~~[\[2\]](#)

~~The following individuals shall be invited to the School Attendance Improvement Conference:~~[\[2\]](#)

- ~~1. The student.~~
- ~~2. The student's person in parental relation.~~
- ~~3. Other individuals identified by the person in parental relation who may be a resource.~~
- ~~4. Appropriate school personnel.~~
- ~~5. Recommended service providers.~~

~~Neither the student nor the person in parental relation shall be required to participate, and the School Attendance Improvement Conference shall occur even if the person in parental relation declines to participate or fails to attend the scheduled conference.~~[\[29\]](#)

~~The outcome of the School Attendance Improvement Conference shall be documented in a written School Attendance Improvement Plan. The Plan shall be retained in the student's file. A copy of the Plan shall be provided to the person in parental relation, the student and appropriate district staff.~~[\[29\]](#)

~~The district may not take further legal action to address unexcused absences until after the date of the scheduled School Attendance Improvement Conference has passed.~~[\[29\]](#)

### *Student is Habitually Truant -*

**When a student under fifteen (15) years of age is habitually truant, district staff:[30]**

- 1. Shall refer the student to:
  - a. A school-based or community-based attendance improvement program; or**
  - b. The local children and youth agency.****
- 2. May file a citation in the office of the appropriate judge against the person in parental relation who resides in the same household as the student.[30]**

**When a student fifteen (15) years of age or older is habitually truant, district staff shall:[30]**

- 1. Refer the student to a school-based or community-based attendance improvement program; or**
- 2. File a citation in the office of the appropriate judge against the student or the person in parental relation who resides in the same household as the student.**

~~District staff may refer a student who is fifteen (15) years of age or older to the local children and youth agency, if the student continues to incur additional unexcused absences after being referred to a school-based or community-based attendance improvement program, or if the student refuses to participate in such program.[30]~~

**Regardless of age, when district staff refer a habitually truant student to the local children and youth agency or file a citation with the appropriate judge, district staff shall provide verification that the school held a School Attendance Improvement Conference.[30]**

### **Special Needs and Accommodations**

**If a truant or habitually truant student may qualify as a student with a disability, and require special education services or accommodations, the Director of Special Education shall be notified and shall take action to address the student's needs in accordance with applicable law, regulations and SRC policy.[32][33][34][35]**

**For students with disabilities who are truant or habitually truant, the ~~appropriate team~~ **Individual Education Plan team** shall be notified and shall address the student's needs in accordance with applicable law, regulations and SRC policy.[32][33][35]**

### **Discipline**

**The district shall not expel or impose out-of-school suspension, disciplinary reassignment or transfer for truant behavior.[29]**

Legal

1. 22 PA Code 11.41
2. 24 P.S. 1326
3. 42 Pa. C.S.A. 6302
4. 24 P.S. 1327
5. 24 P.S. 1329
6. 24 P.S. 1330
7. 22 PA Code 11.23
8. 22 PA Code 11.25
9. 22 PA Code 12.1
10. 22 PA Code 11.22
11. 22 PA Code 11.28
12. Pol. 115 - Career and Technical Education
13. Pol. 116 - Tutoring
14. Pol. 117 - Homebound Instruction
15. Pol. 118 - Independent Study
16. 22 PA Code 11.34
17. 22 PA Code 11.32
18. 22 PA Code 11.5
19. 24 P.S. 1327.1
20. 22 PA Code 11.31
21. 22 PA Code 11.31a
22. Pol. 137 - Home Education Programs
23. 22 PA Code 11.21
24. 22 PA Code 11.26
25. 24 P.S. 1546
26. 24 P.S. 510.2
27. 24 P.S. 1332
28. 24 P.S. 1339
29. 24 P.S. 1333
30. 24 P.S. 1333.1
31. 24 P.S. 1333.2
32. Pol. 103.1 - Nondiscrimination-Qualified Students With Disabilities/Protected Handicapped Students
33. Pol. 113 - Special Education
34. Pol. 113.3 - Screening and Evaluations for Students With Disabilities
35. Pol. 114 - Gifted Education
- 22 PA Code 11.24
- 22 PA Code 11.8

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 200 Pupils

TITLE: Confidential  
Communications About  
Student Information

ADOPTED:

REVISED:

## 207 (NEW) CONFIDENTIAL COMMUNICATIONS ABOUT STUDENT INFORMATION

### Purpose

The School Reform Commission recognizes that certain written and oral communications between students and school personnel must be confidential.

### Authority

The SRC directs school personnel to comply with all federal and state laws, **including FERPA**, regulations and SRC policy concerning confidential communications of students.

Information received in confidence from a student may be revealed to the student's parent/guardian, building principal or other appropriate authority by the staff member who received the information when the health, welfare or safety of the student or other persons clearly is in jeopardy.[\[1\]](#)

Use of a student's confidential communications to school personnel in legal proceedings is governed by laws and regulations appropriate to the proceedings.[\[1\]](#)[\[2\]](#)[\[3\]](#)

### Delegation of Responsibility

In qualifying circumstances, a staff member may reveal confidential information to the building principal and other appropriate authorities.

In qualifying circumstances, **when the student or another person's health , welfare or safety are in jeopardy**, the building principal may reveal confidential information to a student's parent/guardian and other appropriate authorities, including law enforcement personnel.

### Legal References:

1. 22 PA Code 12.12
2. 42 Pa. C.S.A. 5945
3. 42 Pa. C.S.A. 8337

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 200 Pupils

TITLE: Health  
Examinations/Screenings

ADOPTED:

REVISED:

## HEALTH EXAMINATIONS/SCREENINGS

### Authority

In compliance with the Pennsylvania School Code of 1949, the **School Reform Commission** shall require that district students submit to health and dental examinations **in order to protect the school community from the spread of communicable disease, and** to ensure that each student's health status is at an optimal level and that **the learning potential of each student** is not lessened **by a remediable physical disability**.[\[1\]\[2\]\[3\]\[4\]\[6\]](#)

Each student shall provide written documentation of a comprehensive health examination conducted by a board certified physician or **certified** nurse practitioner **upon original entry**, in sixth grade, ninth and eleventh grade.[\[11\]\[16\]\[2\]\[4\]\[5\]](#)

Each student shall provide written documentation of a comprehensive dental examination conducted by a private dentist or dental hygienist or a contracted school based dentist authorized **by the district upon original entry, in third grade, and in seventh grade**.[\[16\]\[17\]\[3\]\[4\]\[5\]](#)

A program of dental education shall be provided to all **students** in prekindergarten through grade seven.

A **dental** examination conducted at the parents'/**guardians'** request and expense **shall** be accepted in lieu of the examinations conducted by school-based dental providers. **The district shall accept reports of privately conducted physical and dental examinations completed within one (1) year prior to a student's entry into the grade where an exam is required**.[\[5\]](#)

**The school nurse shall administer** to each student vision screenings, hearing screenings, scoliosis screenings, and annual growth screenings.[\[2\]\[4\]\[6\]](#)

A student who presents a statement signed by the parent/guardian that a medical examination is contrary to his/her religious beliefs shall be examined only when the Secretary of Health determines that the student presents a substantial menace to the health of others.[\[7\]\[8\]](#)

Where it appears to school health officials or teachers that a **student** deviates from normal growth and development, or where school examinations reveal conditions requiring health or dental care, the parent/guardian shall be informed; and a recommendation shall be made that the

parent/**guardian** consult a private physician or dentist. The parent/**guardian** shall be required to report to the school the action taken subsequent to such notification. **If the parent/guardian fails to report the action taken, the school nurse or school physician shall coordinate a special medical examination for the student.**[\[2\]](#)[\[4\]](#)[\[9\]](#)

Parents/Guardians of students who are required to **receive grade mandated physical and dental examinations or screenings** shall be notified. The notice shall include the form(s) to be completed by the physician and/or dentist and to provide the documentation to the school principal or school nurse. **Such statement** may also include notification that the student may be exempted from such examination **or screening** if it is contrary to the parent's/**guardian's** religious beliefs.[\[10\]](#)[\[11\]](#)[\[12\]](#)

### **Health Records**

**The district shall maintain for each student a comprehensive health record which includes a record of immunizations and the result of tests, measurements, regularly scheduled examinations and special examinations.**[\[2\]](#)

**All health records shall be confidential and shall be disclosed only when necessary for the health of the student or when requested by the parent/guardian, in accordance with law and SRC policy.**[\[13\]](#)[\[14\]](#)

**Designated district staff** shall request from the transferring school the health records of students transferring into district schools. **Staff shall respond to such requests for the health records of students transferring from district schools to other schools.**[\[13\]](#)

**The district shall destroy student health records only after the student has not been enrolled in district schools for at least two (2) years.**[\[13\]](#)[\[15\]](#)

### **Delegation of Responsibility**

The **Superintendent or designee** shall instruct all staff members to continually observe students for conditions that indicate **health problems** or disability and to promptly report such conditions to the school nurse.[\[2\]](#)

**The Superintendent or designee shall ensure that notice is provided to all parents/guardians regarding the existence of and eligibility for the Children's Health Insurance Program (CHIP).**[\[9\]](#)

### **Legal References:**

1. 24 P.S. 1401
2. 24 P.S. 1402
3. 24 P.S. 1403
4. 22 PA Code 12.41
5. 24 P.S. 1407
6. 28 PA Code 23.1 et seq
7. 24 P.S. 1419

8. 28 PA Code 23.45

9. 24 P.S. 1406

10. 24 P.S. 1405

11. 28 PA Code 23.2

12. 20 U.S.C. 1232h

13. 24 P.S. 1409

14. Pol. 216 - Student Records

15. Pol. 800 - Records Management

16. 24 P.S. 1410

17. 28 PA Code 23.3

**Related Information:**

24 P.S. 1401-1419

22 PA Code 403.1

55 PA Code 3270.131

55 PA Code 3270.132

55 PA Code 3270.241

Philadelphia Code of Ordinances - Title 6, Section 6-209

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 200 Pupils

TITLE: Controlled  
Substances/Paraphernalia

ADOPTED:

REVISED:

## CONTROLLED SUBSTANCES/PARAPHERNALIA

### Purpose

The School Reform Commission recognizes that the abuse of controlled substances is a serious problem with legal, physical and social implications for the whole school community. As an educational institution, the schools shall strive to prevent abuse of controlled substances.

### Definitions

For purposes of this policy, **controlled substances** shall include all:[\[1\]](#)[\[2\]](#)

1. Controlled substances prohibited by federal and state laws.
2. Look-alike drugs.
3. Alcoholic beverages.
4. Anabolic steroids or other substances intended to enhance physical or athletic performance.
5. Drug paraphernalia.
6. Any volatile solvents or inhalants, such as but not limited to glue and aerosol products.
7. Substances that when ingested cause a physiological effect that is similar to the effect of a controlled substance as defined by state or federal laws, such as but not limited to herbal incense or other products containing synthetic cannabinoids.
8. Prescription or nonprescription (over-the-counter) medications, except those for which permission for use in school has been granted pursuant to SRC policy.[\[3\]](#)[\[4\]](#)

For purposes of this policy, **under the influence** shall include any consumption or ingestion of controlled substances by a student.



For purposes of this policy, **look-alike drug** shall include any pill, capsule, tablet, powder, plant matter or other item or substance that is designed or intended to resemble a controlled substance prohibited by this policy, or is used in a manner likely to induce others to believe the material is a controlled substance.

### **Authority**

The SRC prohibits students from using, possessing, distributing, and being under the influence of any controlled substances during school hours, at any time while on school-owned or leased property, at any school-sponsored activity, and during the time spent traveling to and from school and to and from school-sponsored activities. [5][6][7]

~~The SRC may require participation in drug counseling, rehabilitation, testing or other programs as a condition of reinstatement into the school's educational, extracurricular or athletic programs resulting from violations of this policy.~~

**In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and SRC policies.** [8][9][10][11][12][13]

### **Off-Campus Activities**

This policy shall also apply to student conduct that occurs off school property and would otherwise violate the Code of Student Conduct if any of the following circumstances exist: [14]

1. The conduct occurs during the time the student is traveling to and from school or traveling to and from school-sponsored activities, whether or not via school district furnished transportation.
2. The student is a member of an extracurricular activity and has been notified that particular off-campus conduct could result in exclusion from such activities. [15][16]
3. Student expression or conduct materially and substantially disrupts the operations of the school, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school.
4. The conduct has a direct nexus to attendance at school or a school-sponsored activity, for example, a transaction conducted outside of school pursuant to an agreement made in school, that would violate the Code of Student Conduct if conducted in school.
5. The conduct involves the theft or vandalism of school property.
6. There is otherwise a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities.

## Delegation of Responsibility

The Superintendent or designee shall develop administrative procedures to identify and control substance abuse in the schools which:

1. Establish procedures to deal with students suspected of using, possessing, being under the influence, or distributing controlled substances in school, up to and including expulsion and referral for prosecution.[14][17][18][19][20]
2. Disseminate to students, parents/guardians and staff the SRC policy and administrative procedures governing student abuse of controlled substances.
3. Discourage use of and provide education concerning the dangers of abusing controlled substances.
4. Establish procedures for education and readmission to school of students convicted of offenses involving controlled substances.

**The Superintendent, Office of School Safety, or designee shall immediately report required incidents and may report discretionary incidents involving possession, use or sale of controlled substances on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and SRC policies.**[13][17][18][21][22][23]

**The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use or sale of controlled substances as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.**[13][21][24]

**In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of possession, use or sale of controlled substances to the Office for Safe Schools.**[13][18]

## Guidelines

No student may be admitted to a program that seeks to identify and rehabilitate the potential abuser without the intelligent, voluntary and aware consent of the student and parent/guardian.

## Anabolic Steroids

The SRC prohibits the use of anabolic steroids by students involved in school-related athletics, except for a valid medical purpose. Body building and muscle enhancement, **increasing muscle**

**bulk or strength, or the enhancement** of athletic ability are not valid medical purposes. Human Growth Hormone (HGH) shall not be included as an anabolic steroid.[\[25\]](#)

Students shall be made aware annually of the dangers of steroid use; that anabolic steroids are classified as controlled substances; and that their use, unauthorized possession, purchase, or sale could subject students to suspension, expulsion and/or criminal prosecution.[\[20\]](#)[\[26\]](#)

**Legal References:**

- [1. 35 P.S. 780-102](#)
- [2. 21 U.S.C. 812](#)
3. Pol. 210 - Use of Medications/Medical Technology
4. Pol. 210.1 - Possession/Use of Emergency Medications
- [5. 24 P.S. 510](#)
- [6. 24 P.S. 511](#)
- [7. 22 PA Code 12.3](#)
- [8. 22 PA Code 10.23](#)
- [9. 20 U.S.C. 1400 et seq](#)
10. Pol. 103.1 - Nondiscrimination-Qualified Students With Disabilities/Protected Handicapped Students
11. Pol. 113.1 - Discipline of Students With Disabilities
12. Pol. 113.2 - Behavior Support
13. Pol. 805.1 - Relations With Law Enforcement Agencies
14. Pol. 218 - Student Conduct and Discipline
15. Pol. 122 - Extracurricular Activities
16. Pol. 123 - Interscholastic Athletics
- [17. 24 P.S. 1302.1-A](#)
- [18. 24 P.S. 1303-A](#)
- [19. 42 Pa. C.S.A. 8337](#)
20. Pol. 233 - Suspension and Expulsion
- [21. 22 PA Code 10.2](#)
- [22. 22 PA Code 10.21](#)
- [23. 22 PA Code 10.22](#)
- [24. 22 PA Code 10.25](#)
- [25. 35 P.S. 807.1](#)
- [26. 35 P.S. 807.2](#)

**Related Information:**

- [24 P.S. 696](#)
- [22 PA Code 403.1](#)
- [35 P.S. 780-101 et seq](#)
- [35 P.S. 807.1 et seq](#)
- [20 U.S.C. 7114](#)
- [20 U.S.C. 7161](#)
- [21 U.S.C. 801 et seq](#)
- [34 CFR Part 300](#)



# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 200 Pupils

TITLE: Electronic Devices

ADOPTED:

REVISED:

## ELECTRONIC DEVICES

### Purpose

The School Reform Commission (SRC) adopts this policy **to contribute toward the maintenance of** an educational environment that is safe and secure for district students and employees. Further, the SRC recognizes that certain electronic devices can be used for educational purposes.

### Definition

**Electronic devices** shall include all devices that can take photographs; record, **play or edit** audio or video data; store, transmit or receive **calls**, messages, data or images; **perform online applications**; or provide a wireless, unfiltered connection to the Internet.

### Authority

**The SRC requires this policy to be posted on the district's publicly accessible website.**[\[1\]](#)

The district shall not be liable for the loss, damage or misuse of any electronic device. The district shall provide no technical support, troubleshooting, or repair for personal electronic devices.

### Approved Use of Electronic Devices

Electronic devices may be used in the classroom, in education-related activities and in approved locations under the supervision of professional staff for educational purposes only. All use shall be in compliance with the Student Code of Conduct, the Acceptable Use Policy **or as designated in an individualized education program (IEP).**[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

The district shall provide filtered Internet access for educational purposes for student use in accordance with the Children's Internet Protection Act and the Acceptable Use Policy. The district is not capable of filtering content for students using non-district network access, such as cellular smart phone networks. Parent/Guardians assume all responsibility for unfiltered access to the Internet via non-district Internet connections.[\[5\]](#)

Use of electronic devices for photography and/or recording may only occur when authorized by the building principal, district administration, or designated professional staff members for the purposes of participation in educational activities.

The building administrator may grant approval for possession and use of a telephone paging device/beeper by a student for the following reasons:[6]

1. Student is a member of a volunteer fire company, ambulance or rescue squad.
2. Student has a need due to the medical condition of an immediate family member.
3. Other reasons determined appropriate by the building principal.

#### Unauthorized Use of Electronic Devices

The SRC prohibits use of all electronic devices by students in locker rooms, bathrooms and other changing areas.

The SRC prohibits the taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to texting and emailing.

Audio and videotaping shall be consistent with state and federal laws. Recording anyone without their knowledge and permission is prohibited and may be punishable under federal, state and local laws.

#### Off-Campus Activities

**This policy shall also apply to student conduct that occurs off school property and would otherwise violate the Code of Student Conduct if any of the following circumstances exist:[4]**

- 1. The conduct occurs during the time the student is traveling to and from school or traveling to and from school-sponsored activities, whether or not via school district furnished transportation.**
- 2. The student is a member of an extracurricular activity and has been notified that particular off-campus conduct could result in exclusion from such activities.[7][8]**
- 3. Student expression or conduct materially and substantially disrupts the operations of the school, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school.**
- 4. The conduct has a direct nexus to attendance at school or a school-sponsored activity, for example, a transaction conducted outside of school pursuant to an**

**agreement made in school, that would violate the Code of Student Conduct if conducted in school.**

- 5. The conduct involves the theft or vandalism of school property.**
- 6. There is otherwise a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities.**

### **Delegation of Responsibility**

The Superintendent or designee shall annually notify students, parents/guardians and employees about **this policy and its availability on the district's website.**[\[1\]](#)

The Superintendent or designee shall develop administrative procedures to implement this policy.

### **Guidelines**

**Violations of this policy by a student shall result in disciplinary action and may result in confiscation of the electronic device.**[\[4\]](#)[\[9\]](#)[\[10\]](#)

Violations of this policy may constitute a crime under state and/or federal law and the district may report such conduct to state and/or federal law enforcement agencies.

### **Legal References:**

1. 24 P.S. 510.2

2. 24 P.S. 510

3. Pol. 113 - Special Education

4. Pol. 218 - Student Conduct and Discipline

5. Pol. 815 - Acceptable Use of Internet, Technology and Network Resources

6. 24 P.S. 1317.1

7. Pol. 122 - Extracurricular Activities

8. Pol. 123 - Interscholastic Athletics

9. Pol. 226 - Searches

10. Pol. 233 - Suspension and Expulsion

### **Related Information:**

Philadelphia Home Rule Charter - 12-300

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 300 Employees

TITLE: Student Teachers,  
**Interns, and Residents**

ADOPTED:

REVISED:

## STUDENT TEACHERS, INTERNS, AND RESIDENTS

### Authority

The **School Reform Commission** encourages cooperation with colleges, universities, **and approved educational providers** ~~within the state~~ **to assist in the training** of student teachers, interns, and residents.

**The SRC establishes that** the district shall accept student teachers, **interns, and residents** from accredited institutions with which the district has a cooperative agreement approved by the SRC.

The SRC directs that student teachers, interns, and residents shall not be accepted into the district unless they have complied with the mandatory background check requirements for criminal history and child abuse and the district has evaluated the results of those screening processes. [\[1\]](#)[\[2\]](#)

### Definitions

**For the purposes of this policy, the following definitions will apply:**

A student teacher is defined as any individual serving in the School District of Philadelphia (“District”) in any instructional capacity ~~but~~ not formally employed by the District.

An intern is defined as any individual providing operational support in the District. These individuals ~~is not may or may not be~~ formally employed with the District.

A resident is defined as any individual serving in a District school in any instructional capacity that ~~is not may or may not be~~ formally employed by the District.

### Delegation of Responsibility

The Superintendent **or designee**, with the agreement of the supervising teacher, **administrator, or administrative department manager, shall be responsible to assign** student teachers, interns, and residents to schools and/or administrative departments. Student teachers or residents shall be assigned to teachers who have met specific criteria established by the District.



The Superintendent or **designee** shall ensure distribution of student teachers and **residents** throughout the district so that no single group of **students** or teachers will be subject to excessive student teacher or **resident** classroom hours. **Interns will be assigned by administrative department managers.**

Student teachers, **interns, and residents** shall comply with the health examination **requirements** of the state and **SRC** policy applicable to **district staff**. [\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

While serving in district schools, student teachers, **interns, and residents** shall be responsible for their conduct to the supervising teacher, **administrator, or administrative department manager.**

### **Arrest or Conviction Reporting Requirements**

**Prior to being accepted into the District, student teachers, interns, and residents shall report arrests and convictions by submitting required backgrounds checks and clearances. Student teachers, interns, and residents shall likewise report arrests and/or convictions that occur subsequent to submitting required background checks and clearances on the designated form. A student teacher, intern, or resident who is required to report an arrest or conviction on the designated form can find the form to complete on the District Employee Relations website. [\[1\]](#)**

**While serving in the District, student teachers, interns, and residents shall use the designated form to report to the Superintendent or designee, within seventy-two (72) hours of the occurrence, an arrest or conviction required to be reported by law. [\[1\]](#)**

**While serving in the District, a student teacher, intern, or resident shall be required to report to the Superintendent or designee, in writing, within seventy-two (72) hours of notification, that s/he has been listed as a perpetrator in the Statewide database, in accordance with the Child Protective Services Law. [\[8\]](#)**

**A student teacher, intern, or resident shall be required to submit a current criminal history background check report if the Superintendent or designee has a reasonable belief that the student teacher, intern or resident was arrested or has been convicted of an offense required to be reported by law, and the student teacher or intern has not notified the Superintendent or designee. [\[1\]](#)**

**Failure to accurately report such arrests and convictions may subject the student teacher, intern, or resident to disciplinary action up to and including dismissal from the District and criminal prosecution. [\[1\]](#)[\[8\]](#)**

### ~~**Guidelines**~~

### **Observers**

Student teachers, **interns, residents,** and faculty of other educational institutions shall be offered the opportunity to visit district schools and observe **classes**. Such observers must be treated as any other visitor and shall be under the direct supervision of the administrator or administrative department manager.[9]

**Legal References:**

1. 24 P.S. 111
2. 23 Pa. C.S.A. 6344
3. 24 P.S. 1418
4. 28 PA Code 23.43
5. 28 PA Code 23.44
6. 28 PA Code 23.45
7. Pol. 314 - Physical Examination
8. 23 Pa. C.S.A. 6344.3
9. Pol. 907 - School Visitors

**Related Information:**

- 24 P.S. 510
- 22 PA Code 8.1 et seq
- 23 Pa. C.S.A. 6301 et seq
- Philadelphia Home Rule Charter - 12-300

# THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: 300 Employees

TITLE: Assignment and  
Transfer

ADOPTED:

REVISED:

## ASSIGNMENT AND TRANSFER

### Authority

The assignment and transfer of administrative, professional and support employees within the School District of Philadelphia (“District”) shall be determined by the management, supervisory, instructional and operational needs of the schools and the District in accordance with applicable laws and collective bargaining agreements.

The School Reform Commission (“SRC”) shall approve the initial assignment of all employees at the time of employment ~~and when such assignments involve a move to a position requiring a certificate or credentials other than those required for the employee's present position.~~

The assignment or transfer of an employee to a position where the employee’s immediate supervisor would be a relative of the employee is prohibited. For purposes of this policy, **relative** shall be defined as father, mother, brother, sister, husband, wife, son, daughter, stepson, stepdaughter, grandchild, nephew, niece, first cousin, sister-in-law, brother-in-law, uncle, or aunt. [10]

Each applicant for transfer or reassignment from one position to another shall be required to submit an official child abuse clearance statement, ~~unless the applicant is applying for a transfer from one position as a district employee to another position as a district employee and~~ unless the applicant's official child abuse clearance statement is current. [1][2]

~~Each applicant for transfer or reassignment from a position without direct contact with students to a position with direct contact shall be required to submit criminal background checks as required by law. Such applicants shall report, on the designated form, arrests and convictions as specified on the form. Failure to accurately report such arrests and convictions may subject the individual to disciplinary action up to and including termination and criminal prosecution.~~ [3][4]

## **Delegation of Responsibility**

**The Superintendent or designee shall provide a system of assignment or reassignment for district employees that includes consideration of requests for voluntary transfers.**

The Superintendent shall have the authority to assign and reassign all district professional and support employees **in accordance** ~~consistent~~ with state law and applicable collective bargaining agreements. [\[5\]](#)

**The Superintendent or designee, in considering any assignment or transfer, shall assure that low-income students and minority students are not taught at higher rates than other students by unqualified, out-of-field or inexperienced teachers.**[\[6\]](#)

~~To the extent possible,~~ **The District will make every effort to ensure that vacancies are posted to all appropriate employees.**

When administratively possible, **employees shall be informed of their assignments preceding the school year in which the assignments will be effective.**

**This policy shall not prevent reassignment of an employee during the school year for just cause, as determined by the SRC, subject to any applicable collective bargaining agreement.**

## **Guidelines**

### **Head Start Program Staff**

The assignment and transfer of individuals, including district employees, who will work primarily for the Prekindergarten Head Start program shall be in accordance with the policies and procedures approved by the Prekindergarten Head Start Policy Council and the SRC **and in accordance with state law and applicable collective bargaining agreements.** [\[5\]](#). [\[7\]](#)[\[8\]](#)[\[9\]](#)

### **Legal References:**

- [1. 23 Pa. C.S.A. 6344.3](#)
- [2. 23 Pa. C.S.A. 6344.4](#)
- [3. 24 P.S. 111](#)
4. Pol. 317 - Conduct/Disciplinary Procedures
- [5. Philadelphia Home Rule Charter - 12-401](#)
- [6. 20 U.S.C. 6312](#)
- [7. 42 U.S.C. 9837](#)
- [8. 45 CFR 1301.31](#)
- [9. 45 CFR 1304.50](#)
- 10. Employee Code of Ethics**

### **Related Information:**

24 P.S. 510

24 P.S. 696

Philadelphia Home Rule Charter - 12-308

22 PA Code 8.1 et seq

23 Pa. C.S.A. 6301 et seq