

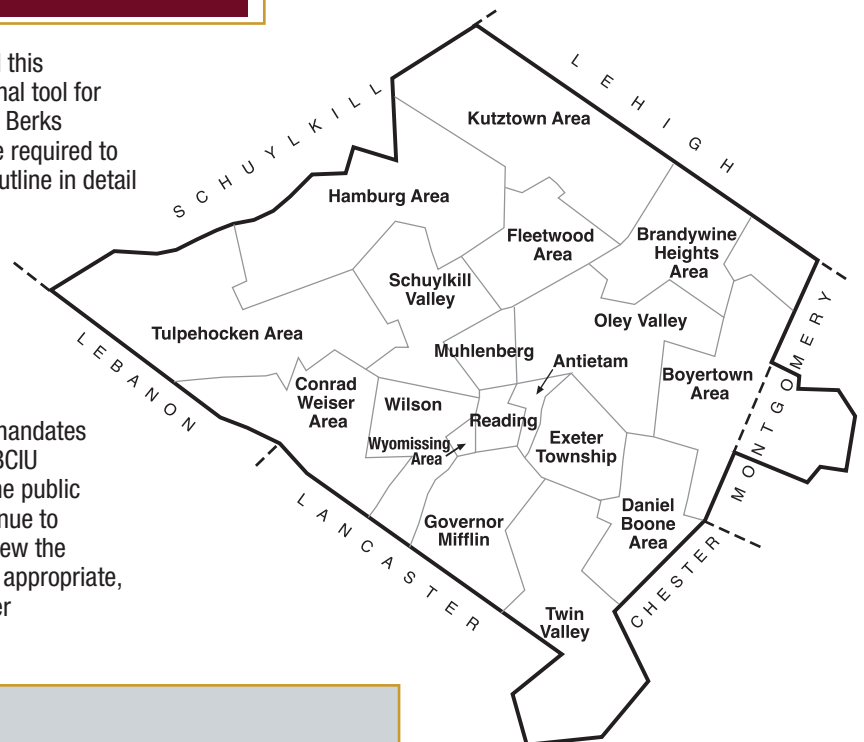
STATE MANDATES

BERKS COUNTY SCHOOL DISTRICTS

The Berks County Intermediate Unit (BCIU) has authorized this summary of educational mandates to serve as an informational tool for public school administrators and school directors throughout Berks County. As many are aware, Pennsylvania school districts are required to comply with federal, state, and even local mandates which outline in detail what school districts must do, how they must do it, and how much funding, if any, may be allocated for each mandate.

Mandates come from several sources. The federal government articulates some of these requirements; however, most mandates come from state laws, regulations, and other types of guidance issued from Pennsylvania governmental agencies.

This document is a summary compilation of the majority of mandates required of Pennsylvania's public school districts. While the BCIU understands that mandates are a necessary component of the public education system, please be assured that the BCIU will continue to collaborate with federal, state, and local policymakers to review the relevancy of these mandates and discuss alternatives where appropriate, including the need for additional funding or resources in order to comply with a particular mandate.



EXECUTIVE SUMMARY

This document serves to outline state mandates for Pennsylvania public school districts. Mandates for school districts come in two forms:

- Legislation approved by the General Assembly, most typically amending the Act of March 10, 1949, also known as the Pennsylvania Public School Code of 1949.
- Directives from the Pennsylvania Department of Education and other state agencies, reflected in the Pennsylvania Public School Code, the Commonwealth's official publication of rules and regulations.

This document is an active document and is updated as new legislation is passed and new directives are handed down. Please note the date to see when it was last modified.

Disclaimer: The information in this State Mandates document is based on the Pennsylvania Public School Code and has been reviewed by several education leaders. It is considered to be complete and accurate to the best of the preparers' knowledge, as of the date of publication. The information provided in this document is a summary of applicable laws, policies, and regulations. For any particular question about any specific mandate, please refer to the section and title of the source cited. Specific questions about any mandate and / or how a particular mandate may apply to your school entity should be directed to your school solicitor.

Table of Contents

STATE MANDATES FOR PUBLIC SCHOOL DISTRICTS

Human Resources

Chapter 49 339 1109(A)	Certification and Qualifications	1
Chapter 83	Pennsylvania Public School Employees' Retirement System (PSERS)	1
Chapter 84	403(b) Plans	1
111	Clearances / Background Checks	1
111	Arrest / Conviction Report and Certification	2
111	Sexual Misconduct / Abuse Disclosure Release (Employment History Review)	2
129	Special Provisions Applicable to Limited School Years	2
131	Instructional Vacancy Data	3
524	Public Hearing Prior to School Closing	3
524	Notice of School Closing to Employees	3
527	Drug Law Convictions	3
528	Third-Party Services	3
1073	Contracts for Superintendents and Assistant Superintendents	4
1073.1	Performance Review of Superintendents and Assistant Superintendents	4
1111	Employment of Relatives of School Directors	4
1113	Transferred Programs and Classes (Transfer of Entity)	4
1121	Tenure	4
1127	Procedure on Dismissals	5
1130	Notice of Discharge	5
1130	Procedure on Decision Favorable to Employee	5
1138	Revised Rating System for Classroom Teachers	5
1138.4	Revised Rating System for Principals	5
1138.5	Revised Rating System for Nonteaching Professional Employees	5
1138.9	Operative Provisions for Rating Professional and Temporary Professional Employees	6
1138.10	Rating System Reporting	6
1154	Sick Leave	6
1154	Bereavement Leave	6
1164	Compensation Plans for School Administrators	6
1166	Sabbatical Leaves	7
1169	Salary While on Sabbatical Leave	7
1176 / 1181	Military Leaves of Absence	7
1111-A*	Collective Bargaining	7
1201.1	Substitute Teaching Permit for Prospective Teachers	8
1204.1	Standard Employment Application	8
1215	Locally Issued Temporary Certification for Substitute Teachers	8
1218.1	Permit for Classroom Monitors	8
1418	Medical Examinations of School Personnel	8
1504	Lunch Periods	9
2070.11	Investigations of Allegations of Misconduct	9
Title 16 Chapter 44.12	Eliciting or Disseminating Medical Information	9
Title 34 Chapter 1	Discrimination / Title IX Sexual Harassment	9
Title 35 Section 7307	Health & Safety Workplace Postings	10
Title 43 Chapter 955 1955	Pennsylvania Human Relations Act	10
Title 51 Chapter 71	Veterans Preference	11
Title 75 Section 1509	School Bus Driver Qualifications	11
Title 75 Section 1604	Notification Requirements for Drivers Holding a Commercial Driver's License	11
Section 229.14 Section 31306	Drug / Alcohol Program for Covered Drivers	11
7 CFR 210 7 CFR 235	Professional Standards for School Nutrition Program Professionals	11

Table of Contents

STATE MANDATES FOR PUBLIC SCHOOL DISTRICTS

Health & Wellness

742	Lead Testing	12
1303	Immunizations	12
1402	Mandated Health Services	13
1403	Mandated Vision Screening	14
14-406	Recommendations / Children’s Health Insurance	14
1407	Mandated Dental Services	14
1410	Employment of School Health Personnel	14
1414.1	Possession and Use of Asthma Inhalers and Epinephrine Auto-Injectors	15
1414.2	School Access to Emergency Epinephrine	15
1414.3	Education of School Employees in Diabetes Care	16
1414.4	Diabetes Care in Schools	16
1414.5	Possession and Use of Diabetes Medication and Monitoring Equipment	17
1414.9	Administration of Epinephrine Auto-Injectors by School Bus Drivers and Crossing Guards	18
1414.10	Sun Protecting Measures for Students	18
1418	Medical Exams for Staff	18
1423	Automatic External Defibrillators (AEDs)	19
1424	CPR Certification	19
1547	Student Assistance Program (SAP)	19
5323	Concussions and Traumatic Brain Injuries	19
5333	Sudden Cardiac Arrest	20
Title 18 Section 6306.1	Use of Tobacco Products in Schools	20
Title 28 Chapter 23	Required Health Services	20
Title 35 Section 807.1	Anabolic Steroids	21
Act 96 of 2001	Infection Control and Universal Precautions	21
Act 139 of 2014	Naloxone	21
Act 159 of 1984	Hazardous Substances	21

Curriculum

Chapter 4.21	Elementary Education	22
Chapter 4.22	Middle Level Education	22
Chapter 4.23	High School Education	22
Chapter 4.25	Languages	22
Chapter 4.29	HIV / AIDS Education	23
Chapter 4.31	Career & Technical Education (CTC)	23
Chapter 4.52	Local Assessment System	23
121	Keystone Exams and Graduation Requirements	24
1501	School Terms	24
1501	Flexible Instructional Days	24
15-1503-L	Online Courses	24
15-1506-I	Hybrid Learning	25
1511	Prescribed Courses	25
1511.1	Remedial Courses	25
1513	Physiology and Hygiene	25
1514	Humane Education	25
1518	Fire Dangers and Prevention	25
15-1519 (b.1)	Driver’s Education	25
1523	Right of Refusal (Animal Dissection)	26
1528	CPR Curriculum	26

Table of Contents

STATE MANDATES FOR PUBLIC SCHOOL DISTRICTS

1547	Alcohol, Chemical, and Tobacco Abuse Program	26
1551	Personal Financial Literacy	26
1605	Courses of Study	26
1605.1	Civic Knowledge Assessment	26

Policy & Procedure | Finances & Accounting

218	Financial Reports	27
437	Audit of Accounts	27
440.1	Investment of Funds	27
621	Designation of Depositories	27
687	Annual Budget	27
Title 53 Section 6924.504	Tax Collection Districts	28
Title 53 Section 6926.341–343	Homestead and Farmstead Applications and Exclusions	28
Title 53 Section 6926.1502	Installment Payments for Property Taxes	28
Title 53 Section 8423	Disclosure Statement (Taxpayer Bill of Rights)	29
Title 72 Section 5860.207	Reimbursement of County	29

Policy & Procedure | Student Procedures

Title 34 Title 18	Discrimination / Title IX Sexual Harassment	29
20 USCS 34 CFR Section 99.37	Student Education Records	30
Chapter 4.26	English as a Second Language	31
Chapter 4.27	Athletics	32
Chapter 4.4	Parental Review	32
Chapter 12.6	Exclusions from School	32
Chapter 12.7	In-School Suspensions	33
Chapter 12.14	Student Searches	34
Chapter 12.31	Student Records	34
Chapter 12.41	Student Services	34
128	Career Information and Recruiting	35
1184	National Guard or Reserve Parent Student Support	35
Title 22	K-12 Guidance Plan	35
1302	Students Involved in School District Residency Disputes	35
1302.1	Military Child Advance Enrollment	36
1305	Non-Resident Child Placed in Home of Resident	36
1306	Non-Resident Inmates of Children’s Institutions	36
1306.2	Incarcerated Juveniles in Adult Facilities	36
1310.1	Classroom Placement of Twins or Higher Order Multiples	36
1318.1	Students Convicted or Adjudicated Delinquent of Sexual Assault	37
1326	Attendance	37
Act 119 of 2018	Military Parent Student Support	38
1327.1 / 1327.2	Home-Educated Students	38
24 PS Section 13-1306	Homeless and Foster Care Students	39
24 PS Section 13-1331.1	Educational Instability	39
1333	Procedure When Child is Truant	39
1333.1	Procedure When Child is Habitually Truant	40
1521	Limitation of Refusal to Enroll Student	40
1614	Participation by Students with Disabilities in High School Graduation Ceremonies	40
1719-A	Participation of Charter School Students	40
1901-C	Disruptive Student Programs	40

Table of Contents

STATE MANDATES FOR PUBLIC SCHOOL DISTRICTS

Policy & Procedure | Operations & Transportation

40 CFR Part 763	Asbestos-Containing Materials in Schools	41
504.1	Food and Beverage Contracts	42
701.1	Construction or Lease of New School Building	42
701.1	Construction and Renovation Reimbursement Eligibility	42
7-707	Sale of District Property	43
751	Construction Contracts, Reconstruction, Repairs, or Work	43
772.1	Integrated Pest Management Program	43
772.2	Pesticide Treatments at Schools	44
780	Public Hearing Prior to Closing School	44
807.1	Purchase of Supplies	45
1337	Nonprofit School Food Program	45
1361	Transportation of Pupils	46
1726-A	Transportation for Charter School Students	46
Title 67 Chapter 171	School Buses and School Vehicles	46

Policy & Procedure | Other

36 USC Section 106	Constitution Day / Citizenship Day	46
134	Advertising and Sponsorships	46
Chapter 4.13	Strategic Plans	47
220	State Report Cards	47
222	Drop-Out Data Collection	47
329	Publication of School Board Members' Email Addresses	48
518	Retention of Records	48
771	Display of the Flag	48
1351	Enumeration of School Children	48
1422.1	Wellness Policy	48
24 PA Statute	Administrative and Instructional Partnerships Between School Entities and Feasibility Study	49
1526	Youth Suicide Awareness & Prevention	49
1555	9 11 Remembrance in Schools	49
1603-C	Interscholastic Athletics Reporting	49
1717-A	Establishment of a Charter School	50
17-1722-A / 17-1744-A	School District and Intermediate Unit Responsibilities (for Cyber Charter Schools)	50
1725-A	Funding for Charter School	51
Section 24 1725.1A	Funding for Cyber Charter School	51
1748-A	Cyber Enrollment and Withdrawal	51
Act 55 of 2022	Agreements with Institutions of Higher Learning or Dual Enrollment	51
Act 11 of 2022	Change of Name	52
Right to Know Act Section 502	Open Records Officer	52
7 CFR	Free / Reduced Price School Lunch Announcement	52
28 CFR	Web Content Accessibility	53
Title 18 Section 6306.1	Use of Tobacco Products in Schools	53
Title 24 Section 4604	School Internet Policies	53
Title 24 Section 5004	Unfair Educational Practices	54
Title 25 Section 2727	Use of Schools as Polling Places	54
Title 47 Section 4-493	Unlawful Acts Relative to Liquor	54
Title 51 Section 20222	Military Affairs – Access to Seniors / List of Seniors	55
Title 65 Section 701-716	Open Meetings	56
Title 73 Chapter 43	Breach of Personal Information	57

Table of Contents

STATE MANDATES FOR PUBLIC SCHOOL DISTRICTS

School Safety & Security

Chapter 10	All Hazards Planning	58
Chapter 10	Memorandum of Understanding	58
Chapter 10 Section 23	Response and Handling of a Student with a Disability	58
223	Certified Safety Committee	58
1317.2	Possession of Weapons	59
1303-A	Safe Schools Reporting	59
1303.1-A	Anti-Bullying	59
1305-A	Transfer of Records	59
1307-A	Maintenance of Records	59
1309-B / 1316.B	School Safety and Security Coordinator	60
1310-B	School Safety and Security Training	61
1302-C	School Police Officers	62
1313-C	School Resource Officers	63
1314-C	School Security Guards	63
1316-C	School Security Personnel	64
1303-D	Safe2Say Something	64
1302-E	Threat Assessment Teams	65
1517	Fire Drills	66
1517	School Security Drills	66
1517	Bus Evacuation Drills	66
Title 18 Chapter 28	Antihazing	66
Title 23		
Section 6311–6313	Mandated Reporters	67
Title 42		
Section 6341	Finding of Delinquency	67

Professional Development

Chapter 4	English as a Second Language	68
Chapter 49.16	Approval of Induction Plans	68
Chapter 49.14(4)(i) / 49.17	Culturally-Relevant and Sustaining Education (CR-SE)	68
Chapter 49.17	Professional Ethics	68
Chapter 49.17	Structured Literacy Program	68
328	School Director Training	69
1109	PA Inspired Leadership (PIL)	69
1205.1	Professional Education Plan / Continuing Professional Education (CPE)	69
1205.4	CPR Instruction	70
1205.6	Child Abuse Recognition and Reporting	70
1205.7	Trauma-Informed Approaches	70
1526	Youth Suicide Awareness and Prevention	70

Note: Within this document, the term “professional employee” is referenced. For clarification purposes, in accordance with Title 24 P.S. Education Section 11-1101, a professional employee is defined as follows:

Professional Employee – the term “professional employee” shall include those who are certificated as teachers, supervisors, supervising principals, assistant principals, vice-principals, directors of career and technical education, dental hygienists, visiting teachers, home and school visitors, school counselors, child nutrition program specialists, school librarians, school secretaries the selection of whom is on the basis of merit as determined by eligible lists and school nurses. (Title 24 P.S. Education Section 11-1101).

Title 22 | Chapter 14 Special Education Services & Programs

General Provisions	71
Child Find, Screening, and Evaluation	74
Individualized Education Program (IEP)	76
Educational Placement	77
Early Intervention	78
Procedural Safeguards	80

Title 22 | Chapter 15 Protected Handicapped Students

General Provisions	81
Annual Notice	81
School District Initiated Evaluation and Provision of Services	81
Parent Initiated Evaluation and Provision of Services	82
Service Agreement	83
Procedural Safeguards	84
Confidentiality	84
Discrimination Claims	84

Title 22 | Chapter 16 Special Education for Gifted Students

General Provisions	85
Screening and Evaluation Process	86
Gifted Individualized Education Plan (GIEP)	89
Educational Placement	90
Procedural Safeguards	91

Act 1 of 2006 – Taxpayer Relief Act

Public Referendum Requirements for Increasing Certain Taxes	93
--	----

At a Glance

State Mandates for Public School Districts	94
Major Federal Regulations Impacting K-12 Education	95
Elementary and Secondary Education Act (ESEA) of 1965	96
Health & Safety Plan	97
Required Publication of Rules, Regulations, and Policies	98

Section	Title	Action	Timing	Details
<p>CHAPTER 49 Article XVII 24 P.S. Section 12-1201- 12-1215 24 P.S. CHAPTER 339 339.41</p> <p>Section 1109(A) Act 55 of 2024</p>	<p>Certification</p> <p>Qualifications</p>	<p>Shall Employ</p> <p>Shall Employ</p>	<p>Ongoing</p> <p>Ongoing</p>	<p>School entities shall employ professional employees who meet certification and professional standards and shall have an in-service plan on file that ensures professional personnel remain current with practices and standards of their professional areas.</p> <p>Every teacher employed to teach in the public schools of this Commonwealth must be a person of good moral character, must be at least 18 years of age, and must be a citizen of the United States or authorized to work in the United States: provided, that citizenship may be waived in the case of exchange teachers not permanently employed, and teachers employed for the purpose of teaching foreign languages including special teachers who speak the idiomatic or colloquial language of immigrants residing in the school district, and employed for the purpose of easing the transition period of such immigrants.</p>
<p>CHAPTER 83 Act 96 of 1975</p>	<p>Pennsylvania Public School Employees' Retirement System (PSERS)</p>	<p>Shall Enroll</p> <p>Shall Enroll</p>	<p>Upon Hire</p> <p>Upon Hire</p>	<p>Membership in the Public School Employees' Retirement System (PSERS) is mandatory for all school employees with limited exceptions (as outlined in Chapter 83, Section 8301).</p> <p>Regular contributions are to be made to the fund on behalf of each active member for current service with limited exceptions. Additional requirements for contributions are outlined in Chapter 83, Subchapter B.</p>
<p>CHAPTER 84 Act 5 of 2017</p>	<p>403(b) Plans</p>	<p>Shall Maintain</p>	<p>Annually</p>	<p>Schools are required to have a minimum of four financial institutions or pension management organizations for 403(b) and 457 plans.</p>
<p>111 Act 34 of 1985 Act 151 of 1994 Act 114 of 2006 Act 61 of 2008 Act 24 of 2011 Act 82 of 2012 Act 153 of 2014 Act 168 of 2014 Act 4 of 2016</p> <p><i>(continued on next page)</i></p>	<p>Clearances / Background Checks</p>	<p>Shall Obtain from Applicants</p> <p>May Hire Provisionally</p>	<p>Before Hire</p> <p>90 Days</p>	<p>All applicants, employees of independent contractors, and student-teacher candidates must undergo background checks if they will have direct contact with students. In addition, employment history reviews must be completed.</p> <p>The required background checks include:</p> <ul style="list-style-type: none"> • Department of Human Services Child Abuse History Clearance • Pennsylvania State Police Request for Criminal Records Check • Federal Criminal History Record Information <p>The three clearances may be used by potential applicants for up to five years.</p> <p>All clearances must be renewed every 60 months.</p> <p>School entities may hire an applicant on a provisional basis for 90 days, except during a lawful strike under the provisions of the act of July 23, 1970, known as the "Public Employee Relations Act," provided that all of the following conditions are met:</p> <ul style="list-style-type: none"> • The applicant has applied for the information required under subsection (b) and where applicable, under subsection (c) or (c.1) and the applicant provides a copy of the appropriate completed request forms to the Administrator. • The Administrator has no knowledge of information pertaining to the applicant which would disqualify them from employment pursuant to subsection (e).

HUMAN RESOURCES

Section	Title	Action	Timing	Details
<p>111</p> <p>Act 34 of 1985 Act 151 of 1994 Act 114 of 2006 Act 61 of 2008 Act 24 of 2011 Act 82 of 2012 Act 153 of 2014 Act 168 of 2014 Act 4 of 2016 Act 12 of 2022</p> <p>(continued)</p>	<p>Arrest / Conviction Report and Certification</p> <p>Sexual Misconduct / Abuse Disclosure Release</p> <p>(Employment History Review)</p>	<p>Shall Complete</p> <p>Shall Obtain from Applicants</p>	<p>Within 6 Months of Assignment / Biennially Thereafter</p> <p>Before Hire or Within 72 Hours of Arrest or Conviction</p>	<ul style="list-style-type: none"> The applicant swears or affirms in writing that they are not disqualified from employment pursuant to subsection (e). If the information obtained pursuant to subsection (b), (c), or (c.1) reveals that the applicant is disqualified from employment pursuant to subsection (e), the applicant shall be suspended and subject to termination proceedings as provided by law. The Administrator requires that the applicant not be permitted to work alone with children and that the applicant work in the vicinity of a permanent employee. <p>All staff who have access to criminal justice information must complete basic security awareness training within six months of initial assignment and biennially thereafter</p> <p>Applicants must complete a Pennsylvania Department of Education Form PDE-6004 "Arrest / Conviction Report and Certification Form."</p> <p>This form must also be utilized by current and prospective employees to provide written notice within 72 hours after a subsequent arrest or conviction for an offense enumerated under 24 P.S. Section 1-111(e) or (f.1).</p> <p>Before individuals may be hired (or, in the case of an independent contractor, assigned) to a position involving "direct contact with children," the applicant must complete the "Sexual Misconduct / Abuse Disclosure" Form under Act 168 of 2014.</p> <p>The school or contractor must then:</p> <ul style="list-style-type: none"> Send the form to each current / former employer to verify the employee's information. Check license or certificate status or any other requirements both for eligibility and to see if ever professionally disciplined. Determine if PDE has received notice of any pending criminal charges against the individual. <p>Employers must return the completed form within 20 days.</p> <p>Where there are any affirmative responses relating to abuse, the school / contractor, who still wishes to consider the individual for the position, must send a follow-up request for further information and related records.</p> <p>As with other similar statutes, an employer is permitted to hire an individual on a provisional basis on certain pre-conditions and restrictions before it receives back the information from other current and past employers. However, if those forms are not returned, or are returned but incomplete, the school / contractor should consider that fact but then (according to PDE) may still hire the individual.</p>
<p>129</p> <p>Act 33 of 2023</p>	<p>Special Provisions Applicable to Limited School Years</p>	<p>Shall Hire</p>	<p>Ongoing</p>	<p>If in the judgment of a school entity, an emergency or shortage of day-to-day substitutes exists, the school entity is permitted to hire an annuitant regardless of whether the school entity first attempts to hire nonretired personnel, except they must first offer the work to any certified professional employee on a recall list.</p>

Section	Title	Action	Timing	Details
131 Act 35 of 2023	Instructional Vacancy Data	Shall Report	Annually	<p>School entities must submit the following information by August 31, 2024, and each year thereafter to PDE:</p> <ul style="list-style-type: none"> The total budgeted complement of instructional employees and vacancies included in the final adopted budget. The quarterly average number of instructional employee vacancies during the school year.
524 Act 192 of 1969 Title 24 P.S. Section 7-780	Public Hearing Prior to School Closing	Shall Hold	Not Less Than 3 Months	<p>In the event of a permanent closing of a school or substantially all of a school's facilities, a school board shall hold a public hearing on the question not less than three months prior to the decision of the board relating to the closing of the school. Notice of the hearing shall be in a newspaper of general circulation in the school district at least 15 days prior to the date of such hearings.</p>
	Notice of School Closing to Employees	Shall Be Given	At Least 60 Days Prior	<p>In the event that a school board decides to close any school or department, written notice must be provided, at least 60 days prior to closing, to all professional employees and temporary professional employees. If written notice is not given, the school district must pay the affected employees' salaries through the end of the school year during which the closing occurred.</p>
527 Act 191 of 1988 Act 211 of 1990	Drug Law Convictions	Shall Terminate	Immediately as Occurs	<p>Any employee who is convicted of delivery of a controlled substance or possession with intent to deliver, shall be terminated from employment.</p>
528 Act 39 of 2018	Third-Party Services	Shall Obtain	As Needed	<p>For all third-party service contracts for non-instructional services, schools are required to obtain from vendors: a minimum three-year cost projection, violation history, criminal records of employees, and traffic violations / chargeable accident records for employees.</p> <p>“Non-instructional services” is defined as services provided by a school employee whose terms and conditions of employment are governed by a collective bargaining agreement negotiated by the school and the exclusive representative of the employee, excluding professional staff, substitutes, or temporary professionals. The definition of “third party” excludes individuals.</p>
		Shall Conduct	30 Days Prior	<p>Before entering into an agreement, the school must conduct an advertised public meeting – no later than 30 days prior – where the proposal shall be advertised.</p>
		Shall Ensure Consideration is Given	As Needed	<p>If a school employee is terminated because of a new third-party contract, the third-party is required to give consideration to the employee, including but not limited to an interview for the same or substantially similar position if one becomes available during the term of the contract.</p>

HUMAN RESOURCES

Section	Title	Action	Timing	Details
1073	Contracts for Superintendents and Assistant Superintendents	Shall Specify Hold Public Meeting	Upon Hire 90 Days Prior to Expiration	A contract for the employment of a superintendent or assistant superintendent shall include performance standards and assessments; compensation and benefits; the length of the contract; and the termination, buyout, and severance provisions. The agenda shall include an item requiring affirmation action by five or more members of the board of school directors to notify the district superintendent or assistant superintendent that the board intends to retain them for an additional term of three to five years or that other candidates will be considered for the office. If the board fails to take action prior to this 90-day window, the contract of the current superintendent or assistant superintendent will be extended for one year.
1073.1	Performance Review of Superintendents and Assistant Superintendents	Shall Conduct Shall Post	Annually Ongoing	The board of school directors shall conduct a formal written performance assessment annually. Mutually agreed upon objective performance standards contained in the superintendent's or assistant superintendent's contract(s) shall be posted on the school district's website. Additionally, upon completion of the annual performance assessment, the date of the assessment and whether or not the superintendent and assistant superintendent have met the agreed-upon performance standards shall be posted on the school district's website.
1111	Employment of Relatives of School Directors	Shall Vote	As Needed	No teacher shall be employed by a school district where they are related to a member of the school district's board of directors, unless the teacher receives affirmative votes of the majority of the school board (other than the related member who shall not vote).
1113	Transferred Programs and Classes (Transfer of Entity)	Shall Be Offered Employment	At Time of Transfer	If a program or class is transferred from one school to another, the professional employees assigned to the class prior to transfer must be offered employment at the new school before new staff is hired.
1121 Act 16 of 1996	Tenure	Shall Enter	After 3 Years of Service	Tenure shall be awarded to professional employees who have satisfactorily completed three years of service in the school district. Tenure status is also transferrable to other school districts in Pennsylvania. Achieving tenure provides employment protections and a contract may only be terminated under certain conditions as outlined in Section 1122. An employee may also be suspended or furloughed only under certain conditions as outlined in Sections 1124 and 1125.1.

Section	Title	Action	Timing	Details
1127	Procedure on Dismissals	Shall Hold a Hearing	Between 10-15 Days After Notice	Before any tenured employee may be discharged, the employee must be given an opportunity to be heard in person or by counsel. A written notice of the charges must be signed by the board president and secretary and delivered via registered mail. The hearing must be held no sooner than 10 days and no later than 15 days after the employee receives the notice. The hearing must be recorded by a public stenographer paid at the expense of the district.
1130	Notice of Discharge	Shall Be Given	Within 10 Days	If a decision is made to discharge a professional employee, written notice must be provided to that employee via registered mail within 10 days of the conclusion of their hearing.
	Procedure on Decision Favorable to Employee	Shall Be Expunged	At Time of Decision	If a decision is made in favor of the employee, the charges must be expunged from the records of the school board. A record of the hearing must be delivered to the employee in question, and there shall be no abatement of salary or compensation.
1138 Act 13 of 2020	Revised Rating System for Classroom Teachers	Shall Be Evaluated	Annually	Classroom teachers are to be evaluated based on a weighted formula of classroom observation and student performance. The formula varies depending on the teacher's placement within the district, whether the employee is considered temporary, and the availability of building-related data.
		Shall Complete Professional Development	During Probationary Period (TPE) Every 7 years (PE)	Temporary professional employees must complete a professional development plan tailored to the evaluation system for classroom teachers. Professional employees must complete a condensed version of the program every seven years.
1138.4 Act 13 of 2020	Revised Rating System for Principals	Shall Be Evaluated	Annually	School principals are to be evaluated based on a weighted formula that includes planning and preparation, school environment, delivery of services, professional development, student performance, and individual performance goals. The formula varies depending on whether building-level data is made available from the PA Department of Education.
		Shall Complete Professional Development	Within 6 Months of Appointment, Every 7 years Thereafter	Principals must complete a professional development program tailored to evaluators and to the principal evaluation system.
1138.5 Act 13 of 2020	Revised Rating System for Nonteaching Professional Employees	Shall Be Evaluated	Annually	Nonteaching professional employees are to be evaluated based on a weighted formula that includes the following criteria: planning and preparation, educational environment, delivery of services, professional development, and building-level performance. The formula varies based on the availability of building-level data and whether an employee is considered temporary.
		Shall Complete Professional Development	During Probationary Period	Nonteaching professional employees must complete a professional development program tailored to the evaluation system for nonteaching professionals.

Section	Title	Action	Timing	Details
1166 Act of Mar. 10, 1949	Sabbatical Leaves	Shall Be Entitled	After 10 Years of Service	<p>Any professional employee, supervisor, instructional staff, administrative staff, or commissioned officer of a school district who has completed 10 years of satisfactory service is entitled to a leave of absence for professional development or sabbatical leave for restoration of health. At least five consecutive years of service must be in the district for which the leave is sought.</p> <p>Employees are entitled to a leave of either a half or full school term (or two half terms over two years).</p> <p>The leave may not be granted unless the employee agrees to return to employment with the school for a period of not less than one school term immediately following the leave of absence.</p> <p>Employees who fail to return are required to repay salary and benefits received while on leave unless the employee is prevented by illness or physical disability from returning.</p> <p>An employee who has earned and takes a sabbatical will be eligible for another sabbatical after seven years, and again every seven years thereafter.</p>
1169	Salary While on Sabbatical Leave	Shall Receive	While on Leave	<p>An employee on leave of absence shall receive at least one-half of his or her salary during his or her sabbatical.</p>
1176 / 1181 51 PA C.S.A. Section 4102	Military Leaves of Absence	<p>Shall Be Considered on Leave</p> <p>Shall Be Paid</p>	<p>For Duration of Service</p> <p>Applicable to Certain Circumstances</p>	<p>Any employee who has been regularly employed by a school district for any period who volunteers for – or is inducted into – service in the United States military will be considered to be on a leave of absence for the duration of such service, and all rights and privileges shall be reserved for the employee upon their return from service.</p> <p>An employee shall be entitled to paid military leaves of absence as follows:</p> <ul style="list-style-type: none"> • As a member of the Pennsylvania National Guard engaged in active State duty under section 508. • On all days not exceeding 15 consecutive or nonconsecutive days in any one year during which the employee is engaged in training or other military duty under orders authorized by Federal or State law.
1111-A* Act 88 of 1992	Collective Bargaining	Shall Have the Right	At All Times	<p>All public employees, including employees of public school districts, have the right to join or assist in employee organizations for the purpose of collective bargaining.</p> <p>It is the mutual obligation of the employer and employee union to meet at reasonable times and confer in good faith with respect to wages, hours, and other terms or conditions of employment.</p> <p><i>* Additional provisions regarding the collective bargaining process can be found in Article XI-A of the Pennsylvania Public School Code of 1949 and Chapter 43 (Labor) of the Pennsylvania Public School Code.</i></p>

HUMAN RESOURCES

Section	Title	Action	Timing	Details
1201.1 Act 33 of 2023	Substitute Teaching Permit for Prospective Teachers	Shall Permit	Through 2025-2026	<p>Effective for the 2023-2024 school year through 2025-2026, school entities may permit an eligible individual to serve as a substitute teacher for an unlimited number of days except for an individual who is undertaking a student teacher program.</p> <p>Individuals in a student teacher program may serve as substitute teachers for no more than 10 days in the individual's assigned classroom or classrooms or for other teachers within the building or buildings in which the individual has been placed as a student teacher.</p>
1204.1 Act 107 of 1996	Standard Employment Application	Shall Use	In All Instances	School districts must use the standard employment application developed by the PA Department of Education as part of its application process for teaching positions.
1215 Act 33 of 2023	Locally Issued Temporary Certification for Substitute Teachers	Shall Permit	Ongoing	<p>School entities may assign individuals issued a temporary substitute certificate under this section to serve as a substitute for more than 20 consecutive days.</p> <p>This section applies to an individual who presents a letter from a college or university verifying that the individual has completed an approved teacher preparation program, has completed the certification testing requirements or is in the process of scheduling the required certification testing, and has completed all requirements for the awarding of a bachelor's degree on a certain date.</p>
1218.1 Act 33 of 2023	Permit for Classroom Monitors	<p>Shall Request</p> <p>Shall Compensate</p> <p>Shall Report</p>	<p>Through 2025-2026</p> <p>Ongoing</p> <p>By March 31, 2026</p>	<p>School entities may request that PDE issue a classroom monitor permit to an individual to deliver students assignments that are preplanned by a professional employee or temporary professional employee. A classroom monitor may not plan lessons or create or grade student work.</p> <p>Classroom monitor permits may be issued through the 2025-2026 school year so long as the individual meets certain criteria.</p> <p>Individuals receiving a permit under this section who are already employed by the school entity as a paraprofessional shall receive the higher of their existing compensation or the compensation established by the school entity for day-to-day substitute teachers.</p> <p>School entities must report to PDE the following by March 31, 2026:</p> <ul style="list-style-type: none"> The number of individuals who served as classroom monitors under this section and the number of days on which the school entity used the services of classroom monitors. The school entity's day-to-day substitute teacher compensation rates in each of the school years from 2020-2021 through 2025-2026. For a school entity that uses a third-party entity to provide substitute teachers, the rate reported shall be the take-home amount received by an individual, excluding the portion paid to the third-party entity.
1418 Act 107 of 1996	Medical Examinations of School Personnel	Shall Submit	Prior to Employment	All school employees are required to take a pre-employment medical examination, the results of which are to be recorded on forms prescribed by the PA Department of Health. Additionally, employees and any other person providing services to school children under contract are required to take a tuberculosis test prior to employment (unless they can provide an adequate reason for being excused, in which case an alternative method of testing shall be administered).

Section	Title	Action	Timing	Details
1504	Lunch Periods	Shall Provide	Daily	Professional and temporary professional employees must be allowed a 30-minute lunch period free of supervisory or other duties.
2070.11	Investigations of Allegations of Misconduct	Shall Submit	Within 90 Days	Upon receipt of notification from the PA Department of Education, school districts have 90 days to conduct an investigation and report the outcome to the Department. (The Department may extend the 90-day reporting period upon written request.) The report must include a summary of evidence gathered and the name and contact information of the person in charge of the items listed in the inventory. If a school makes a recommendation concerning discipline, it must notify the educator.
TITLE 16 CHAPTER 44.12	Eliciting or Disseminating Medical Information	Shall Not Disclose	As Outlined	Employers must maintain confidentiality with regards to an employee's handicap or disability, medical condition, or medical history. This confidential information may only be disseminated with the approval of employee or when specific criteria are met.
TITLE 34 CHAPTER 1 Part 106 20 USCA Section 1681 Pa. Code 41.201 et seq 2024 Title IX Final Rule <i>(continued on next page)</i>	Discrimination / Title IX Sexual Harassment	Shall Provide	Ongoing	School entities shall provide all persons equal access to all categories of employment, regardless of race, color, age, religious creed, sex, sexual orientation, gender identity, ancestry, national origin, marital status, genetic information, handicap / disability, or pregnancy, childbirth, or pregnancy-related conditions. School entities shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, as well as pregnancy, childbirth, and pregnancy-related conditions, consistent with the requirements of federal and state laws and regulations.
		Shall Comply	Ongoing	School entities shall comply with federal law and regulations under Title IX prohibiting sex-based discrimination and harassment.
		Shall Designate	Ongoing	A school entity must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities related to nondiscrimination and sexual harassment; referred to as the Title IX Coordinator.
		Shall Utilize	Prior to August 1, 2024	For conduct that occurred before August 1, 2024, schools must use policies and procedures under the 2020 regulations, regardless of when it is reported.
		Shall Utilize	On or After August 1, 2024	For conduct that occurred on or after August 1, 2024, schools must use the new 2024 regulations (unless a school entity is associated with a current injunction in place).
		Shall Maintain	Ongoing	Schools must maintain both sets of policies indefinitely.
		Shall Publish / Post	Ongoing	A notice that the school entity does not discriminate in any manner, including Title IX sexual harassment must be issued to all students, parents / guardians, employment applicants, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the school entity. Notices shall be included in each student and staff handbook and the school entity's Board policy and related attachments must be posted to their website.

HUMAN RESOURCES

Section	Title	Action	Timing	Details
<p>TITLE 34 CHAPTER 1 Part 106</p> <p>20 USCA Section 1681</p> <p>Pa. Code 41.201 et seq</p> <p>2024 Title IX Final Rule</p> <p><i>(continued)</i></p>	<p>Discrimination / Title IX Sexual Harassment</p>	<p>Shall Publish / Post</p> <p>Shall Require</p> <p>Shall Complete</p> <p>Shall Maintain</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Upon Hire / Change of Position that Alters an Employee's Duties under Title IX / Annually Thereafter</p> <p>7 Years</p>	<p>All such notices and information shall include the title, office address, telephone number, and email address of the individual(s) designated as the Compliance Officer / Title IX Coordinator.</p> <p>All training materials must be posted on the school district's website.</p> <p>Schools must require all employees who are not confidential employees to notify the Title IX Coordinator of information about conduct that reasonably may constitute sex discrimination under Title IX.</p> <p>2024 Title IX Regulations established four tiers of training:</p> <ul style="list-style-type: none"> • All employees. • Investigators, decision-makers, appeal decision-makers, and others responsible for implementing the grievance procedures or have the authority to modify or terminate supportive measures. • Facilitators of Informal Resolution. • Title IX coordinators and designees. <p><i>Note: Training requirements vary based on tier.</i></p> <p>School entities must maintain records for seven years. This includes each complaint, each notification, and all training materials.</p> <p><i>Note: Regulations are based on the 2024 Title IX Final Rule; school entities associated with current injunctions shall continue to comply with the 2020 regulations.</i></p>
<p>TITLE 35 CHAPTER 7307</p>	<p>Health & Safety Workplace Postings</p>	<p>Shall Post</p>	<p>Ongoing</p>	<p>Employers must post a list of hazardous substances found in the workplace and all hazardous emissions produced by those substances.</p>
<p>TITLE 43 CHAPTER 955</p> <p>1955 Act 222 Section 3</p>	<p>Pennsylvania Human Relations Act</p>	<p>Shall Not Discriminate</p>	<p>At Any Time</p>	<p>The Pennsylvania Human Relations Act asserts that it is unlawful for employers to discriminate based on race, color, familial status, religious creed, ancestry, age, sexual orientation, gender identity, pregnancy status, national origin, handicap or disability, the use of a guide or support animal, because of the blindness, deafness, or physical handicap of the user or because the user is a handler or trainer of guide or support animals. The protections extend to compensation; hiring; tenure; and terms, conditions, or privileges of employment.</p> <p>Additionally, employers cannot discriminate against an employee or potential employee for taking part in litigation related to the Act; deny equal jobs or benefits to a person because of a handicap or disability of an individual with whom the person is known to have a relationship or association; or to discriminate against an employee or perspective employee because they hold a GED instead of a diploma.</p>

Section	Title	Action	Timing	Details
TITLE 51 CHAPTER 71	Veterans Preference	Shall Give Preference	When Qualified	Veterans are to receive preference in hiring, as long as they meet the job qualification requirements set forth by the school district.
TITLE 75 Section 1509	School Bus Driver Qualifications	Shall Require	As Outlined	In order to be endorsed to operate a school bus, a driver must be at least 18 years of age, have successfully completed the school bus driver training program, and passed a physical examination. Drivers must register with the Federal Motor Carrier Safety Administration's Drug and Alcohol Clearinghouse. Additionally, every driver must carry a certificate issued by an examining physician of practitioner indicating that the person has passed the prescribed physical exam – including an eye exam – within the preceding 13 months.
TITLE 75 Section 1604 49 Section 40.25	Notification Requirements for Drivers Holding a Commercial Driver's License	Shall Require	Ongoing	A driver, convicted of violating a federal, state, or local ordinance relating to motor vehicle control in any state, must notify the school in writing of the conviction within 30 days of the conviction. A driver, whose operating privilege is suspended, revoked, or canceled by any state, who loses the privilege to drive, must notify the school before the end of the business day following the day the driver received notice of the suspension, revocation, cancellation, loss, or disqualification. An applicant must provide a list of names and addresses of prior employers for which the applicant was a driver for the 10 years preceding the date of application. After obtaining the driver's consent, a school must obtain alcohol and drug testing information from prior U.S. Department of Transportation-regulated employers during the past three years.
SECTION 229.14 67 Pa. Code SECTION 31306 SECTION 382.603 49 U.S. Code	Drug / Alcohol Program for Covered Drivers	Shall Require	As Outlined	Schools are required to implement and / or ensure that any contracted transportation provider has established a program requiring reasonable suspicion, random, and post-accident testing for those employees who hold a commercial driver's license. Supervisors of CDL drivers are required to receive training on alcohol abuse and controlled substance use.
7 CFR 210 7 CFR 235	Professional Standards for School Nutrition Program Professionals	Shall Comply	Ongoing	School entities that participate in the National School Lunch and School Breakfast Programs shall comply with the hiring standards for the selection of school nutrition program directors (hired on or after July 1, 2015) and annual training standards for all school nutrition staff. Training standards may be found in the State Mandates Checklist document.

HEALTH & WELLNESS

Section	Title	Action	Timing	Details
<p>742 Act 39 of 2018</p>	Lead Testing	<p>Shall Test</p> <p>Shall Implement</p> <p>Shall Report</p>	<p>Annually</p> <p>Immediately</p> <p>Immediately</p>	<p>School districts must either test drinking water for lead contamination or discuss lead issues in the school facilities at a public meeting.</p> <p>If a school entity tests for lead levels in their drinking water and finds lead levels in excess of the maximum contaminant level goal or milligrams per liter as set by the United States Environmental Protection Agency’s National Primary Drinking Water Regulations, the school entity shall implement a plan to ensure that no child or adult is exposed to lead-contaminated drinking water and provide alternate sources of drinking water.</p> <p>Elevated lead levels must be reported to the PA Department of Education.</p> <p><i>Note: School entities that use their own water source and are regulated as a public water system under the Safe Drinking Water Act (SDWA) shall comply with the Lead and Copper Rule (LCR).</i></p>
<p>1303 Act 67 of 1974</p>	Immunizations	Shall Require	Upon Entry	<p>Pennsylvania considers it the duty of school districts to ascertain that every child has been immunized – as directed by the Secretary of Health – prior to enrollment. Exceptions are provided for those children who are deemed to have a medical contradiction and those whose parent or guardian objects in writing on religious grounds.</p> <p>Title 28, Chapter 23 outlines the required immunizations. These include properly spaced doses of the following vaccines:</p> <ul style="list-style-type: none"> • Diphtheria, tetanus, and pertussis (DTP) • Poliomyelitis (polio) • Measles, mumps, and rubella (MMR) • Hepatitis B • Varicella (chickenpox) <p>Additionally, the following immunizations are required prior to the entry of 7th grade:</p> <ul style="list-style-type: none"> • Tetanus and diphtheria toxoids and acellular pertussis (Tdap) • Meningococcal conjugate vaccine (MCV) <p>An additional dose of MCV is required for entry into 12th grade.</p>

Section	Title	Action	Timing	Details
<p>1402 Act 404 of 1957</p>	<p>Mandated Health Services</p>	<p>Shall Provide</p> <p>Shall Keep</p> <p>Shall Report</p> <p>Shall Provide</p> <p>Shall Accept</p>	<p>At All Times</p> <p>At All Times</p> <p>As Needed</p> <p>At Given Times</p> <p>As Prescribed</p>	<p>Schools are required to provide school nurse services for children at a maximum of 1,500 students per one nurse.</p> <p>Comprehensive health records must be kept.</p> <p>All teachers must report to the school nurse / physician any unusual behavior, change in appearance, etc., that may indicate a health issue:</p> <ul style="list-style-type: none"> • The school nurse / physician may advise a parent / guardian of the need for a special examination. • If parent / guardian fails to report the results of an exam, the school nurse / physician shall arrange a special medical exam for the child. <p>School physicians shall make a medical examination and a comprehensive appraisal of the health of every child of school age*:</p> <ul style="list-style-type: none"> • Upon original entry into the school • While in sixth grade • While in eleventh grade • Before the issuance of a farm or domestic service permit <p><i>*Unless the child has been given a scheduled or special medical examination within the preceding four months. The health record of the child must be provided to the school physician at the time of the regularly scheduled health appraisal.</i></p> <p>Examinations by Examiners of Own Choice</p> <p>In lieu of the medical examination, any child of school age may furnish the school entity with a medical report of examination made at his own expense by his family physician on a form approved by the Secretary of Health. The in lieu examination shall be made and the report furnished prior to the date fixed for the regularly scheduled examination but no earlier than four months prior to the opening of the school term during which the regular examination is scheduled.</p>

HEALTH + WELLNESS

Section	Title	Action	Timing	Details
1403 Act 122 of 2020	Mandated Vision Screening	Shall Provide	At Prescribed Times	<p>First-time school students must have a vision screening in the 12 months prior to their first day of school.</p> <p>Schools must perform student vision screenings every year through fifth grade and at least every other year through twelfth grade.</p> <p>If a child fails a required screening, the parent or guardian must be notified and provided a list of vision resources compiled by the Department of Health. The child should have a comprehensive eye examination within 120 days or before the start of the next school year, whichever comes first. However, no child can be excluded from attending school if the comprehensive eye examination is not performed.</p>
24 P.S. 14-1406	Recommendations / Children's Health Insurance	Shall Provide	Annually	<p>Recommendations as to medical, surgical, or dental care shall be sent to each parent or guardian and the family physician or family dentist on forms prepared or approved by the Secretary of Health with instructions to the parent or guardian to consult the family physician or family dentist and to notify the school of the action taken concerning the recommendations.</p>
		Shall Provide / Post	Annually	<p>School districts shall provide notice of the existence of and eligibility for children's health insurance under Article XXIII of the act of May 17, 1921, known as "The Insurance Company Law of 1921" (prepared by the Insurance Department) to the parent or guardian of each student enrolled in the district during the school year.</p>
1407 Act 55 of 2023	Mandated Dental Services	Shall Provide	At Given Times	<p>Upon original entry into the school, all children of school age, while in the third grade, and while in the seventh grade, shall be given a dental (examination) screening by a school dentist or public health hygiene practitioner. Otherwise, the school district must institute a program of dental hygiene services approved by the Secretary of Health, and for that purpose may employ dental hygienists.</p>
		Shall Accept	As Prescribed	<p>Examinations by Examiners of Own Choice</p> <p>In lieu of the dental examination, any child of school age may furnish the school entity with a dental report examination made at his own expense by his family dentist on a form approved by the Secretary of Health. The in lieu examination shall be made and the report furnished prior to the date fixed for the regularly scheduled examination but no earlier than four months prior to the opening of the school term during which the regular examination is scheduled.</p>
1410	Employment of School Health Personnel	Shall Employ	Ongoing	<p>School districts – whether alone or jointly with other districts or joint school boards – shall employ school physicians and dentists with the approval of the Pennsylvania Secretary of Health.</p>

Section	Title	Action	Timing	Details
1414.1 Act 187 of 2004 Act 24 of 2010	Possession and Use of Asthma Inhalers and Epinephrine Auto-Injectors	Shall Develop	Ongoing	Each school entity is required to develop a written policy to allow for students to self-administer asthma inhalers and epinephrine auto-injectors, and the prescribed medication they contain.
		Shall Publish / Post	Ongoing	The policy must be distributed with the school code of conduct and published on the school district's website. Under the policy, affected students must be able to demonstrate the capability of self-administration (and responsible behavior in its use), and notify the school nurse immediately following each use of the inhaler or auto-injector.
		Shall Develop	Ongoing	It is the school entity's duty to develop a system that allows the student to demonstrate their ability to self-administer and prove they have permission to do so. Determination of a student's competency shall be based on age, cognitive function, maturity, and demonstration of responsible behavior. The school entity must also restrict the availability of the device(s) from other students. The policy must specify the conditions for which a student's permission to use the device(s) may be revoked.
		Shall Provide	As Needed	If a student's privilege is revoked, the school entity is responsible for ensuring safe storage of the devices in close proximity to the student.
		Shall Notify	As Needed	The school district must also notify the student's classroom teachers of the device's placement.
1414.2 Act 195 of 2014 <i>(continued on next page)</i>	School Access to Emergency Epinephrine	May Authorize	Ongoing	School districts may, but are not required to, authorize a school employee to provide epinephrine auto-injectors, provided the following guidelines are met: the auto-injectors may be used for self-administration that meets a student's prescription on file; to administer to a student an epinephrine auto-injector that meets the prescription on file for either the individual student or the school entity; and to administer an epinephrine auto-injector that meets the prescription on file for the school entity to a student that the employee, in good faith, believes is having an anaphylactic reaction. A physician or certified registered nurse practitioner may prescribe epinephrine auto-injectors to school entities. Those devices must be kept in a safe, secure location.
		Shall Designate	As Needed	A school entity that authorizes the provision of epinephrine auto-injectors must designate one or more individuals at each school who shall be responsible for the storage and use of the devices.

HEALTH + WELLNESS

Section	Title	Action	Timing	Details
<p>1414.2 Act 195 of 2014 <i>(continued)</i></p>	<p>School Access to Emergency Epinephrine</p>	Shall Complete	As Needed	Those individuals designated as responsible must successfully complete a training program developed by the PA Department of Health.
		Shall Contact	As Needed	In the event that a student is believed to be having an anaphylactic reaction, the school nurse or responsible individual must contact 911 as soon as possible.
		Shall Notify	As Needed	Parents or guardians may request a student be exempt from receiving treatment with an epinephrine auto-injector, and principals at each school where the student is enrolled must notify all parents or legal guardians of the right to exempt their children by returning a signed opt-out form.
<p>1414.3 Act 86 of 2016</p>	<p>Education of School Employees in Diabetes Care</p>	Shall Develop	Ongoing	Act 86 of 2016 is a voluntary option for school districts; however, any school opting in must abide by all of the requirements as directed. The act allows a school nurse to identify at least one additional employee to be responsible for a child with diabetes in the absence of a school nurse.
		Shall Complete	Annually	The identified employee must complete an annual educational module outlined by the PA Department of Education and PA Department of Health or an alternative educational offering from a licensed care practitioner with an expertise in the care and treatment of diabetes.
		Shall Have the Right	Ongoing	An employee responsible for a child with diabetes in the absence of the school nurse shall have the right to decline the responsibility and related directives.
		Shall Designate	As Needed	A school employee who meets the criteria outlined above may be designated in the student's service agreement or IEP to administer diabetes medications, use monitoring equipment, and provide other diabetes care.
		Shall Coordinate	Annually	Education provided to school employees must be coordinated by the chief school administrator and may be included in the professional education plan.
Shall Receive	Prior to Administering	School entities must also receive written authorization from the student's health care practitioner and parent to allow an employee who is not a licensed health care practitioner to administer specified diabetes medications.		
<p>1414.4 Act 86 of 2016</p>	<p>Diabetes Care in Schools</p>	Shall Receive	Prior to Administering Care	In order for a child to receive diabetes-related care and treatment in a school setting, a parent or guardian must provide the school entity with written authorization and instructions from the student's primary care physician.

Section	Title	Action	Timing	Details
<p>1414.5 Act 86 of 2016</p>	<p>Possession and Use of Diabetes Medication and Monitoring Equipment</p>	<p>Shall Require</p>	<p>Prior to Authorizing</p>	<p>In order for a student to possess and self-administer diabetes medication in a school setting, the school entity shall require a parent or guardian to provide the following:</p> <ul style="list-style-type: none"> • A written statement from the student's health care practitioner providing the name of the drug, dose, timing of medication and / or monitoring, and diagnosis or reason for the diabetes care. The student's health care practitioner shall indicate the potential of any serious reaction to the medication that may occur, as well as any necessary emergency response. The physician must also state whether the student is competent to self-administer and practice safety precautions. • A written request from the parent or guardian that the school entity comply with the instructions of the student's health care practitioner. The parent's request shall include a statement relieving the school entity or school employee of any responsibility for the prescribed medication or monitoring equipment and acknowledging that the school entity bears no responsibility for ensuring that the medication is taken by the student and the monitoring equipment is used. • A written acknowledgment by the school nurse that the student has demonstrated to be capable of self-administration of the medication and use of the monitoring equipment. • A written acknowledgment by the student that the student has received instruction from the student's health care practitioner on proper safety precautions for the handling and disposal of medications and monitoring equipment. This must also include a statement that the student will not allow other students to have access to the medication and monitoring equipment and that the student understands the appropriate safeguards.
		<p>Shall Have the Right</p>	<p>As Needed</p>	<p>A school entity may revoke or restrict a student's privileges to possess and self-administer diabetes medication and operate monitoring equipment due to noncompliance with school rules and provisions of a student's service agreement, IEP, or due to demonstrated unwillingness or inability of the student to safeguard the medication and monitoring equipment from access by other students.</p>
		<p>Shall Ensure</p>	<p>As Needed</p>	<p>If a school entity restricts or revokes this right, it is the school entity's responsibility to ensure the medication or monitoring equipment is appropriately stored in a readily accessible place in the student's school building.</p>
		<p>Shall Notify</p>	<p>As Needed</p>	<p>The school nurse and other identified employees must be notified as to the location.</p>

Section	Title	Action	Timing	Details
1414.9 Act 2 of 2017	Administration of Epinephrine Auto-Injectors by School Bus Drivers and Crossing Guards	Shall Be Authorized	In the Event of an Emergency	<p>School Bus Drivers and School Crossing Guards may administer epinephrine auto-injectors in case of emergencies if the following conditions are met:</p> <ul style="list-style-type: none"> The School Bus Driver or School Crossing Guard administers the device in a manner that is consistent with the policies of the independent contractor that employs the personnel (if it is an independent contractor), the school entity that has contracted the personnel (if employed by an independent contractor), and / or the school entity that employs the personnel (if employed by a school entity). The School Bus Driver has successfully completed the training program developed by the PA Department of Health.
1414.10 Act 105 of 2018	Sun Protecting Measures for Students	Shall Allow	As Needed	<p>School entities must allow for student use of sun-protective clothing and sunscreen.</p> <p>The outdoor use by a student of sun-protective clothing, including hats, must be permitted. (Schools may still restrict headwear with inappropriate graphics, color, or messages.)</p> <p>A student may use a non-aerosol topical sunscreen without a physician's note or prescription if:</p> <ul style="list-style-type: none"> The product is approved by the FDA for over-the-counter use. A parent or guardian submits a form to the school attesting the school is not responsible for ensuring the product is applied and the student has demonstrated an ability to self-apply. The student submits a form attesting that the student knows the proper method of self-applying the nonaerosol topical sunscreen product and knows the proper safety precautions for handling and disposal of the product.
		Shall Revoke	As Needed	<p>The school entity reserves the right to revoke or restrict possession, application, or use if the student fails to comply with school rules regarding the product or shows an unwillingness or inability to safeguard its use by other students.</p>
		Shall Provide Notice	As Needed	<p>If a school entity revokes or restricts this privilege, the school must provide written notice to the student's parent or guardian.</p>
1418 Act of Mar. 10, 1949 Act 47 of 1971 Act 104 of 2010 Act 123 of 2010	Medical Exams for Staff	Are Required	Prior to Employment	<p>All school employees are required to receive a pre-employment medical examination, including a tuberculosis test.</p> <p>Student teachers and volunteers are also subject to tuberculosis tests.</p>

Section	Title	Action	Timing	Details
1423 Act 4 of 2001 Act 35 of 2014	Automatic External Defibrillators (AEDs)	Shall Abide Shall Complete Shall Report	When Applicable As Needed Annually Before June 30	Schools are not required to have AEDs in school buildings, but there are regulations for those that do. Personnel expected to use the devices must complete training in CPR and AED use provided by the American Heart Association, the American Red Cross, or equivalent. This training may be included in the school's professional education plan. Prior to June 30 of each year, a school must report to the PA Department of Education the number, condition, age, and placement of AEDs in its annual report to receive state reimbursement for health services (Section 2505.1).
1424 Act 82 of 2012	CPR Certification	Shall Be Required	When School Is in Session	Each school building must have at least one person certified in the use of CPR who is present during regular school hours when school is in session and students are present.
1547 Chapter 22 Pa. Code 12.42	Student Assistance Program (SAP)	Shall Provide	Ongoing	School districts are required to provide appropriate counseling and support services for students who experience problems related to the use of drugs, alcohol, and dangerous controlled substances through the state's established student assistance program.
5323 Safety in Youth Sports Act	Concussions and Traumatic Brain Injuries	Shall Submit Shall Remove Shall Return Shall Complete	Annually At The Time At The Time Annually	Any student desiring to participate in an athletic activity which includes interscholastic sports, intramural / club sports, and cheerleading – along with the student's parent or guardian – must sign and submit an acknowledgement of receipt and review of a Concussion and Traumatic Brain Injury information sheet developed by the PA Department of Education. A student who, as determined by a game official, coach from the student's team, certified athletic trainer, licensed physician, licensed physical therapist, or other official designated by the student's school entity, exhibits signs or symptoms of a concussion or traumatic brain injury while participating in the athletic activity shall be removed by the coach from participation at that time. The coach shall not return the student to participation until the student is evaluated and cleared for return to participation in writing by an appropriate medical professional. Once each year, a coach must complete the concussion management training course offered by the Centers for Disease Control and Prevention (CDC), the National Federation of State High School Associations, or another provider approved by the PA Department of Health. A coach shall not coach an athletic activity until the training course is completed.

Section	Title	Action	Timing	Details
<p>5333 Act 73 of 2020 24 P.S. SECTION 14-1425</p>	<p>Sudden Cardiac Arrest</p>	Shall Submit	Annually and Prior to Participation	Any student desiring to participate in an athletic activity which includes interscholastic sports, intramural / club sports, and cheerleading – along with the student’s parent or guardian – must sign and submit an acknowledgement of receipt and review of a Sudden Cardiac Arrest Symptoms and Warning Signs information sheet that includes information about electrocardiogram testing developed by the PA Department of Education.
		Shall Remove	At The Time	A student who, as determined by a game official, coach from the student’s team, certified athletic trainer, licensed physician, or other official designated by the student’s school entity, exhibits signs or symptoms of sudden cardiac arrest while participating in an athletic activity shall be removed by the coach from participation at that time.
		Shall Prevent	At The Time	If a student is known to have exhibited signs or symptoms of sudden cardiac arrest at any time prior to or following an athletic activity, the student shall be prevented from participating in an athletic activity.
		Shall Return	When Cleared	A student removed or prevented from participating in an athletic activity for reasons above, shall not return to participation until the student is evaluated and cleared for return to participation in writing by a licensed physician, certified registered nurse practitioner, or cardiologist.
		Shall Complete	Annually	Once each year, a coach must complete the sudden cardiac arrest training course offered by a provider approved by the Department. A coach shall not coach an athletic activity until the training course is completed.
<p>TITLE 18 SECTION 6306.1 Act 111 of 2019</p>	<p>Use of Tobacco Products in Schools</p>	Shall Prohibit	Ongoing	The possession and use of tobacco products and electronic nicotine devices in school buildings, on school grounds, or on school vehicles is prohibited by law and considered a summary offense. A school board may designate smoking areas on the property for use by persons other than students. These areas must be 50 feet or more from buildings, stadiums, or bleachers.
<p>TITLE 28 CHAPTER 23</p>	<p>Required Health Services</p>	Shall Provide	Ongoing	School districts must provide the following health services to all school-age children: medical examinations, dental examinations, vision screening tests, hearing screening tests, threshold screening tests, height and weight measurements, maintenance of medical and dental records, tuberculosis tests, and special examinations. Districts should urge parents to have the medical and dental examinations conducted by private physicians to promote continuity of care.

Section	Title	Action	Timing	Details
TITLE 35 SECTION 807.1	Anabolic Steroids	Shall Prohibit	Ongoing	School districts are required to prescribe, adopt, and enforce rules and regulations prohibiting the use of anabolic steroids, except for a valid medical purpose, by any student engaged in school-related athletics.
ACT 96 OF 2001	Infection Control and Universal Precautions	Shall Comply	Ongoing	School entities shall comply with the Pennsylvania Department of Health's guidelines issues to implement the state's Bloodborne Pathogen Standard. These guidelines cover sharp injury logs; exposure plans; needless systems; engineering controls; work practices; universal precautions; personal protective equipment, Hepatitis B vaccination; post-exposure follow-up and counseling; training and education; hazard communication; and employee evaluation of engineered sharps injury-prevention devices.
		Shall Provide	Upon Hire / Annually / Ongoing	School entities must provide training and education to all employees with occupational exposure.
ACT 139 OF 2014	Naloxone	Shall Provide	Ongoing	School entities may store and administer the opioid overdose antidote medication, naloxone.
		Shall Complete	Prior to Designation / Periodically	School entities that stock naloxone are required to provide training to staff designated to administer the medication. Staff providing naloxone should have the training necessary to recognize the signs of opioid overdose, understand what steps to take, and how to use naloxone.
ACT 159 OF 1984	Hazardous Substances	Shall Comply	Ongoing	School entities shall comply with the Worker & Community Right to Know Act which requires employers to post a Workplace Notice, which lists employee rights under the law.
		Shall Complete	Annually	School entities shall complete and post a Hazardous Substance Survey Form (HSSF) annually, by April 1 of each year, and provide it to the Department of Labor and Industry, upon request.
		Shall Collect and Maintain	Ongoing	School entities shall collect and maintain a file of Material Safety Data Sheets (MSDSs) / Safety Data Sheets (SDSs). MSDSs and SDSs must be made available to employees.
		Shall Provide	Within 120 Days of Employment or Use, Whichever Comes First / Annually Thereafter	Staff working in areas where hazardous substances are stored or used must receive training on the Worker and Community Right to Know Act provisions.
		Shall Label	Ongoing	School entities shall label all containers and ports of pipelines containing hazardous substances or hazardous mixtures in the workplace and label workplace containers and ports of pipelines containing any chemical.

Section	Title	Action	Timing	Details
CHAPTER 4.21	Elementary Education	Shall Instruct	Children Through Age 8	Instruction for primary students, which includes children through eight years old, must include language arts; mathematics; science and technology; environment and ecology; social studies; health, safety, and physical education; and the arts. Specific concepts that must be taught in these areas can be found in Chapter 4.21 of the Pennsylvania Public School Code.
		Shall Instruct	Children Between Ages 8 and 11	Instruction for intermediate level students, which includes children between 8 and 11 years old, must include language arts; mathematics; science and technology; environment and ecology; social studies; the arts; understanding the use of library and other information sources; and health, safety, and physical education. Specific concepts that must be taught in these areas can be found in Chapter 4.21 of the Pennsylvania Public School Code.
CHAPTER 4.22	Middle Level Education	Shall Instruct	Children Between Ages 11 and 14	Instruction for middle level students, which includes children between ages 11 and 14 years, must include the following: language arts; mathematics; science and technology; social studies; environment and ecology; information skills; health, safety, and physical education; the arts; career education; technology education; and family and consumer sciences. Specific concepts that must be taught in these areas can be found in Chapter 4.22 of the Pennsylvania Public School Code.
CHAPTER 4.23	High School Education	Shall Instruct	High School Age Students	Instruction for high school age students must include the following: language arts; mathematics; science and technology; social studies; environment and ecology; the arts; use of applications of microcomputers and software; health, safety, and physical education; and family and consumer science. Specific concepts that must be taught in these areas can be found in Chapter 4.23 of the Pennsylvania Public School Code.
		Shall Make Available	High School Age Students	Instruction in the following areas must be made available to students at the high school level: vocational-technical education; business education; world languages; and technology education. Specific concepts to be taught in these areas can be found in Chapter 4.21 of the Pennsylvania Public School Code.
CHAPTER 4.25	Languages	Shall Instruct	Secondary Students	School districts are required to provide planned instruction in at least two world languages, at least one of which must be a modern language. At least one language must be offered in a minimum four-year sequence between middle and high school.

Section	Title	Action	Timing	Details
CHAPTER 4.29	Human Immunodeficiency Virus (HIV) / Acquired Immunodeficiency Syndrome (AIDS) Education	Shall Instruct	All Ages	Schools are required to provide instruction regarding prevention of HIV, AIDS, and other life-threatening and communicable diseases. Age appropriate education should be provided in primary, intermediate, middle school, and high school levels. The district may omit instruction in the elementary grades on transmission of disease through sexual activity.
		Shall Publicize	Prior to Instruction	School districts must publicize that the detailed curriculum outlines and curricular materials are available to parents and guardians during normal school hours or at teacher-parent conferences.
		Shall Provide	When a Student is Excused	If a student is excused from the school's HIV / AIDS instruction, the school must make curriculum material available to the student's parents or guardian (if practical). A student may be excused when the instruction conflicts with religious beliefs or principles of the student or the parent or guardian. The request for excusal must be made in writing.
CHAPTER 4.31	Career & Technical Education (CTC)	Shall Provide	Ongoing	School districts must provide access to career and technical education (CTE) courses to high school students. Parents and guardians must be informed of students' rights to participate in CTE programs. These programs may be taught at career and technology centers or other high schools. Districts and CTCs must develop written policies regarding admissions.
		Shall Develop	Ongoing	Schools must develop an admissions policy regarding entrance to a vocational education program. The policy must state whether enrollment is unlimited or limited. If enrollment is limited, an admissions policy must include nondiscriminatory eligibility requirements to predict a student's success in a given program. If a school develops a recruitment program, announcements concerning vocational education must exemplify freedom from occupational stereotypes and, to the extent possible, the philosophy of equal access.
CHAPTER 339 339.21		Shall Provide	Ongoing	Guidance personnel shall provide students the information necessary to make informed decisions regarding the selection of appropriate vocational-technical education programs and discuss the importance of high school academic achievement and postsecondary education and training to career success.
CHAPTER 4.52	Local Assessment System	Shall Develop	Every 6 Years	School districts must design an assessment system to determine the degree to which students are achieving academic standards, use the results to improve curriculum and instructional practices, provide information to the PA Department of Education regarding student achievement, and provide summary information on test results to the general public. The local assessment system must be approved by the school district's board of directors every six years.

CURRICULUM

Section	Title	Action	Timing	Details
121 Act 158 of 2018 Act 55 of 2022	Keystone Exams and Graduation Requirements	Shall Be Required	For Graduation	<p>A satisfactory composite score on the Keystone Exams for algebra I, literature, and biology is the primary requirement for graduation; however, students may demonstrate proficiency for graduation based on alternative requirements as outlined in Section 121 of the Pennsylvania Public School Code.</p> <p>Students may meet the graduation requirement of a proficient score on the Keystone Exam by completing an industry-recognized credential. An industry-recognized credential is defined as a credential identified in the industry credential resource book or the industry-based learning guidelines compiled by the Department.</p>
1501 Act 64 of 2019 Act 56 of 2023 Section 1506	<p>School Terms</p> <p>Flexible Instructional Days</p>	<p>Shall Be In Session</p> <p>Shall Establish or Renew</p>	<p>180 Days or 900 / 990 Hours</p> <p>Annually</p>	<p>School districts, intermediate units, and career and technical centers shall provide within the school year, a minimum of 180 instructional days or 900 hours of instruction at the elementary level / 990 hours of instruction at the secondary level.</p> <p>A school may seek to establish or renew a program that allows schools to use Flexible Instructional Days (FIDs) in the instance of a cancellation to fulfill instructional requirements. A school must establish procedures to include the notification to students, parents, and professional employees that a flexible instructional day is instituted, the technology to be utilized, and the responsibilities of students and professional employees during the flexible instructional day.</p> <p>For the first two years for application, a school must submit an application to PDE by September 1. For each year thereafter, a school's application to establish or renew a program must be submitted by June 1.</p> <p>A school must complete an annual survey related to the efficacy of the flexible instructional days by June 30 of the same year the survey was issued.</p>
24 P.S. SECTION 15-1503-L	Online Courses	Shall Determine / Establish / Post	Ongoing	<p>A school entity that offers online courses to students shall do all the following:</p> <ul style="list-style-type: none"> • Determine how instruction shall be delivered. • Establish policies and procedures for student eligibility and participation, including a policy on the selection of online courses made available to students. • Make policies accessible to parents and students and post on the school district's website. • Ensure parents and students are aware of the opportunity for online learning and make information about available online courses easily accessible to parents and students.

Section	Title	Action	Timing	Details
24 P.S. SECTION 15-1506-I	Hybrid Learning	Shall Establish / Post	Ongoing	School entities offering hybrid learning shall develop policies related to the following and post such policies on the school district's website: <ul style="list-style-type: none"> • Grading rubrics • Course credit • Student promotion and graduation • Eligibility requirements for student participation in hybrid learning
		Shall Offer	Ongoing	School entities offering hybrid learning shall ensure that each student enrolled in the school entity and participating in the hybrid learning is offered at least the minimum hours of instruction required under 22 PA. Code Section 11-3.
1511 Act of Mar. 10, 1949 Act 301 of 1968	Prescribed Courses	Shall Be Taught	In Elementary School	In every elementary school, the following subjects are to be taught: English (including spelling, reading, and writing); arithmetic; geography; history (of Pennsylvania and the United States); civics (including loyalty to the State and Nation); safety education (including the humane treatment of birds and animals); health and physical education; music; and art.
		Shall Provide	In 8th Grade	Each school district must provide an illustrated copy of the Flag Code to all students enrolled in eighth grade.
1511.1 Act 93 of 1984	Remedial Courses	Shall Be Taught	In All Grades	Approved programs in reading and mathematics must be established to serve students who fall below an acceptable level of performance.
1513 Act of Mar. 10, 1949	Physiology and Hygiene	Shall Be Taught	In Student's Career	As part of health education, schools are required to provide specific instruction as to the effect of alcoholic drinks, stimulants, and narcotics on the human system; education on tuberculosis and its prevention; and nutrition and obesity.
1514 Act of Mar. 10, 1949	Humane Education	Shall Be Taught	Through 4th Grade	Humane education must be taught to all pupils through the fourth grade. This may not include any cruel experiments on living animals.
1518 Act of Mar. 10, 1949	Fire Dangers and Prevention	Shall Be Provided	In All Grades	Schools must provide instructional books about the dangers of fire and the prevention of fire waste. These books should be distributed to students and teachers of all grades.
24 P.S. SECTION 15-1519 (b.1)	Driver's Education	Shall Permit / Post	10 Days	School entities may employ individuals who possess the qualifications of a teacher or director under the Private Driver Education or Training School Act, provided the school district posted the vacant position for a minimum of ten days on their school district's website and no qualified candidate certified by the Department of Education to teach driver and safety education is available to fill the position.

CURRICULUM

Section	Title	Action	Timing	Details
1523 Act 88 of 1992	Right of Refusal (Animal Dissection)	Shall Be Acknowledged	In All Grades	Students and their parents have the right to decline to participate in any project involving harmful or destructive use of animals. Schools must notify all incoming pupils and their parents of this right. Those students who exercise this right should be given an alternative education project in its place.
1528 Act 7 of 2019	CPR Curriculum	Shall Include	Ongoing	Act 7 of 2019 authorizes the PA Department of Education to create a model curriculum and curriculum guidelines for instruction of CPR. These guidelines will include hands-only CPR training and information on automated external defibrillators (AEDs).
1547 Act 55 of 2017	Alcohol, Chemical, and Tobacco Abuse Program	Shall Be Taught	In All Grades	Each public school student must receive instruction in alcohol, chemical, and tobacco abuse in every year in every grade from kindergarten through twelfth grade as part of health instruction. In sixth grade through twelfth grade, opioid abuse prevention must be taught.
1551 Act 35 of 2023	Personal Financial Literacy	Shall Provide	Once Between Grades 9-12	Beginning with the 2026-2027 school year and in each school year thereafter, a school entity shall provide a mandatory course in personal financial literacy with a value of at least one-half credit or half of a full credit. Students are required to complete the course once during grades nine, ten, eleven, or twelve. If students have transitioned to grade levels beyond the course sequence, they are not required to complete the course. An educator who is assigned to provide instruction may not lose a planning period as a result of the assignment except in accordance with a collective bargaining agreement nor bear any costs related to earning an add-on certification necessary to provide instruction.
1605 Act of Mar. 10, 1949 Act 650 of 1961	Courses of Study	Shall Be Taught	In Grades 7-12	Schools must offer at least four semesters (or equivalent study) in the history and government of the United States and the Commonwealth of Pennsylvania for students in grades seventh through twelfth grades.
1605.1 Act 35 of 2018	Civic Knowledge Assessment	Shall Administer	Once Between Grades 7-12	School districts must administer a civics test to students at least once between seventh and twelfth grades. The test should be locally developed and include: <ul style="list-style-type: none"> • The nature, purpose, principles, and structure of the United States constitutional democracy. • The principles, operations, and documents of the United States government. • The rights and responsibilities of citizenship. <p>This assessment is not a requirement for graduation, but a certificate of recognition shall be issued to students who achieve a perfect score.</p>

Section	Title	Action	Timing	Details
218 Act 104 of 2010 24 P.S. SECTION 21-2131	Financial Reports	Shall Report Shall Include Shall Publish / Post	Annually Before October 31 Beginning the First Week	<p>School districts must submit an Annual Financial Report (AFR) to the PA Secretary of Education before October 31 each year.</p> <p>AFR Reporting Requirements and Standards:</p> <ul style="list-style-type: none"> • Reports must be submitted in accordance with the provisions of Sections 218 and 971 of the PA Public School Code. • All required financial statements must be completed in compliance with governmental accounting standards established by the Governmental Accounting Standards Board (GASB). • The PA Department of Education will order a forfeiture to all school entities that do not submit their AFR within 30 days of the deadline. The forfeiture shall be \$300 per day for the first violation and \$500 per day for the second and subsequent violations. The forfeiture shall continue until a report meeting the established criteria is submitted. Reports not submitted within 60 days will result in disciplinary action against the chief school administrator. <p><i>For districts of the first class or first class A:</i> School entities must publish notice that the annual financial statement furnished by the school controller in any district of the first class or first class A to the board of education, has been filed and is available for public inspection at the business office of the district in two newspapers, designated by the board, once a week for three successive weeks, beginning the first week after the same has been furnished to it.</p> <p>Notice shall be posted on the school district’s website.</p>
437 SECTION 2401	Audit of Accounts	Shall Be Audited	Annually	School districts are to be audited annually in accordance with Section 2401. LEAs subject to a single audit must have it performed by a independent certified public accountant.
440.1	Investment of Funds	Shall Invest	Ongoing	School districts are to invest funds in a manner consistent with sound business practice and law.
621	Designation of Depositories	Shall Designate	Ongoing	Each school board must designate one or more financial institutions as a depository for its school funds. The financial institution(s) are required to furnish a proper bond with the surety as may be required.
687	Annual Budget	Shall Prepare Shall Provide Shall Provide Notice	30 Days Prior to Adoption 20 Days Prior to Adoption 10 Days Prior to Adoption	<p>School districts must prepare a proposed budget, using a uniform form provided by the PA Department of Education, at least 30 days in advance of adopting it.</p> <p>The proposed budget must be made available for inspection at least 20 days prior to the school board taking action to approve a proposed budget.</p> <p>Ten days’ notice must be given before a school board can take action to approve a proposed budget.</p>

POLICY & PROCEDURE – FINANCES & ACCOUNTING

Section	Title	Action	Timing	Details
TITLE 53 SECTION 6924.504	Tax Collection Districts	Shall Participate Shall Submit	Ongoing Within 15 Days of Adoption	<p>School districts are required to participate in a tax collection district for the purposes of collecting income taxes. If a school district serves residents in more than one county, it shall be part of the county where the larger percentage of the district's population resides.</p> <p>A final budget must be approved annually by June 30.</p> <p>An electronic copy of the adopted budget must be provided to the PA Department of Education within 15 days of adoption. It will be published on the Department's public website within 30 days after receipt. This must include the total district revenues being held in excess of the total budgeted expenditures and documentation must be provided to include an explanation of the district's need to maintain the revenues in this fund balance.</p>
TITLE 53 SECTION 6926.341-343	Homestead and Farmstead Applications and Exclusions	Shall Notify Shall Adopt Shall Itemize	60 Days Prior Before Fiscal Year-End Upon Delivery	<p>Each school district is responsible for notifying property owners in the district (by first class mail) the existence of the district's homestead and farmstead exclusion program, the need to file an application in order to qualify, and the application deadline. The application deadline is March 1, and school districts must provide notice at least 60 days prior.</p> <p>School districts must calculate a homestead and farmstead exclusion for the purpose of reducing school district property tax and must adopt a resolution implementing the exclusion no later than the last day of the fiscal year immediately preceding the fiscal year in which the exclusions take effect.</p> <p>Homestead and farmstead exclusions must be itemized on tax bills of those who have applied and qualify. Additionally, notice of property tax relief must be provided, and at minimum should include the following:</p> <p>Your enclosed tax bill includes a tax reduction for your homestead and / or farmstead property. As an eligible homestead and / or farmstead property owner, you have received tax relief through a homestead and / or farmstead exclusion which has been provided under the Pennsylvania Taxpayer Relief Act, a law passed by the Pennsylvania General Assembly designed to reduce your property taxes.</p>
TITLE 53 SECTION 6926.1502	Installment Payments for Property Tax	Shall Provide	Annually	<p>School districts are required to provide an installment option for the collection of school property taxes. School districts can set the terms of the installments with restrictions: Installments can be collected no more than monthly and no less than three times; the penalty for delinquent payment cannot exceed 10%; and a taxpayer who is more than 10 days delinquent on more than two payments shall be deemed ineligible for installment payments the following year.</p>

POLICY & PROCEDURE – FINANCES & ACCOUNTING

Section	Title	Action	Timing	Details
TITLE 53 SECTION 8423	Disclosure Statement (Taxpayer Bill of Rights)	Shall Prepare	Ongoing	School districts, as local taxing authorities, are required to prepare a statement outlining the rights of the taxpayer and the obligations of the district during an audit or administrative review of the taxpayer's books or records, the procedures by which a taxpayer may appeal, the procedure for filing and processing refund claims, and the enforcement procedures.
TITLE 72 SECTION 5860.207	Reimbursement of County	Shall Pay	Upon Collection	If a school district collects its own delinquent real estate taxes or utilizes third-party services, districts are required to pay a 5% commission to the county to cover the operating expense of the county tax claims bureau.

POLICY & PROCEDURE – STUDENT PROCEDURES

Section	Title	Action	Timing	Details
TITLE 34 CHAPTER 1, Parts 100, 104, 110 TITLE 18 PA. C.S.A. 2709 2024 Title IX Final Rule <i>(continued on next page)</i>	Discrimination / Title IX Sexual Harassment	Shall Provide	Ongoing	A school entity shall provide an equal opportunity for all students through programs and activities offered by the school entity without discrimination on the basis of race, color, age, religious creed, religion, sex, sexual orientation, gender identity, ancestry, national origin, marital status, pregnancy, or handicap / disability. <i>Note: The 2024 Title IX Final Rule reaffirms the rights of parenting students.</i>
		Shall Comply	Ongoing	School entities shall comply with federal law and regulations under Title IX prohibiting sex-based discrimination and harassment.
		Shall Designate	Ongoing	A school entity must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities related to nondiscrimination and sexual harassment; referred to as the Title IX Coordinator.
		Shall Utilize	Prior to August 1, 2024	For conduct that occurred before August 1, 2024, schools must use policies and procedures under the 2020 regulations, regardless of when it is reported.
		Shall Utilize	On or After August 1, 2024	For conduct that occurred on or after August 1, 2024, schools must use the new 2024 regulations (unless a school entity is associated with a current injunction in place).
		Shall Maintain	Ongoing	Schools must maintain both sets of policies indefinitely.
		Shall Publish	Ongoing	A notice that the school entity does not discriminate in any manner, including Title IX sexual harassment must be issued to all students, parents / guardians, employment applicants, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the school entity. Notices shall be included in each student and staff handbook and the school entity's Board policy and related attachments must be posted to their website.

POLICY & PROCEDURE – STUDENT PROCEDURES

Section	Title	Action	Timing	Details
<p>TITLE 34 CHAPTER 1, Parts 100, 104, 110</p> <p>TITLE 18 PA. C.S.A. 2709</p> <p>2024 Title IX Final Rule</p> <p><i>(continued)</i></p>	<p>Discrimination / Title IX Sexual Harassment</p>	Shall Publish	Ongoing	<p>All such notices and information shall include the title, office address, telephone number, and email address of the individual(s) designated as the Compliance Officer / Title IX Coordinator.</p> <p>All training materials must be posted on the school district’s website.</p>
		Shall Require	Ongoing	<p>Schools must require all employees who are not confidential employees to notify the Title IX Coordinator of information about conduct that reasonably may constitute sex discrimination under Title IX.</p>
		Shall Complete	Upon Hire / Change of Position that Alters an Employee’s Duties under Title IX / Annually Thereafter (Staff)	<p>2024 Title IX Regulations established four tiers of training:</p> <ul style="list-style-type: none"> • All employees. • Investigators, decision-makers, appeal decision-makers, and others responsible for implementing the grievance procedures or have the authority to modify or terminate supportive measures. • Facilitators of Informal Resolution. • Title IX coordinators and designees. <p><i>Note: Training requirements vary based on tier.</i></p>
		Shall Complete	Ongoing	<p>Students must complete training to prevent, identify, and alleviate problems of discrimination.</p>
		Shall Maintain	7 Years	<p>School entities must maintain records for seven years. This includes each complaint, each notification, and all training materials.</p> <p><i>Note: Regulations are based on the 2024 Title IX Final Rule; school entities associated with current injunctions shall continue to comply with the 2020 regulations.</i></p>
<p>20 USCS SECTION 132(g) 34 CFR SECTION 99.37</p> <p><i>(continued on next page)</i></p>	<p>Student Education Records</p>	Shall Notify	Annually	<p>Under the Family Educational Rights and Privacy Act (FERPA), school entities must annually notify eligible students in attendance of their rights. The notification must include:</p> <ul style="list-style-type: none"> • The eligible student’s right to inspect and review their education records. • The right to seek to amend the records. • The right to consent to disclosure of personally identifiable information from the records (except in certain circumstances). • The right to file a complaint with the Student Privacy Policy Office (SPPO) regarding an alleged failure by a school to comply with FERPA.
		Shall Inform	Ongoing	<p>School entities must also inform students of its definitions of the terms “school official” and “legitimate educational interest.”</p>

Section	Title	Action	Timing	Details
<p>20 USCS SECTION 132(G) 34 CFR SECTION 99.37 <i>(continued)</i></p>	<p>Student Education Records</p>	<p>Shall Obtain</p>	<p>Ongoing</p>	<p>Generally, schools must have written permission from the parent or eligible student to release any information from a student's education record except in certain circumstances.</p>
		<p>Shall Inform</p>	<p>Ongoing</p>	<p>School entities may disclose, without consent, "directory" information. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose the directory information.</p> <p>The actual means of notification is left to the discretion of each school entity.</p>
<p>CHAPTER 4.26 Basic Education Circular – Educating English Language Learners (ELS) July 1, 2017</p>	<p>English as a Second Language</p>	<p>Shall Be Taught</p>	<p>At All Times</p>	<p>Every school district is required to provide a program for students whose dominant language is not English for the purpose of increasing their English language proficiency. Programs must include appropriate bilingual-bicultural or English as a second language (ESL) instruction.</p>
		<p>Shall Identify</p>	<p>Within First 30 Days of School</p>	<p>School districts are required to identify English language learners at the time of enrollment. Parents must be notified of the identification and programming options and students must be placed into a language instruction education program (LIEP). This process must be completed within the first 30 days of school or within 14 days of enrollment if the student enrolls after the first day of school.</p> <p>Placement and programming decisions may not be made without notifying parents and allowing them to exercise their right of refusal for all or part of the LIEP.</p>
		<p>Shall Meet Criteria</p>	<p>At All Times</p>	<p>English language learners must have equitable access to academic content for all courses in which they are enrolled, and the student's LIEP must meet certain minimum criteria as outlined in the Basic Education Circular. These criteria include, among others, alignment to state academic standards, English language instruction taught by certified teachers holding an ESL program specialist certificate, and equitable access to content for English language learners at all language proficiency levels.</p> <p>English Language Development (ELD) is a required component of all LIEPs. With limited exceptions, ELD is not a replacement for English Language Arts instruction or other core content in a student's academic program.</p>
		<p>Shall Be Evaluated</p>	<p>Annually</p>	<p>Evaluations of LIEP programs must be made (at least) annually and the results documented and reported to the state. Evaluations are to be done on the basis of student results and provide evidence of student growth toward English proficiency and academic achievement.</p>
		<p>Shall Report</p>	<p>Annually</p>	<p>School districts are required to collect and report data on English language learners annually through the Pennsylvania Information Management System (PIMS) and English Learner Reporting System (ELRS).</p>

POLICY & PROCEDURE – STUDENT PROCEDURES

Section	Title	Action	Timing	Details
CHAPTER 4.27	Athletics	Shall Provide	Ongoing	<p>Students of both sexes must have equal access in interscholastic and intramural athletic programs. This includes equal access to:</p> <ul style="list-style-type: none"> • School Facilities • Coaching and Instruction • Scheduling of Practice Time and Games • Number of Activities at Each Level of Competition • Equipment, Supplies, and Services • Funding Appropriate for the Sport
CHAPTER 4.4	Parental Review	Shall Develop	Ongoing	<p>School districts must adopt policies related to parent and guardian involvement in their child's education. Specifically, the policies must address the following:</p> <ul style="list-style-type: none"> • Access to information about the curriculum, including academic standards, instructional materials, and assessment techniques. • The process for the review of instructional materials. • The right to have their children excused from specific instruction that conflicts with religious beliefs. • The right to review a State assessment to determine whether the assessment conflicts with their religious belief (and the allowance for the student's exemption from the assessment if the parent provides a written request that states the objection). • The right to have their children excluded from research studies conducted by entities other than the school district.
CHAPTER 12.6 <i>(continued on next page)</i>	Exclusions from School	<p>Shall Define and Publish</p> <p>Shall Inform</p> <p>Shall Provide a Hearing</p> <p>Shall Make Up Work</p> <p>Shall Provide a Hearing</p>	<p>Ongoing</p> <p>As Needed</p> <p>As Needed</p> <p>As Needed</p> <p>As Needed</p>	<p>School districts are responsible for defining the types of offenses that would lead to exclusion – suspension or expulsion – from school. This information must be published.</p> <p>Students may not be suspended until the student has been informed of the reasons for the suspension and given the opportunity to respond. Prior notice of the intended suspension is not necessary if the health, safety, and welfare of the school community is threatened. Parents or guardians must be notified immediately in writing when the student is suspended.</p> <p>If a suspension exceeds three school days, the student and parent must be given an opportunity for an informal hearing. Procedures for hearings are outlined in Title 22, Chapter 12.8.</p> <p>Students are responsible to make up any work or exams that were missed while being disciplined by the suspension.</p> <p>A formal hearing is mandatory for expulsion cases. However, if it is determined that the student's presence in the normal classroom would constitute a threat to the health, safety, or welfare of others, and it is not possible to hold a hearing within the period of a suspension, the student may be excluded from school for more than 10 school days. A student may not be excluded for more than 15 days without a formal hearing. Procedures for hearings are outlined in Title 22, Chapter 12.8.</p>

Section	Title	Action	Timing	Details
<p>CHAPTER 12.6 <i>(continued)</i></p> <p>2024 TITLE IX FINAL RULE</p>	Exclusions from School	Shall Provide Education	After Expulsion	<p>Students who are under 17 years of age are still subject to compulsory school attendance law and even though a student has been expelled, the student must be provided an education. The initial responsibility for this lies with the parents or guardians. Within 30 days of action, the parents or guardians must submit written evidence that the student's education is being provided for or that they are unable to do so. In the case that parents or guardians are unable to provide the required education, a school district has 10 days to make provisions for the student's education.</p> <p>Suspensions and expulsions of students with disabilities must comply with both state and federal special education laws and regulations.</p> <p>Allegations of Sex Discrimination</p> <p>When a student is accused of sex discrimination, including sex-based harassment, Title IX rules require that the grievance process, including any appeal, be completed before any disciplinary sanctions can be imposed. The rules allow for emergency removal of a student if after conducting an individualized safety and risk analysis, the school determines there is an imminent threat to the health and safety of any person arising from the allegations. An imminent or serious threat includes the mental or emotional health or safety of a person.</p> <p><i>Note: Emergency removal does not modify any rights under the IDEA, ADA, or Section 504 106.44(h).</i></p> <p><i>Note: Regulations are based on the 2024 Title IX Final Rule; school entities associated with current injunctions shall continue to comply with the 2020 regulations.</i></p>
CHAPTER 12.7	In-School Suspensions	<p>Shall Inform</p> <p>Shall Provide a Hearing</p> <p>Shall Provide</p>	<p>As Needed</p> <p>As Needed</p> <p>As Needed</p>	<p>A student may not receive an in-school suspension unless the student has been informed of the reasons for the suspension and has been given an opportunity to respond. Communication to parents or guardians must follow the suspension action.</p> <p>If an in-school suspension exceeds 10 consecutive school days, an informal hearing with the principal must be offered to the student and the student's parents or guardians prior to the 11th school day.</p> <p>It is the responsibility of the school district to provide for the student's education during the period of in-school suspension.</p>

POLICY & PROCEDURE – STUDENT PROCEDURES

Section	Title	Action	Timing	Details
CHAPTER 12.14	Student Searches	Shall Develop and Maintain Shall Notify	At All Times Prior to Search	School districts must adopt “reasonable” policies regarding student searches and notify students and their parents or guardians of the policy and procedures. Prior to a locker search, students must be notified and given the opportunity to be present. The only exception is in the case where school authorities have a reasonable suspicion that the locker contains materials that pose a threat to the health, welfare, or safety of students in the school. In this case, lockers may be searched without prior warning.
CHAPTER 12.31	Student Records	Shall Maintain	At All Times	Each school district must adopt a plan for the collection, maintenance, and dissemination of student records. Copies of the plan must be updated as required by changes in state or federal law and must be submitted to the PA Department of Education upon request.
CHAPTER 12.41	Student Services	Shall Develop Shall Review	Every 6 Years Every 2 Years	School districts are required to develop and submit a comprehensive student services plan to the PA Department of Education every six years. The plan must include the following: <ul style="list-style-type: none"> • Developmental services, including guidance counseling, psychological services, health services, home and school visitor services, and social work services. • Nutritional services. • Diagnostic, intervention, and referral services for students who are experiencing problems attaining educational achievement appropriate to their learning potential. • Consultation and coordination services for students who are experiencing chronic problems that require multiple services by teams or specialists. Student services must be an integral part of the instructional program at all levels of the school system, provide information to students and parents about educational opportunities, provide career information and assessments, and provide basic health services. Student Services Plans must be available for public inspection and comment for a minimum of 28 days prior to approval by the school board. Policies and procedures (for emergency care and the administration of medication and treatment) should be reviewed at least every two years by the district and revised as needed.

Section	Title	Action	Timing	Details
128 Act 76 of 2019 CHAPTER 339	Career Information and Recruiting	Shall Allow Shall Develop and Maintain Shall Document	Annually At All Times Annually	<p>Schools must allow for the delivery of information and recruitment of students by representatives of skilled trades, publicly identified priority occupations, community colleges, and higher education institutions. This includes annually allowing them to distribute age appropriate information to all students in grades 4 through 12. This may be done individually or in a group setting, including school assemblies, hosting students for visits, or any other method of speaking directly to students.</p> <p>Each school district must have a plan for guidance services for students in kindergarten through 12th grade. The plan must be posted on the school district’s website.</p> <p>School districts must annually document their compliance with Section 128 and their plan to provide students with access to informational materials and career presenters in the following year.</p>
1184 Act 82 of 2024	National Guard or Reserve Parent Student Support	Shall Provide	Ongoing	<p>A school entity shall provide students who are children of members of the National Guard or Reserve the same supports as students who are children of active-duty military families under the Interstate Compact on Educational Opportunity for Military Children Act.</p> <p>The supports are for students who have to transfer from an out-of-state school to a public school located in PA because their parents are required to move to perform their duties in the service of the National Guard or Reserve.</p> <p>The support relates to services for timely enrollment and record transfers, course placement, student participation in programs, and on-time graduation.</p>
TITLE 22 Chapter 339.31 339.32	K-12 Guidance Plan	Shall Develop / Implement	As Prescribed	<p>School entities that either have a PDE-approved career and technical education program or send their grades 9-12 students to another school for PDE-approved career and technical program instruction shall have a written plan on file, approved by the board of school directors, for the development and implementation of a comprehensive, sequential program of guidance services for kindergarten through 12th grade. The plan must include procedures to provide for guidance services to Area Vocational Technical Schools (AVTSs). Upon request, the plan shall be submitted to the Secretary.</p>
1302 Act 67 of 2024	Students Involved in School District Residency Disputes	Shall Continue Enrollment	Ongoing	<p>A child may not be disenrolled from a school in the case of a residency dispute until the child’s parent, guardian, or other person having charge of the child has exhausted or declined to participate in the appeal process provided in the applicable grievance policy and have been provided information related to the educational rights of homeless students or a court enters an order directing the child to be disenrolled and enrolled in a different school.</p>

POLICY & PROCEDURE – STUDENT PROCEDURES

Section	Title	Action	Timing	Details
1302.1 Act 24 of 2023	Military Child Advance Enrollment	Shall Develop and Maintain	Ongoing	A school district must have a policy to allow a child of an active-duty member, including reserves, to enroll in a school district before establishing residency. Enrollment is permitted upon the parent providing the district with a copy of their official military orders and proof of their intent to move into the district. Proof may include a signed contract to purchase a home, a signed lease agreement, or a statement from the parent or legal guardian stating their intention to move into the school district.
		Shall Provide	45 days	The child's parent / guardian must provide proof of residence to the school district no later than 45 days after the arrival date specified in the military orders.
1305 Act 342 of 1955 Act 192 of 1969	Non-Resident Child Placed in Home of Resident	Shall Provide All Services	While Child is in District	A non-resident child placed in the home of a resident of any school district by order of court (or by agreement with an agency having care of neglected or dependent children) shall be entitled to all free school privileges accorded to resident children in the district.
1306 Act of Mar. 10, 1949 Act 151 of 1955 Act 344 of 1956 Act 16 of 1993	Non-Resident Inmates of Children's Institutions	Shall Admit	While Child is in Institution	Any school district where a children's home – or other institution for care of children – is located, must permit children of such homes into the district. School districts may admit with or without a charge for tuition, textbooks, and supplies, but transportation must be provided.
1306.2 Act 30 of 1997	Incarcerated Juveniles in Adult Facilities	Shall Provide Services	Until Age 21	A person under 21 years of age who is confined to a local adult correctional institution following a conviction shall be eligible for the same services as a student who has been expelled. A person under 21 years of age who is confined to a local adult correctional institution following a charge of criminal activity shall be eligible for the same services as a student who has been placed in an alternative education program for disruptive students.
1310.1 Act 61 of 2008	Classroom Placement of Twins or Higher Order Multiples	Shall Place	Upon Request	Parents and guardians have the right to request placement – either in the same classroom or separate classrooms – for twins or higher order multiples. The request must be made no later than 10 days after the first day of school or 10 days after the children's first day of attendance (if enrolled after the beginning of the year). A school district must provide the classroom placement that the parent requests, unless it is deemed that it would be disruptive to the classroom or if placement in a separate classroom would require the district to add an additional class.

Section	Title	Action	Timing	Details
<p>1318.1 Act 110 of 2020</p>	<p>Students Convicted or Adjudicated Delinquent of Sexual Assault</p>	<p>Shall Reassign</p>	<p>As Needed</p>	<p>If a student is convicted or adjudicated delinquent of committing a sexual assault upon another student enrolled in the same public school entity, the school district must ensure separation between the convicted / adjudicated student and the victim. The students shall not be educated in the same school, be transported on the same school vehicle, or participate in the same school-sponsored activities at the same time.</p> <p>To accomplish this, schools must do one of the following as it relates to the convicted or adjudicated delinquent student:</p> <ul style="list-style-type: none"> • Expel the student. • Transfer the student to an alternative education program. • Reassign the student to another school or educational program within the school district.
<p>1326 CFR 300.101-300.176</p>	<p>Attendance</p>	<p>Shall Enroll</p>	<p>When Student Meets Criteria</p>	<p>A child who has attained the age of six on or before September 1 must enroll and attend a school or begin a home school program that school year. A child who turns six after September 1 must be enrolled in school or begin a home school program no later than the start of the following year.</p> <p>A child must remain enrolled until they reach eighteen (18) years of age unless they received a certificate of graduation from a regularly accredited, licensed, registered, or approved high school.</p> <p>A child who attains the age of twenty-one (21) years* during the school term and who has not yet graduated from high school may continue to attend the public schools in their district free of charge until the end of the school term.</p> <p>A school may not inquire regarding the immigration status of a student as part of the admission process, and the child's immigration status does not take away their right to public education.</p> <p>A school entity must administer a home language survey to all students seeking first-time enrollment in its schools, in accordance with requirements of the United States Department of Education's Office for Civil Rights.</p> <p><i>*Note: A free appropriate education shall be made available to a child with a disability eligible under IDEA until the student turns 22.</i></p>

POLICY & PROCEDURE – STUDENT PROCEDURES

Section	Title	Action	Timing	Details
ACT 119 OF 2018	Military Parent Student Support	Shall Provide	Ongoing	<p>Each public school entity shall provide appropriate support services to students whose parent or guardian is a member of the armed forces being called to and while serving on active duty.</p> <p>Upon receiving notification from a parent or guardian of activation, the public school entity shall provide the student and parent or guardian with the following:</p> <ul style="list-style-type: none"> • Access to a certified school counselor, a certified school psychologist, a school social worker, or certified home and school visitors. • Information regarding existing federal and state military support services and any other service, agency, or resource necessary to support or provide assistance to the student, parent, or guardian.
1327.1 1327.2 Act 55 of 2022 <i>(continued on next page)</i>	Home- Educated Students	Shall Have on File	Annually Before August 1	When a child begins a home education program, the school district must receive a notarized affidavit of the parent, guardian, or a person having legal custody of the child. An affidavit must be filed annually before August 1.
		Shall Transfer	Within 30 Days	If a home education program is relocating from one school district to another within Pennsylvania, the supervisor of the home education program must apply to the current school district of residence to request a transfer letter. Within 30 days of receipt, the current superintendent must issue the transfer letter.
		Shall Lend	Upon Request	School districts are required, upon request, to lend copies of the school district's planned courses, textbooks, and other age-appropriate curriculum materials.
		Shall Permit	Upon Request	Children enrolled in home education must be provided the opportunity to participate in extracurricular activities in their school district of residence. This includes clubs, musical ensembles, athletics, and theatrical productions as long as they meet the same participation and tryout criteria as students in the school.
		Shall Provide Access	Ongoing	Where an activity requires the completion of a physical examination or medical test as a condition of participation and the school district of residence offers such an examination / test to students enrolled in their school district, the school district shall permit a child who is enrolled in a home education program to access such examination / test.
		Shall Publish / Post	Ongoing	The school district shall publish the dates and times of such physical examination or medical test in a publication of general circulation in the school district and on its website.

POLICY & PROCEDURE – STUDENT PROCEDURES

Section	Title	Action	Timing	Details
1333.1 Act 138 of 2016	Procedure When Child is Habitually Truant	Shall Refer Child	When Child is Under the Age of 15	When a child under the age of 15 is deemed to be habitually truant – defined as a student incurring six or more school days of unexcused absences during the current school year – the school shall refer a child to either an attendance improvement program or a county children and youth agency for services or for possible disposition as a dependent child.
		Shall Take Action	When Child is Over the Age of 15	When a child over the age of 15 is deemed to be habitually truant, the school district shall either refer the child to an attendance improvement program or file a citation against the child or their parent or guardian. In the instance of filing a citation, the school district must provide verification that a school attendance improvement conference was held.
1521 Act 178 of 1986	Limitation of Refusal to Enroll Student	Shall Not Refuse	At Any Time	School districts cannot refuse enrollment of a student on the basis of their race.
1614 Act 31 of 2006	Participation by Students with Disabilities in High School Graduation Ceremonies	Shall Allow	After 4 Years of Study	Students with an IEP that prescribes continued special education beyond the fourth year of high school must be allowed to participate in commencement ceremonies with the student's graduating class where they will receive a certificate of attendance.
1719-A Act 22 of 1997	Participation of Charter School Students	Shall Allow	At All Times	No school district of residence can prohibit a student of a charter school from participating in any extracurricular activities and athletic teams, providing that the student fulfills all requirements and the charter school does not provide the same activity.
1901-C	Disruptive Student Programs	Shall Review	Every Semester	School districts and private alternative education programs must adopt a policy for periodic review of students placed in the program to determine if the student is ready to return to the regular school curriculum. Reviews must be done – at minimum – at the end of every semester the student is in the program or more frequently at the school's or provider's discretion.

Section	Title	Action	Timing	Details
<p>40 CFR PART 763 Subpart E <i>(continued on next page)</i></p>	<p>Asbestos-Containing Materials in Schools</p>	Shall Comply	Ongoing	School entities shall comply with the Asbestos Hazard Emergency Response Act (AHERA):
		Shall Designate	Ongoing	Designate a contact person to ensure the responsibilities of the school entity are properly implemented (<i>the individual does not need to be a licensed consultant; however, training is required</i>).
		Shall Conduct Initially	Ongoing	Perform an original inspection to determine whether asbestos-containing materials in each of its buildings under its authority (i.e., any building leased, owned, or otherwise used as a school building).
		Shall Conduct	Every 6 Months	At least once every six months after a management plan is in effect, conduct periodic surveillance in each building that it leases, owns, or otherwise uses as a school building that contains ACBM or is assumed to contain ACBM (<i>periodic inspections do not need to be conducted by a licensed consultant, however, training is required</i>).*
		Shall Conduct	Every 3 Years	Re-inspect asbestos-containing material in each school every three years after a management plan is in effect.
		Shall Develop / Maintain / Update	Ongoing	Develop, maintain, and update an asbestos management plan.
		Shall Maintain	Ongoing	Maintain records required by the regulations to be included in the Asbestos Management Plan.
		Shall Maintain	Ongoing	School entities shall maintain in its administrative office, and in each school, a complete, updated copy of the management plan for each school. The plan shall be available, during normal business hours, without cost or restriction, for inspection. School entities may charge a reasonable cost to make copies of plans.
		Shall Provide	Annually	Provide written yearly notification to parent, teacher, and employee organizations on the availability of the school entity's asbestos management plan and any asbestos-related actions taken or planned in the school entity. Acceptable methods of notification include placing a notice in the school handbook, mailing a letter to each household, or placing an ad in a local paper.
		Shall Ensure	Ongoing	Ensure that trained and licensed professionals perform inspections and reinspections, develop management plans, or perform response actions.
Shall Comply	When Applicable	If removal of asbestos during renovation is warranted, or school buildings will be demolished, school entities must comply with the Asbestos National Emissions Standards for Hazardous Air Pollutants (NESHAP).		
Shall Implement	When Applicable	School entities shall implement an operations, maintenance, and repair (O&M) program whenever friable ACBM is present or assumed to be present in a building.		
				<i>*Training and Periodic Surveillance</i>

POLICY & PROCEDURE – OPERATIONS & TRANSPORTATION

Section	Title	Action	Timing	Details
<p>40 CFR PART 763 Subpart E (continued)</p>	<p>Asbestos-Containing Materials in Schools</p>	<p>Shall Provide</p> <p>Shall Provide</p>	<p>Prior to Implementation / Within 60 Days of Hire</p> <p>Prior to Work</p>	<p>All maintenance and custodial staff who may work in a building that contains ACBM must receive awareness training of at least two hours whether or not they are required to work with ACBM. New staff shall be trained within 60 days of their start date.</p> <p>Maintenance and custodial staff conducting any activities that will result in the disturbance to ACBM must receive an additional fourteen hours of training.</p> <p>School entities shall provide information regarding the locations of ACBM and suspected ACBM assumed to be ACM to short-term workers (e.g. telephone repair workers, utility workers, or exterminators) who may come into contact with asbestos in a school.</p>
<p>504.1 Act 114 of 2006</p>	<p>Food and Beverage Contracts</p>	<p>Shall Notify</p>	<p>At Least 30 Days Prior</p>	<p>Before entering into an exclusive contract with a food and beverage provider, school boards must notify parents and guardians at least 30 days prior taking action. The notice must indicate how a parent can make public comment on the matter. The amounts and specific sources of funds received, and the nature of expenditures made from funds received from a food and beverage contract must be reported at a regularly scheduled board meeting, a public hearing, or on the school district’s website.</p>
<p>701.1 Act 55 of 2024 Section 2602-J</p>	<p>Construction or Lease of New School Building</p> <p>Construction and Renovation Reimbursement Eligibility</p>	<p>Shall Receive Approval</p> <p>Shall Receive Approval</p> <p>Shall Comply</p>	<p>Prior to Construction or Lease</p> <p>Prior to Construction or Lease</p>	<p>School districts cannot enter into a contract to construct or enter into a lease for a new school building (or substantial addition to an existing building) without the consent of the electors obtained by referendum or without holding a public hearing on the subject.</p> <p>A public hearing must be held no later than 30 days before the submission of the initial construction cost estimates to the PA Department of Education for approval. Notice of the hearing must be given no later than 20 days before the hearing date.</p> <p>The school board must set a maximum project and maximum building cost. Should the maximum building construction cost authorization exceed the aggregate building expenditure (as outlined in Section 701.1), the authorization must go to the electors for approval within six months of submission of the final cost bids to the PA Department of Education.</p> <p>When a school undertakes a major school construction project and seeks reimbursement from the Commonwealth of Pennsylvania, a process known as PlanCon is initiated. PlanCon is an acronym for Planning and Construction Workbook, and is a set of forms and procedures used to apply for reimbursement.</p>

Section	Title	Action	Timing	Details
7-707 24 P.S.	Sale of District Property	Shall Publish / Post	3 Weeks Prior to For Sale Date	<p>The board of school directors of any district has the authority to sell unused and unnecessary lands and buildings, by public auction, upon sealed bids, or at private sale after due notice by publication:</p> <ul style="list-style-type: none"> • In one or more newspapers of general circulation published within the county or the school district. • In the legal newspaper in said county, if any, once a week for three successive weeks before the date fixed for said sales. • By one or more notices posted on the property to be sold. • By at least five notices posted at conspicuous places within the vicinity of the said real estate. <p>Notice should be posted on the school district's website.</p>
751 62 Pa. CSA 4604 Act 55 of 2024	Construction Contracts, Reconstruction, Repairs, or Work	<p>Shall Advertise</p> <p>Shall Not Piecemeal</p> <p>Shall Enter Into</p> <p>Shall Receive Quotes</p> <p>Shall Retain</p> <p>Shall Perform</p>	<p>3 Weeks</p> <p>At Any Time</p> <p>After Bids Are Received</p> <p>When Applicable</p> <p>3 Years</p> <p>Ongoing</p>	<p>For school districts to contract for construction, reconstruction, repairs, maintenance, or work on any school building or property having a total cost of \$23,200 or more, subject to adjustment under section 120, the school district shall seek competitive bids and advertise once a week for three weeks in not less than two newspapers of general circulation. If there is no newspaper in the district, the notice must be posted in at least five public places, unless exempt by law.</p> <p>Competitive electronic auction bidding may not be accepted for construction and design services.</p> <p>School districts may not contract for services piecemeal to obtain prices under \$23,200 to avoid advertising and bidding requirements.</p> <p>School districts shall enter into contracts with the lowest responsible bidder, with proper terms.</p> <p>Unless exempt by law, at least three written or telephonic price quotations shall be requested for contracts having a total cost value of more than \$12,600* but less than \$23,200, subject to adjustment under section 120.</p> <p>In lieu of price quotations, a memorandum shall be kept on file showing that fewer than three qualified contractors exist in the market area.</p> <p>School district maintenance staff may perform construction, reconstruction, repairs, or work having a total cost or value of less than \$12,600,* subject to adjustment under section 120.</p> <p><i>*\$10,000 if utilizing federal funds.</i></p> <p><i>Note: Threshold amounts are in effect as of January 1, 2024.</i></p> <p><i>Note: The moratorium for PlanCon 2.0 and the maintenance program has been extended until July 1, 2025.</i></p>
772.1 Act 35 of 2002	Integrated Pest Management Program	Shall Develop	Ongoing	Each school must have an integrated pest management plan that uses a sustainable approach to managing pests that minimizes economic, health, and environmental risks.

POLICY & PROCEDURE – OPERATIONS & TRANSPORTATION

Section	Title	Action	Timing	Details
<p>772.2 Act 35 of 2002</p>	<p>Pesticide Treatments at Schools</p>	Shall Notify / Post	72 Hours Prior and 2 Days Following Application	<p>School entities must:</p> <ul style="list-style-type: none"> • Post a pest control sign in an area of common access* where individuals are likely to view the sign regularly at least seventy-two (72) hours before and for at least two days following each planned treatment. • Provide the pest control information sheet to every individual working in the school building at least 72 hours before each planned treatment. • Provide notice of the name, address, and telephone number of the applicator providing the treatment, the day of treatment, and the pesticide to be utilized at least 72 hours before each planned treatment: <ul style="list-style-type: none"> - to the parents or guardians of students enrolled in the school using normal school communications procedures - to the list of interested parents or guardians who at the beginning of the school year or upon their child's enrollment requested notification of individual application of pesticides using first-class mail or other means deemed appropriate. The school shall provide procedures or materials for such requests. <p><i>*For a pesticide application on school grounds, the notice must be posted at the place to be treated.</i></p>
		Shall Notify	When Applicable	For emergency pesticide applications, the school shall notify parents or guardians who have requested such notification by telephone.
		Shall Notify	Annually	School districts shall advise parents or guardians of their right to request notification of emergency pesticide use and shall explain procedures for requesting such notification.
		Shall Record	For at Least 3 Years	Schools must maintain detailed records of all chemical pest control treatments for a period of at least three years.
		Shall Comply	When Applying Pesticide	<p>Pesticide may not be applied within a school building or on school grounds if students are expected to be present for class or extracurricular activities within seven hours following the application or within the reentry time restrictions contained on the pesticide label, whichever time is longer.</p> <p>If a pesticide is applied indoors, students may not be present in an untreated area of the building unless the area being treated has a separate ventilation system and is separated from the untreated portion by smoke or fire doors.</p>
<p>780 Act 38 of 1984</p>	<p>Public Hearing Prior to Closing School</p>	<p>Shall Be Held</p>	<p>Not Less than 3 Months Prior</p>	<p>In the event of the permanent closing of a school building or substantially all of a school's facilities, a public hearing must be held at least three months prior to a decision by the board of directors. Notice of the hearing must be placed in a newspaper no less than 15 days prior to the hearing date.</p>

POLICY & PROCEDURE – OPERATIONS & TRANSPORTATION

Section	Title	Action	Timing	Details
807.1 Act 82 of 2012	Purchase of Supplies	Shall Be Advertised	For 3 Weeks	For school districts to make purchases of \$23,200 or more (subject to adjustment under section 120), public notice must be given by advertisement once per week for three weeks in two newspapers of general circulation. If there is no newspaper in the district, the notice must be posted in at least five public places.
		Shall Receive Quotes	Prior to Purchase	For any purchases of \$12,600* or more (subject to adjustment under section 120) but less than the amount requirements for advertised bidding, districts must receive written responses or quotes by phone from at least three qualified vendors.
		Shall Retain	3 Years	In lieu of price quotations, a memorandum shall be kept on file showing that fewer than three qualified vendors exist in the market area.
		Shall Accept	After Bids Are Received	The board of directors shall accept the bid of the lowest responsible bidder, kind, quality, and material being equal, but shall have the right to reject any bids or select a single item from any bid.
		Shall Not Piecemeal	At Any Time	School districts may not purchase items piecemeal in an attempt to keep purchases below the \$23,200 threshold. <i>*\$10,000 if utilizing federal funds.</i> <i>Note: Threshold amounts are in effect as of January 1, 2024.</i>
1337 Act 55 of 2022	Nonprofit School Food Program	Shall Provide	Ongoing	Regardless of whether a student has money to pay for a school meal or owes money for school meals, a meal must be provided to a student unless a parent or guardian has specifically provided written directive to withhold a school meal.
		Shall Comply	When a Student Owes for 5 Meals	When a student owes money for five or more meals, the school must make at least two attempts to contact the parent and guardian in an effort to have them apply to participate in the school food program. The school must offer assistance in applying for participation.
		Shall Notify	Ongoing	For students in kindergarten through 8th grade, any communication about money owed for meals must be directed to the student's parents or guardians. For students in 9th through 12th grade, communications may be directed to the student.
		Shall Not Identify	Ongoing	Schools shall not identify or stigmatize a student who cannot pay for a meal or who owes money for meals. Schools also cannot require a student to perform chores or other work to pay for a meal. Schools are prohibited from directing students to discard a meal or for school staff members from discarding a meal after it was served as a punishment for the student's inability to pay. If a student is not eligible for participation in the school food program and owes greater than \$75.00 in a school year for school meals, a school may provide the student with alternative meals* instead of school food program meals until the student's unpaid balance for school meals is paid or a payment plan has been established. <i>*The provision of alternative meals does not apply to any student in any school that participates in the national school lunch or breakfast programs whether or not the student qualifies for free and reduced-price school meals.</i>

POLICY & PROCEDURE – OPERATIONS & TRANSPORTATION

Section	Title	Action	Timing	Details
1361	Transportation of Pupils	Shall Provide	At All Times	Any school district that provides for the transportation of public school students must also provide transportation services to students in the district who attend nonpublic schools.
1726–A Act 61 of 2008	Transportation for Charter School Students	Shall Provide	As Needed	School districts are responsible for providing free transportation for students living in the district and attending a charter school located within their school district of residence, or a regional charter school outside of the district's boundaries at a distance not to exceed 10 miles by the nearest public highway.
TITLE 67 CHAPTER 171	School Buses and School Vehicles	Shall Maintain	Ongoing	Title 67, Chapter 171 outlines standards related to school buses and vehicles. This includes design and construction specifications, reporting of accidents, cleanliness standards, identification, seating, and safety features.

POLICY & PROCEDURE – OTHER

Section	Title	Action	Timing	Details
36 U.S.C. SECTION 106	Constitution Day / Citizenship Day	Shall Hold	Annually On September 17	Each educational institution that receives federal funds for a fiscal year shall hold an educational program about the United States Constitution for its students on September 17. If September 17 falls on a weekend, it should be held in the previous week or next week.
134 Act 55 of 2024	Advertising and Sponsorships	Shall Indicate Shall Report	Ongoing No later than August 1, 2025	<p>A paid media advertisement by a public school entity or on behalf of a public school entity that refers to the cost of tuition, technology, transportation, or other expenses shall not advertise those expenses as free, and any reference to tuition, technology, or other expenses must indicate that the cost is covered by taxpayer dollars.</p> <p>Each public school entity shall report to the PA Department of Education paid media advertisements and sponsorships of public events for the 2024-2025 school year.</p> <p><i>Note: A “public event” is an activity, event, or gathering that members of the public may attend, has been publicly announced or publicized in advance, and for which an admission fee or cost may be required. The term includes concerts, performances, sporting events, fairs, festivals, parades, and other exhibitions. It does include school-sponsored activities defined in section 138.1(j).</i></p>

Section	Title	Action	Timing	Details										
CHAPTER 4.13	Strategic Plans	Shall Be Developed	As Prescribed	<p>School Districts are required to submit a variety of strategic plans to the PA Department of Education for approval. All plans must be made available for public comment at least 28 days prior to submission. Plans are to be submitted on the following schedule:</p> <table> <tr> <td>Professional Education Plan</td> <td>Every Three Years</td> </tr> <tr> <td>Induction Plan</td> <td>Every Six Years</td> </tr> <tr> <td>Comprehensive K-12 Student Services Plan</td> <td>Every Six Years</td> </tr> <tr> <td>Special Education Plan</td> <td>Every Three Years</td> </tr> <tr> <td>Gifted Education Plan</td> <td>Every Six Years</td> </tr> </table>	Professional Education Plan	Every Three Years	Induction Plan	Every Six Years	Comprehensive K-12 Student Services Plan	Every Six Years	Special Education Plan	Every Three Years	Gifted Education Plan	Every Six Years
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220 Act 153 of 2002 Act 94 of 2006	State Report Cards	Shall Be Submitted	Annually	<p>The federal No Child Left Behind Act requires each state to publish an annual report card of student achievement and progress. In order to do so, the Pennsylvania Department of Education will collect information in the following areas:</p> <ul style="list-style-type: none"> • Student achievement on state academic assessments, aggregated at each proficiency level and disaggregated by race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged. • The percentage of students not tested (disaggregated by the same categories). • Aggregate information on any other indicators used by the state to determine adequate yearly progress. • Graduation rates for secondary school students. • The professional qualifications of teachers in the state, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the state not taught by highly qualified teachers. This information should be presented in the aggregate and also disaggregated by high-poverty compared to low-poverty schools. <p>In addition, the Pennsylvania Public School Code requires schools to report the following information:</p> <ul style="list-style-type: none"> • The number of students who were enrolled in the district less than two years before being administered the PSSA test. • The number of students classified as limited English proficient at the time of the PSSA assessment. • The number of students classified as having a disability who were given the PSSA test. 										
222 Act 104 of 2010	Drop-Out Data Collection	Shall Be Submitted	Annually	<p>The Pennsylvania Public School Code requires school districts to report graduation and drop-out data to the PA Department of Education annually.</p> <p>In order to identify at-risk students, the data shall be disaggregated based on the following classifications: limited English proficiency, low income, special education, gifted education, race or ethnicity, gender, school entity, geographic area, highest grade level completed, and age prior to dropping out.</p>										

POLICY & PROCEDURE – OTHER

Section	Title	Action	Timing	Details
329 Act 84 of 2020	Publication of School Board Members' Email Addresses	Shall Publish	At All Times	The email addresses of all board members must be posted on a school district's website in a place that is easily visible and accessible to the public.
518 Act 88 of 2002	Retention of Records	Shall Retain	Permanently At Least 6 Years	School districts must maintain a permanent record that includes the Board minute book, annual auditor's reports, and annual financial reports. All other financial records of the school district – bills, contracts, invoices, receipts, etc. – shall be retained by the district for at least six years. All other school district records shall be retained in accordance with federal and state laws and regulations and the Records Management Plan approved by the board.
771 Act of Mar. 10, 1949 Act 497 of 1951 Act 157 of 2002	Display of the Flag	Shall Display Shall Display Shall Provide	When School is in Session During the School Day Each School Day	The American Flag must be flown on or near each school building inclement weather, during school hours, and at other such times as the board may determine. A flag no less than three feet in length must be displayed in each school building on all days when school is in session, and an American Flag must be displayed in every classroom during the school day. Teachers must provide for the reciting of the Pledge of Allegiance or singing of the National Anthem at the beginning of each school day: <ul style="list-style-type: none"> • Students may decline to recite the Pledge or salute the flag based on religious conviction or personal belief. • The supervising officer of the school must provide written notice to parents or guardians of students who choose to abstain.
1351	Enumeration of School Children	Shall Maintain	At All Times	Each school district must maintain a school census or in lieu thereof, an accurate count of all children from birth to 18 years of age living within their district.
1422.1 42 USC, Sec. 1758b 7 CFR, Sec 210.31	Wellness Policy	Shall Establish	Ongoing Conduct Assessment Every 3 Years	Schools that participate in the National School Lunch or School Breakfast Program must establish a wellness policy. At a minimum, the policy must include: <ul style="list-style-type: none"> • Goals that promote student wellness. • Standards and nutrition guidelines for all foods and beverages provided or sold to students during the school day that promote student health. Parents, students, and the general public may participate in the development, implementation, and periodic review and update of the policy. The school must inform and update the public about the content and an assessment of the implementation of the policy.

Section	Title	Action	Timing	Details
<p>24 PA STATUTE</p> <p>15-1501-H 1512-H 1513-H 1526-H</p> <p>Act 55 of 2024</p>	<p>Administrative and Instructional Partnerships Between School Entities and Feasibility Study</p>	<p>Shall Partner</p> <p>Shall Report</p>	<p>Ongoing</p> <p>As Prescribed</p>	<p>School entities may cooperatively develop joint or shared educational programs for students and educators and explore school district consolidation or mergers through feasibility studies.</p> <p>School districts that receive funding for feasibility studies shall comply with reporting requirements to the PA Department of Education.</p>
<p>1526</p> <p>Act 71 of 2014</p>	<p>Youth Suicide Awareness & Prevention</p>	<p>Shall Have a Policy and Make Available</p>	<p>At All Times</p>	<p>Schools must have a policy for youth suicide awareness and prevention and said policy must be available to parents and posted on the school district’s website.</p> <p>The policy must include:</p> <ul style="list-style-type: none"> • A statement on youth suicide awareness and prevention. • Protocols for administering youth suicide awareness and prevention education to staff and students. • Methods of prevention and intervention, including procedures for early identification and referral of students at risk of suicide and procedures that address an emotional or mental health safety plan for students identified as being at increased risk of suicide. • Methods of responding to a student or staff suicide or suicide attempt. • Reporting procedures. • Recommended resources on youth suicide awareness and prevention programs, including current contact information for such programs.
<p>1555</p> <p>Act 55 of 2024</p>	<p>9/11 Remembrance in Schools</p>	<p>Shall Conduct</p>	<p>Annually On September 11</p>	<p>Each school entity shall conduct a moment of silence during instructional hours for students and faculty to observe the anniversary of September 11, 2001.</p>
<p>1603-C</p> <p>Act 82 of 2012</p>	<p>Interscholastic Athletics Reporting</p>	<p>Shall Report</p> <p>Shall Make Available / Post</p>	<p>Annually by October 15</p> <p>Annually by November 1</p>	<p>School districts must submit an annual report to the PA Department of Education detailing interscholastic athletic opportunity and treatment for male and female secondary students for the preceding school year. The report must be submitted by October 15.</p> <p>School districts must make a copy of the completed disclosure form available for public inspection during regular business hours, including posting on the school district’s website. Notice must be provided of the form’s availability for review by students, educational personnel, student athletes, and parents via school bulletin boards, school newspaper, electronic mailing, and other means reasonably likely to provide such notice.</p>

POLICY & PROCEDURE – OTHER

Section	Title	Action	Timing	Details
1717-A Act 22 of 1997	Establishment of a Charter School	Shall Hold a Hearing	Within 45 Days	<p>If an application is received for a charter school within a school district’s boundaries, the school district must host at least one public hearing on the school within 45 days of receipt of the application.</p> <p>Failure to hold a public hearing within this timeframe allows the charter school to file its application as an appeal to the appeal board, which will have the authority to grant or deny the charter.</p> <p>At least 45 days, but no more than 75 days, must transpire between the first public hearing and the school board’s decision on the charter school’s application.</p>
17-1722-A 17-1744-A Act 55 of 2024	School District and Intermediate Unit Responsibilities (for Cyber Charter Schools)	Shall Provide	Ongoing	<p>A school district or intermediate unit in which a student enrolled in a cyber charter school resides shall do all of the following:</p> <ul style="list-style-type: none"> • Provide student records. • Provide reasonable access to its facilities for the administration of standardized tests. • Provide assistance in the delivery of services to a student with disabilities. • Make payments under section 1725-A.
		Shall Provide	Within 10 Days	<p>Student Records</p> <p>A school district or intermediate shall provide all the student’s records within 10 days of receipt of notice of the student’s admission.</p>
		Shall Provide	At Least 60 Days	<p>Reasonable Access to Facilities for the Administration of Standardized Tests</p> <p>The cyber charter school shall provide at least 60 days’ notice of the need for facilities.</p>
		Shall Provide	Within 30 Days	<p>Within 30 days of the request, an intermediate unit or school district shall notify the cyber charter school of the location that will be provided.</p> <p>The facilities must be in a separate location in which cyber charter students will not be commingled with students of the school district or intermediate unit.</p> <p>A school district or intermediate unit may not be required to make facilities available on dates or times that may cause undue interference with their educational programs.</p> <p>A facilities rental fee shall comply with the facility rental policy of the school district or intermediate unit.</p>
		Shall Provide	Upon Request	<p>Assistance in the Delivery of Services to a Student with Disabilities</p> <p>Upon request, the school district or intermediate unit shall assist in the delivery of services to a student with disabilities. The school district or intermediate unit may not charge the cyber charter school more for a service than it charges a school district.</p>

Section	Title	Action	Timing	Details
1725-A Act 22 of 1997 Act 55 of 2024	Funding for Charter School	Shall Pay Per Student Shall Report	As Needed As of November 1, 2024 / Annually	School districts must pay charter schools for each district resident student who chooses to attend a charter school. The amount paid is based on a funding formula outlined by the PA Department of Education. The funding formula differs between non-special education students and special education students. School districts are required to submit the charter school tuition calculations to the PA Department of Education. The filing must also include the related financial data used to calculate the tuition rates.
SECTION 24 1725.1A Act 55 of 2024	Funding for Cyber Charter School	Shall Calculate	As of January 1, 2025 / Annually	For students with disabilities, the per-pupil tuition rate shall be the lesser of the tuition rate calculated by the assumed 16% of average daily membership, or the rate using the actual special education average daily membership.
1748-A Act 55 of 2024	Cyber Enrollment and Withdrawal	Shall Notify	Ongoing	The parent or guardian and cyber charter school must notify the student's school district of residence of a student's enrollment or withdrawal within 10 days of the enrollment / withdrawal.
ACT 55 OF 2022	Agreements with Institutions of Higher Learning or Dual Enrollment	Shall Enter into Agreements Shall Include Shall Provide	Ongoing Ongoing Annually	Districts must enter into at least one agreement with a college or university approved to operate in Pennsylvania. Districts may enter into multiple agreements. The agreement must include the following provisions: <ul style="list-style-type: none"> • Students receive the same credit as post-secondary students attending the institution of higher learning. • Students may receive credit towards graduation requirements from the school district. • Classes may be in-person or virtual. • The district may pay tuition and fees, although it is not required. • If a charter or cyber charter school has students enrolled in an institution of higher learning and the charter school does not pay tuition or fees, the sending district may reduce its payment to the charter school for that student by the amount paid by the student's family. • Classes should be weighted as AP classes for students' GPA. Districts must provide PDE with the number and form of agreements.

POLICY & PROCEDURE – OTHER

Section	Title	Action	Timing	Details
ACT 11 OF 2022	Change of Name	Shall Change	Ongoing	A school district of the third class that is located within the county of the fifth or sixth class may change its name by a two-thirds vote of the local board of school directors and approval of the PA Department of Education.
RIGHT-TO- KNOW ACT SECTION 502	Open Records Officer	Shall Designate	At All Times	School districts must designate an Open Records Officer to receive all Right-to-Know requests, direct requests to the appropriate person within or outside the district, track the progress of open requests, and issue interim and final responses to requests.
		Shall Post	Ongoing	The following information shall be posted on the school district's website: <ul style="list-style-type: none"> • Contact information for the open-records officer. • Contact information for the Office of Open Records or other applicable appeals officer. • A form which may be used to file a request. • Regulations, policies, and procedures of the school entity related to the act.
		Shall Complete	Upon Receiving Requests	Upon receiving a request, the Open Records Officer must do all of the following: <ul style="list-style-type: none"> • Note the date of receipt of the request. • Ensure response within five days of the request. • Maintain a copy (written or electronic) of the request, including all documents submitted, until the request has been fulfilled. • Comply with third-party notification requirements.
		Shall Maintain	For 30 Days	If a request is denied, the written request must be maintained for 30 days or until a final determination of an appeal is issued.
		Shall Deny	Ongoing	School entities may deny anonymous requests for records. A request may be considered anonymous if the requester has submitted insufficient information to identify if the requester is a legal resident of the United States.
7 CFR SECTION 245.5	Free / Reduced Price School Lunch Announcement	Shall Notify	Annually At The Beginning of Each School Year or 10 Days After The Notice is Received	School entities shall publicly announce the criteria for determining the eligibility of children for free and reduced-price meals and free milk approved by the State. Notice shall be made at the beginning of each school year or, if notice or approval is given thereafter, 10 days after the notice is received, to the parents of all children in attendance at school. On or about the same time, a public release shall be provided to the informational media, the local unemployment office, and any major employers contemplating large layoffs in the area from which the school draws its attendance.

Section	Title	Action	Timing	Details
28 CFR PART 35 42 U.S.C. SECTION 12101 88 FR 51948 89 FR 31320	Web Content Accessibility	Shall Comply	By April 26, 2027	In accordance with the Americans with Disabilities Act, communications with disabled persons have to be “as accessible” as communications with non-disabled persons. School entities’ web content and mobile apps must meet the Web Content Accessibility Guidelines (WCAG 2.1 standards) with limited exceptions.
TITLE 18 SECTION 6305 6306.1 Act 111 of 2019	Use of Tobacco Products in Schools	Shall Develop	Ongoing	Each school district must establish a policy to enforce the prohibition of tobacco product use. The board shall notify employees, students, and parents of the policy in the student handbook, parent newsletter, and other means.
TITLE 24 SECTION 4604 Act 92 of 2024	School Internet Policies	Shall Develop / Maintain Shall Utilize / Select Shall Provide	Ongoing Ongoing Upon Request	School districts must develop and maintain an acceptable use policy for the Internet. At a minimum, the policy shall contain provisions that prevent students and employees from using any computer equipment or communications services owned or leased by the school entity for sending, receiving, viewing, or downloading visual depictions of obscenity, child sexual abuse material, or material that is harmful to minors; establish appropriate measures to be taken against students and employees who willfully violate the school entity’s acceptable use policy; and provide an expedited review and resolution of a claim that the policy is denying a student or employee access to material that is not within the prohibition of the acceptable use policy. In order to enforce the policy, school districts must, at a minimum, either utilize software programs or a selection of online servers designed to block access to visual depictions of obscenity, child sexual abuse material, or material that is harmful to minors. A school entity shall provide, upon written request of a parent or guardian, a copy of the acceptable use policy that has been adopted.

POLICY & PROCEDURE – OTHER

Section	Title	Action	Timing	Details
<p>TITLE 24 SECTION 5004 Act of July 17, 1961 Act 187 of 1992</p>	<p>Unfair Educational Practices</p>	<p>Shall Be Considered Unfair</p>	<p>At All Times</p>	<p>The Act of July 17, 1961, as amended by Act 187 of 1992, outlines what are considered to be “unfair educational practices.” Under the law, school districts may not:</p> <ul style="list-style-type: none"> • Exclude, limit, or otherwise discriminate against students on the grounds of race, religion, color, ancestry, national origin, sex, handicap, or disability. A school district may not inquire about the same prior to admission. • Penalize or discriminate against any individual because the person has initiated, testified, participated, or assisted in proceedings under the act. • Fail to preserve for a period of three years any records, documents, and data pertaining to admission, rejection, expulsion, or suspension of students. Districts must also make this data available for inspection at all times. • Construct, operate, or otherwise make available facilities that are not accessible. • Exclude, limit, or otherwise discriminate against any student or applicant because of handicap or disability of any individual with whom the student or applicant is known to have a relationship or association. • Deny an individual with a handicap or disability equal opportunities for education because of uninsurability or increased cost of insurance.
<p>TITLE 25 SECTION 2727</p>	<p>Use of Schools as Polling Places</p>	<p>Shall Provide</p>	<p>Upon Request</p>	<p>If requested by the county board of elections, a school district must allow for the use of school property as a polling place.</p>
<p>TITLE 47 SECTION 4-493</p>	<p>Unlawful Acts Relative to Liquor</p>	<p>Shall Supervise</p>	<p>As Needed</p>	<p>For any school-endorsed function that takes place at an establishment with a liquor license, minors on the premises must be supervised by an adult over the age of 25. The ratio is one supervisor for up to 50 minors.</p> <p>No alcohol may be served and all alcohol must be removed or secured out of reach of the minors.</p>

Section	Title	Action	Timing	Details
<p>TITLE 51 SECTION 20222 8528 OF ESEA, ESSA</p>	<p>Military Affairs – Access to Seniors / List of Seniors</p>	<p>Shall Provide</p>	<p>By the First Day of the Academic Year</p>	<p>School districts must provide a list of senior students, including name, home address, and (if published) phone number to military recruiters prior to the start of the students’ senior year. If a school district provides additional access to senior students to institutes of higher learning, the same access must be granted to military recruiters.</p>
		<p>Shall Notify</p>	<p>Prior to the End of a Student’s Junior Year</p>	<p>Each school district must notify students, in writing, prior to the end of the students’ junior year that their basic information will be provided to military recruiters. A student has 21 days from receipt of this notice to opt-out of inclusion on this list.</p>
		<p>Shall Make Available</p>	<p>By the First Day of the Academic Year</p>	<p>School districts shall make available to all armed forces recruiters the same access to senior students as available to institutions of higher education and trade schools.</p>
		<p>Shall Notify</p>	<p>Prior to the End of the Student’s Junior Year</p>	<p>Access shall include, but not be limited to, a list of senior students by name, home address, and if published, telephone number, at the end of the respective academic year the senior will graduate, unless the parent of the student (or the student if they have attained 18 years of age) has submitted a written request to opt out of the disclosure.</p> <p>School districts shall notify the parent of the student (or the student, if they have attained 18 years of age), in writing, of the requirements to make this information available. Each student shall be given 21 calendar days to request, in writing, the exclusion of their name before the release of the list.</p>

Section	Title	Action	Timing	Details	
<p>TITLE 65 SECTION 701-716 Sunshine Act</p>	<p>Open Meetings</p>	Shall Advertise	At Least 3 Days Prior	<p>For regular public meetings, school districts must provide at least three days advance notice prior to the first regularly scheduled meeting of the calendar year, along with all further scheduled meetings for the remainder of the calendar year.</p> <p>The notice must include the date, time, and location of the meeting and must be printed in a paid newspaper of general circulation. A notice must also be posted at the location where the meeting is to take place.</p>	
				At Least 24 Hours Prior	<p>For special or rescheduled meetings, school districts must provide at least 24 hours advance notice, with the notice printed in a paid newspaper of general circulation and posted where the meeting is to take place.</p> <p>Public notice is not required in the case of an emergency meeting or conference involving a clear and present danger to life or property.</p> <p>The same notice requirements apply to virtual meetings.</p>
		Shall Post	No Later Than 24 Hours Prior	<p>The agenda for all open meetings during which deliberation or official action may take place must be posted on the school district’s website, at the location of the meeting, and at the school district’s main office.</p> <p>Additions to the agenda not posted may only be made under the following circumstances: emergencies, business arising within 24 hours prior to the meeting; and / or business raised by residents or taxpayers during the meeting.</p>	
		Shall Allow Public Participation	At All Open Meetings	<p>Additions to the agenda not posted may only be made under the following circumstances: emergencies, business arising within 24 hours prior to the meeting; and / or business raised by residents or taxpayers during the meeting.</p> <p>The public has a right to comment on issues “that are or may be before the board” and a reasonable opportunity must be provided for residents and taxpayers to comment on an issue before a decision takes place. School districts may establish rules to oversee public comments, so long as such rules do not infringe on an individual’s First Amendment rights and may limit comment to residents and taxpayers of the area served by the school district.</p>	
		Shall Record Votes	At All Meetings	<p>The vote of each member must be publicly cast and, in the case of roll call votes, recorded. No business shall be transacted at a meeting without a majority of the members of the Board.</p>	
		Shall Record Minutes	At All Meetings	<p>Minutes shall be kept of all meetings and include the date, time, and place of the meeting; names of members present, substance of all official actions taken, including record of roll call votes, and the names of all citizens who appeared officially and the subject of their testimony.</p>	

Section	Title	Action	Timing	Details
<p>TITLE 73 CHAPTER 43 Breach of Personal Information Notification Act Act 151 of 2022</p>	<p>Breach of Personal Information</p>	<p>Shall Notify</p>	<p>Following Discovery of Breach</p>	<p>Any entity that maintains, stores, or manages computerized data that includes personal information – including public schools – must provide notice of a breach of the security of the system required under subsection (a) of the Act within seven business days following the determination of the breach of the security of the system. The notification shall be provided to the district attorney in the county where the breach occurred within three business days following the determination of the breach. The notification shall occur notwithstanding the existence of procedures and policies of Section 7 of the Act.</p> <p>A public school is defined as any school district, intermediate unit, charter school, cyber charter school, or area career and technical school.</p> <p>Transmission Policy – an entity that maintains, stores, or manages computerized data on behalf of the Commonwealth that constitutes personal information shall develop and maintain a policy to govern the proper encryption or other appropriate measures and transmission of data. The policy shall be reviewed at least annually and updated as necessary.</p> <p>Storage Policy – an entity that maintains, stores, or manages computerized data on behalf of the Commonwealth that constitutes personal information shall develop and maintain a policy to govern reasonably proper storage of the personal information. The policy shall be reviewed at least annually and updated as necessary.</p>
<p>Act 33 of 2024 SECTION 5 SECTION 5.4</p>		<p>Shall Develop</p> <p>Shall Review</p>	<p>Ongoing</p> <p>Annually / Ongoing</p>	<p>Notification of Consumer Reporting Agencies</p> <p>When an entity provides notification under the act to more than 500 persons at one time, the entity shall also notify, without unreasonable delay, all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis, as defined in section 603 of the Fair Credit Reporting Act of the timing, distribution, and number of notices.</p> <p>Credit Reporting and Monitoring</p> <p>If an entity determines that a breach has occurred and reasonably believes that an individual’s first name and last name or an individual’s first initial and last name, in combination with their Social Security number, bank account number, and / or driver’s license or state ID number has been accessed (and notification under this act is provided to more than 500 persons at one time) then the entity must provide the affected individuals with access to one independent credit report from a consumer reporting agency for free, as well as access to credit monitoring services for 12 months following notification, at no cost to the affected individual.</p>

POLICY & PROCEDURE – OTHER

Section	Title	Action	Timing	Details
CHAPTER 10	All Hazards Planning	Shall Have Prepared	At All Times	Each school district – in cooperation with the local emergency management agency and Pennsylvania Emergency Management Agency (PEMA)– must have a comprehensive disaster response and emergency preparedness plan.
		Shall Review	Annually	The plan must be reviewed annually.
		Shall Distribute	Annually	A copy of the plan must be distributed to every county in which the school district is a part, as well as each local law enforcement agency and fire department having jurisdiction over geography within the district.
		Shall Supply	Annually Before September 30	By September 30 of each year, school districts must gather information on school buildings, students, staff, and utilities, and have it available at the Incident Command Post.
	Memorandum of Understanding	Shall Execute	Biannually	School districts are required to execute and update a Memorandum of Understanding (MOU) with each local law enforcement agency having jurisdiction over school property. The MOUs are to be filed with the PA Department of Education, identifying any substantive differences and the reasons for the differences between the MOU and the model MOU provided by the Department.
CHAPTER 10 SECTION 23	Response and Handling of a Student with a Disability	Shall Provide	Upon Revision	Each school entity must provide a copy of its procedures on behavior support services to the local law enforcement agency having jurisdiction over property. Schools should have provided this before September 30, 2012, and should provide an updated copy every time the procedures are revised.
		Shall Invite	As Provided	Representatives from the local law enforcement agency must be invited to participate in trainings in the use of positive behavior supports, de-escalation techniques, and appropriate responses to student behavior that may require immediate intervention, as provided by the school entity's special education plan and positive behavior support program.
		Shall Respond	As Prescribed	In response to an incident involving a student with a disability, the school must act in a manner consistent with the training provided in the district's special education plan. Additional actions vary based on whether the student has an individual positive behavior support plan.
		Shall Respond	As Prescribed	In response to an incident involving a protected handicapped student, the school must act in a manner consistent with the student's service agreement. Additional actions vary based on whether the student has an individual positive behavior support plan.
223 Act 24 of 2011	Certified Safety Committee	Shall Maintain	Ongoing	School boards must take the steps necessary to maintain a Certified Safety Committee as prescribed in the Workers' Compensation Act. If a school district does not submit evidence of an active committee to the PA Department of Education, it faces a reduction in allocation of PA funds. This does not apply to school districts that self-insure.

Section	Title	Action	Timing	Details
1317.2	Possession of Weapons	Shall Expel	For 1 Year	Any student who is determined to have brought onto school grounds or is in possession of a weapon shall be expelled for a period of not less than one year. This includes possession on school property, at any school-sponsored activity, or on any public conveyance providing transportation to a school or school-sponsored activity.
		Shall Develop	Ongoing	School districts must develop a written policy regarding expulsions for possession of a weapon as outlined in Section 1317.2.
		Shall Report	As Needed	School districts are required to report any incidents involving possession of a weapon to local law enforcement officials. Subsequently, districts must report all incidents relating to expulsions for possession of a weapon to the PA Department of Education.
1303-A Act 26 of 1995 Act 104 of 2010	Safe Schools Reporting	Shall Report	Annually Before July 31	School districts are required to report, by July 31 of each year, all new incidents involving acts of violence (see list of offenses that constitute "acts of violence" in section 1303-A [4.1] of the Pennsylvania Public School Code); possession of a weapon; possession, sale, or use of a controlled substance; and possession, sale, or use of alcohol and tobacco products by any person on school property.
1303.1-A Act 61 of 2008	Anti-Bullying	Shall Have	At All Times	School districts must have a policy related to bullying.
		Shall Review with Students	Annually	The policy must be part of the student code of conduct; the policy must be available on the website and in every classroom; it must also be posted in a prominent location in each building; and the policy must be reviewed with students annually.
		Shall Provide to PDE	Annually	School districts must review the policy every three years and annually provide a copy to the PA Department of Education.
1305-A	Transfer of Records	Shall Transmit	As Needed	Whenever a student transfers to another school district or nonpublic school, the school district of residence must send a certified copy of the student's disciplinary record to the new school. The receiving school district should request the record, and the current district has 10 days from the time of the request to supply the record.
1307-A Act 26 of 1995	Maintenance of Records	Shall Maintain	Ongoing	School districts must maintain records of all incidents of violence, possession of a weapon, and convictions or adjudications of delinquency for acts committed on school property by enrolled students. Records must be maintained in both a district-wide and school building specific manner. A statistical summary of these records must be available for public examination during regular business hours.

SCHOOL SAFETY & SECURITY

Section	Title	Action	Timing	Details
1309-B 1316-B Act 44 of 2018 Act 55 of 2022 Act 55 of 2024 <i>continued on next page</i>	School Safety and Security Coordinator	Shall Appoint	Ongoing	Each school entity must have a school safety and security coordinator appointed by the chief administrator. When a vacancy exists, it must be filled within 30 days.
		Shall Notify	Within 30 Days of Appointment	The coordinator shall oversee school police officers, resources officers, security guards, and safety and security policies and report directly to the chief school administrator.
		Shall Oversee / Report To	Ongoing	The coordinator shall oversee school police officers, resources officers, security guards, and safety and security policies reporting directly to the chief school administrator.
		Shall Review / Coordinate / Oversee / Serve	Ongoing	Specific duties include: <ul style="list-style-type: none"> • Reviewing safety and security policies and ensure that they comply with state and federal laws. • Coordinating training and resources for students and staff in matters related to: <ul style="list-style-type: none"> - Situational awareness - Trauma-informed approaches - Behavioral health awareness - Suicide and bullying awareness - Substance abuse awareness - Emergency procedures and training drills • Overseeing security assessments. • Serving as a liaison with the School Safety and Security Committee, the PA Department of Education, law enforcement, and other organizations on matters of safety and security.
		Shall Complete	By February 2, 2025, or Within 1 Year of Appointment	All coordinators who were appointed prior to February 2, 2024, must complete the required training by February 2, 2025. All coordinators appointed after February 2, 2024, must complete the required training within one year of their appointment.
		Shall Report	Annually Before June 30	The coordinator must make a report to the school board during an executive session and to the School Safety and Security Committee regarding the school entity's current safety and security practices and strategies to improve safety.
		Shall Report	By June 30, 2025 / Annually	The School Safety and Security Coordinator shall make a report to the school entity's Board of Directors during an executive session and to the School Safety and Security Committee on the school entity's current school security personnel. The report must include: <ul style="list-style-type: none"> • The number of school security personnel, as defined in Section 1301-C, broken down by type. • The number of each school security personnel, as defined in Section 1301-C, that is armed, broken out by type.

SCHOOL SAFETY & SECURITY

Section	Title	Action	Timing	Details
1302-C Act 44 of 2018 Act 67 of 2019 Act 57 of 2020	School Police Officers	Shall Complete	Prior to Employment	In order to qualify for employment, a school police officer must have completed basic training by the Municipal Police Officers' Education and Training Commission (MPOETC) or have graduated from the PA State Police Academy, been employed as a State trooper with the PA State Police (PSP) and separated from that service in good standing. A school police officer must also have completed the Basic School Resource Officer (Basic SRO) course offered by the National Association of School Resource Officers (NASRO) or an equivalent course of instruction approved by the PA Commission on Crime and Delinquency (PCCD).
		Shall Be Appointed	Prior to Employment	In order for school districts to employ a school police officer, the officer must be appointed by a judge of the court of common pleas.
		Shall Submit	Within 30 days	School entities must submit a copy of the court order to the School Safety and Security Committee (SSSC) within thirty (30) days of approval of the appointment (120 days if previously appointed).
		Shall Report	Annually	School entities employing or contracting with School Police Officers (s) (SPOs) are required to report data annually to the Pennsylvania Department of Education (PDE), SSSC, and the Pennsylvania Commission on Crime and Delinquency (PCCD) regarding required training, including: <ul style="list-style-type: none"> • The number of SPOs employed or contracted. • Municipalities where the school entity or nonpublic school is located. • The date and type of training provided to each SPO.
		Shall Attend	Annually	A school officer must attend annual in-service training approved by MPOETC.
		Shall Display	While on Duty	A school police officer must wear a metallic shield or badge at all times when on duty.
		Shall Retain	Ongoing	School entities are required to retain information about their law enforcement officers and to provide certain information to other prospective law enforcement employers. Specifically, school entities must: <ul style="list-style-type: none"> • Maintain certain employment records for law enforcement officers to include separation records. • Conduct a thorough background investigation on applicants. • Disclose employment information for someone who is the subject of a background investigation from a prospective employing law enforcement agency. • Submit applicable separation records to the Municipal Police Officers' Education and Training Commission (MPOETC) within 15 days of the law enforcement officer's separation of employment.
		Shall Provide	Ongoing	Provide MPOETC its rationale for hiring a law enforcement officer whose separation records show disciplinary action for certain conduct.

Section	Title	Action	Timing	Details
<p>1313–C Act 67 of 2019 Act 57 of 2020</p>	<p>School Resource Officers</p>	<p>Shall Complete</p>	<p>Prior to Employment</p>	<p>To qualify for employment, school resource officers must complete the basic SRO course offered by NASRO or an equivalent course approved by PCCD.</p>
		<p>Shall Retain</p>	<p>Ongoing</p>	<p>School entities are required to retain information about their law enforcement officers and to provide certain information to other prospective law enforcement employers.</p> <p>Specifically, school entities must:</p> <ul style="list-style-type: none"> • Maintain certain employment records for law enforcement officers to include separation records. • Conduct a thorough background investigation on applicants. • Disclose employment information for someone who is the subject of a background investigation from a prospective employing law enforcement agency. • Submit applicable separation records to the Municipal Police Officers' Education and Training Commission (MPOETC) within 15 days of the law enforcement officer's separation of employment.
		<p>Shall Provide</p>	<p>Ongoing</p>	<p>Provide MPOETC its rationale for hiring a law enforcement officer whose separation records show disciplinary action for certain conduct.</p>
<p>1314–C Act 44 of 2018 Act 67 of 2019 Act 57 of 2020</p>	<p>School Security Guards</p>	<p>Shall Complete</p>	<p>Prior to Employment</p>	<p>To qualify for employment, school resource officers must complete the basic SRO course offered by NASRO or an equivalent course approved by PCCD.</p>
		<p>Shall Meet Requirements</p>	<p>As Needed</p>	<p>A school security guard may be armed if all of the following conditions are met:</p> <ul style="list-style-type: none"> • The school security guard is licensed under the Uniform Firearms Act. • The school security guard is certified under the Lethal Weapons Training Act.
		<p>Shall Retain</p>	<p>Ongoing</p>	<p>School entities are required to retain information about their law enforcement officers and to provide certain information to other prospective law enforcement employers.</p> <p>Specifically, school entities must:</p> <ul style="list-style-type: none"> • Maintain certain employment records for law enforcement officers to include separation records. • Conduct a thorough background investigation on applicants. • Disclose employment information for someone who is the subject of a background investigation from a prospective employing law enforcement agency. • Submit applicable separation records to the Municipal Police Officers' Education and Training Commission (MPOETC) within 15 days of the law enforcement officer's separation of employment.
		<p>Shall Provide</p>	<p>Ongoing</p>	<p>Provide MPOETC its rationale for hiring a law enforcement officer whose separation records show disciplinary action for certain conduct.</p>

SCHOOL SAFETY & SECURITY

Section	Title	Action	Timing	Details
1316-C Act 55 of 2024	School Security Personnel	Shall Assign	Ongoing	<p>Beginning with the 2024-2025 school year, a school entity shall have at least one full-time school security personnel who has completed the training under section 1305-C, 1313-C(A.1) or 1314-C on duty during the school day unless the school entity has been granted a waiver under subsection (F).</p> <p>A school entity may decide to have a school security personnel on duty in a school building or on school premises during extracurricular activities that may occur outside of the school day.</p>
		Shall Certify	Upon Grant Application	<p>A school entity must certify to the committee that the school entity has hired or contracted with a school security personnel that satisfies the requirements of this article unless the school entity has been granted a waiver.</p>
		Shall Attest	Upon Waiver Request	<p>If a school entity does not meet the personnel requirement, it will have the option to request a waiver from the School Safety and Security Committee (SSSC) and attest that it acted in good faith and met one of the following criteria:</p> <ul style="list-style-type: none"> • Documentation that the school district does not have a municipal police department or law enforcement agency that can provide a school resource officer. • Documentation that the school district has been unable to hire or contract with a school police officer. • Documentation that the school district has been unable to hire or contract with a security guard. • Documentation that the school district has been unable to hire or contract with a police officer from an accredited police force. <p>Waivers expire one year after their approval by the committee.</p> <p><i>Note: This requirement applies only to school districts.</i></p>
1303-D Act 44 of 2018	Safe2Say Something	Shall Develop	Ongoing	<p>Each school entity must develop procedures for receiving, assessing, and responding to reports received from the Safe2Say Something program.</p>

Section	Title	Action	Timing	Details
<p>1302-E Act 18 of 2019 Act 55 of 2020 <i>(continued on next page)</i></p>	<p>Threat Assessment Teams</p>	<p>Shall Establish</p> <p>Shall Inform</p> <p>Shall Post</p> <p>Shall Be Responsible</p> <p>Shall Include</p>	<p>Ongoing</p> <p>Annually</p> <p>Ongoing</p> <p>Ongoing</p>	<p>School districts must have at least one team for the assessment and intervention with students whose behavior indicates they are a potential threat to themselves or others.</p> <p>School districts shall ensure that students, employees, parents, and guardians are informed of the existence and purpose of the team.</p> <p>School districts shall post information under this subparagraph on their websites.</p> <p>Teams shall be responsible, at a minimum, for the following:</p> <ul style="list-style-type: none"> • Making age-appropriate informational materials available to students and staff regarding the recognition of threatening or at-risk behavior that may present a threat to the student, other students, school employees, school facilities, the community or others and how to report their concerns, including through the Safe2Say program. • Ensuring that school employees are aware of the staff members who are appointed to the team and how to report threatening or at-risk behavior, including through the Safe2Say program. • Assisting in assessing and responding to reports received through the Safe2Say program. • Assessing and respond to reports of students exhibiting self-harm or suicide risk factors or warning signs as provided under section 1526. • Assessing, responding, and making appropriate determinations and referrals based on the information available to the team. • Providing required information to the chief administrator or designee to make required reports. <p>The team shall include individuals with expertise in the following areas:</p> <ul style="list-style-type: none"> • School health • Counseling, school psychology, or social work • Special education • School administration <p>Additionally, the team must include the appointed school safety and security coordinator and other qualified professionals, including, but not limited to:</p> <ul style="list-style-type: none"> • School security personnel • Law enforcement • Behavioral health professionals • The individual identified by the school to receive reports from the Safe2Say Something program • An individual who serves the student assistance program • Juvenile probation professionals

SCHOOL SAFETY & SECURITY

Section	Title	Action	Timing	Details
<p>1302–E Act 18 of 2019 Act 55 of 2020 <i>(continued)</i></p>	<p>Threat Assessment Teams</p>	<p>Shall Provide</p>	<p>Annually</p>	<p>Districts shall ensure that team members are provided individual and / or group training annually. Training shall address, at a minimum, the following:</p> <ul style="list-style-type: none"> • Responsibilities of threat assessment team members. • The process of identifying, reporting, assessing, responding to, and intervening with threats, including identifying and avoiding racial, cultural, or disability bias. • Confidentiality requirements under federal and state law.
		<p>Shall Report</p>	<p>Annually</p>	<p>The chief school administrator or a designee, after consultation with the school entity's safety and security coordinator, shall develop and present to the board of directors at an executive session the following:</p> <ul style="list-style-type: none"> • A report generally outlining the district's approach to threat assessment. • A summary of interactions with outside law enforcement, juvenile probation, and behavioral service providers. • An assessment of the team, recommendations for improvement. • Any additional information determined by the chief school administrator or designee.
<p>1517 Act of Mar. 10, 1949 Act 55 of 2017 Act 39 of 2018</p>	<p>Fire Drills</p>	<p>Shall Be Conducted</p>	<p>Monthly</p>	<p>In each school building, fire drills are to be conducted at least once per month while school is in session.</p>
	<p>School Security Drills</p>	<p>Shall Be Conducted</p>	<p>Annually in the First 90 Days</p>	<p>Each school building must conduct at least one school security drill per school year within the first 90 days of the school year. Schools may conduct two additional security drills per year in place of monthly fire drills.</p>
	<p>Bus Evacuation Drills</p>	<p>Shall Be Conducted</p>	<p>Twice Annually</p>	<p>All schools that use or contract school buses for transportation of students shall conduct two emergency school bus evacuation drills during each school year. The first drill must be conducted during the first week of the school term and the second during the month of March.</p>
		<p>Shall Submit</p>	<p>Annually Within 30 Days of Submission</p>	<p>Schools are required to submit an annual certification related to the completion of required evacuation and security drills within 30 days of submission of each report into Pennsylvania Information Management System (PIMS).</p>
<p>TITLE 18 CHAPTER 28</p>	<p>Antihazing</p>	<p>Shall Adopt</p>	<p>Ongoing</p>	<p>Each school district must adopt a written policy against hazing. The policy – including rules, penalties, and program of enforcement – must be provided to each organization within the school. It is the responsibility of each secondary school to ensure students are informed of the policy and to post it on the school's website.</p>

Section	Title	Action	Timing	Details
TITLE 23 SECTION 6311-6313	Mandated Reporters	Shall Report	Immediately	All school employees are considered mandated reporters, and as such are required to make an immediate report of any suspected child abuse to the state ChildLine Office. Additionally, employees must also alert their school administrator.
TITLE 42 SECTION 6341	Finding of Delinquency	Shall Receive	Upon Finding	If a child is found to be a delinquent child, the court will provide the building principal of the child's school the name and address of the child, the delinquent act(s) which the child has been found to have committed, and a brief description of the acts.
		Shall Inform	Upon Receiving	The principal must inform the child's teacher(s) of all information received from the court.
		Shall Not Discipline	Upon Receiving	School administrators may not use the information from the court in admissions or disciplinary decisions regarding the child unless the act occurred on school grounds or within 1,500 feet of school property.
		Shall Transfer	As Needed	If a student transfers enrollment to a new school, the information from the court must be transferred to the new school.
		Shall Maintain	Ongoing	Any information received from the court must be maintained separately from the child's official school record.

PROFESSIONAL DEVELOPMENT

Section	Title	Action	Timing	Details
CHAPTER 4	English as a Second Language	Shall Provide	Annually	All school districts in which English language learners (a student whose dominant language is not English) are enrolled must offer annual professional development related to English Language Development / English as a Second Language for all personnel as part of the district's Professional Development Act 48 plan.
22 PA. CODE CHAPTER 49.16 Act 55 of 2022	Approval of Induction Plans	Shall Develop	Every 6 Years	School districts must submit a plan for the induction experience of first-year teachers every six years. Effective 2024-2025, the induction experience must be for two years. The plan must be prepared by teacher or education specialist representatives, or both, with administrative representatives. The plan pertains to all first-year teachers, including prekindergarten teachers (where a program is offered), long-term substitutes, those hired for 45 days or more, and educational specialists.
		Shall Include	Beginning 2024-2025 Academic Year	Induction programs must integrate Culturally-Relevant and Sustaining Education Framework Guidelines and Professional Ethics Program Framework Guidelines effective the 2024-2025 academic year.
		Shall Make Available for Inspection	28 Days Prior	The induction plan must be made available for public inspection for a minimum of 28 days prior to approval of the plan by the board of directors and submission to the PA Department of Education.
22 PA. CODE CHAPTER 49.14 (4)(i) 49.17	Culturally-Relevant and Sustaining Education (CR-SE)	Shall Include	Ongoing	Continuing professional development programs must integrate Culturally-Relevant and Sustaining Education into the three-year plan effective the 2023-2024 academic year. Induction programs must integrate Culturally-Relevant and Sustaining Education Framework Guidelines effective the 2024-2025 academic year.
22 PA. CODE CHAPTER 49.17	Professional Ethics	Shall Include	Ongoing	Continuing professional development programs must integrate the Professional Ethics Program Guidelines into the three-year plan effective the 2023-2024 academic year. Induction programs must integrate the Professional Ethics Program Framework Guidelines effective the 2024-2025 academic year.
22 PA. CODE CHAPTER 49.17 Act 55 of 2022	Structured Literacy Program	Shall Include	As Part of Professional Development Plan	The school entity's continuing education plan shall include Structured Literacy training in the three-year plan for professional employees who hold instructional certificates in early childhood, elementary-middle level, special education-PK12, English as a second language, and reading specialist.

Section	Title	Action	Timing	Details
<p>328 Act 55 of 2017 Act 18 of 2019</p>	School Director Training	Shall Complete	<p>Upon Election</p> <p>Upon Reelection</p>	<p>Newly elected or appointed school directors must complete a five-hour mandatory training program during their first year in office. Training topics will include instruction and academic programs, trauma-informed approaches (which shall comprise a minimum of one hour of instruction), personnel, fiscal management, operations, governance, ethics, and open meetings.</p> <p>Reelected / Reappointed board members must complete an advanced training program with a minimum of three hours of instruction.</p>
<p>1109 Act 45 of 2007 12-1205.2 (n.2) As of July 16, 2016 24 P.S. Section 1138.8 (c) (2)</p>	PA Inspired Leadership (PIL)	<p>Shall Complete</p> <p>Shall Complete</p> <p>Shall Complete</p>	<p>Within 5 Years</p> <p>Within 6 Months of Appointment / Every 7 Years Thereafter</p> <p>Every 5 Years</p>	<p>All principals, assistant or vice principals, and all other administrators, who are employed for the first time in that capacity in the Commonwealth must complete a Principal's Induction Program within their first five years of service.</p> <p>Each principal shall complete the professional development program tailored to evaluators and to the principal evaluation system within the first six months of the employee's appointment as a principal and then must complete a condensed version of the programs every seven years thereafter.</p> <p>All persons employed as school and district leaders must complete 180 hours of Act 45 / PIL continuing professional education every five years. Approved courses are listed on the PA Department of Education website. For public school districts, leaders are defined as principals, assistant or vice principals, superintendents, and assistant superintendents.</p> <p>A professional educator may carry forward into the next compliance period up to 50 hours of continuing professional education credits obtained during the final two years of the educator's compliance period that are in excess of the required 180 credit hours for the compliance period.</p>
<p>1205.1 Act 48 of 1999 12-1205.2 (n.2) As of July 16, 2016 (continued on next page)</p>	Professional Education Plan	<p>Shall Develop</p> <p>Shall Review</p> <p>Shall Publicize</p>	<p>Every 3 Years</p> <p>Annually</p> <p>Shall Publicize</p>	<p>School districts are required to develop and submit a three-year professional education plan to the PA Secretary of Education every three years.</p> <p>The plan must be developed by a committee consisting of teacher representatives divided equally among elementary, middle, and high schools; education specialists and representatives chosen by the administrators; parents of children attending school in the district; local business representatives; and other individuals representing the community appointed by the board of directors.</p> <p>The plan must be reviewed annually to ensure it is still meeting the needs of professional employees, students, and the community.</p> <p>The plan must be made available for public inspection 28 days prior to the approval of the plan by the school's governing board and subsequent submission to the PDE Secretary.</p>

PROFESSIONAL DEVELOPMENT

Section	Title	Action	Timing	Details
<p>1205.1 Act 48 of 1999 12-1205.2 (n.2) As of July 16, 2016 (continued)</p>	Continuing Professional Education (CPE)	Shall Complete	Every 5 Years	<p>All educators holding Pennsylvania public school certification, whether currently employed or not, must complete the continuing education requirements set forth in Act 48 in order to maintain an active certification. Failure to complete these requirements will disqualify the educator from employment in Pennsylvania until all Act 48 requirements have been met. Every five years, educators must complete one of the following:</p> <ul style="list-style-type: none"> • Six credits of collegiate study • Six credits of PDE-approved continuing professional education courses • 180 hours of PDE-approved continuing education programs, activities, or experiences • Any combination of the above <p>Educators manage their continuing professional education requirements through the Professional Education Record Management System (PERMS).</p> <p>A professional educator may carry forward into the next compliance period up to 50 hours of continuing professional education credits obtained during the final two years of the educator's compliance period that are in excess of the required 180 credit hours for the compliance period.</p>
<p>1205.4 Act 91 of 2000</p>	CPR Instruction	Shall Provide	Every 3 Years	School districts are required to offer a CPR training class on school premises at least once every three years to the general public and to all school employees. The course is optional for all employees, and the training may be included in the district's continuing education plan.
<p>1205.6 Act 126 of 2012</p>	Child Abuse Recognition and Reporting	Shall Provide	3 Hours Every 5 Years	School districts must provide child abuse recognition and reporting training to all employees who have direct contact with children. Those employees must complete a minimum of three hours of training every five years.
<p>1205.7 Act 18 of 2019</p>	Trauma-Informed Approaches	Shall Provide	As Part of Professional Development	School districts must provide employees with one-hour of training on trauma-informed approaches. A reasonable effort must be made to facilitate the training during paid working hours or inservice training.
<p>1526 Act 71 of 2014</p>	Youth Suicide Awareness and Prevention	Shall Provide	4 Hours Every 5 Years	Professional development plans must include youth suicide awareness and prevention training four hours every five years for educators of sixth through twelfth grades.

Section 1372 of the Pennsylvania Public School Code of 1949 authorizes the Department of Education to set standards for special education. The Special Education regulations in Pennsylvania for school districts are found under the 22 PA Code, Chapter 14. Chapter 14 provides regulatory guidance to ensure compliance with the federal law, the Individuals with Disabilities Education Act of 2004, and its regulations.

The provisions of Chapter 14 ensure that all students with disabilities have available to them, a free, appropriate public education that is designed to enable the students to participate fully and independently in the community, including preparation for employment or higher education. Chapter 14 also ensures that the rights of students with disabilities and parents of these students are protected.

Effective no later than September 5, 2023, all students entitled to a free, appropriate public education (FAPE) and all of the rights and procedural

safeguards under the Individuals with Disabilities Act (IDEA) and Chapter 14 of Title 22 of the Pennsylvania Code may remain enrolled in public school until they turn 22 years of age. This includes students who turned 21 and exited during or after the 2022-2023 school term.

Section Contents

General Provisions	71
Child Find, Screening, and Evaluation	74
Individualized Education Plan (IEP)	76
Educational Placement	77
Early Intervention	78
Procedural Safeguards	80

CHAPTER 14 – GENERAL PROVISIONS

Section	Title	Action	Timing	Details
104	Special Education Plan	Shall Develop	Every 3 Years	<p>School districts are required to develop and implement a special education plan that aligns with the strategic plan of the school district. The plan must be developed every three years along with the strategic plan. This plan must specify the special education programs that operate in the district, local intermediate units, area vocational technical schools, and other agencies.</p> <p>The plan must describe the following:</p> <ul style="list-style-type: none"> • Early intervention services, if provided by the district. • Procedures for identifying children with specific learning disabilities. • Supplementary aids and services provided. • Access to a full continuum of educational placements. • Procedures for preventing over-identification or disproportionate representation by race and ethnicity (for those districts identified with significant disproportionately). • Procedures on behavior support services: training to staff, de-escalation techniques, and appropriate responses to student behavior. • Parent training activities. <p>Plans must also include procedures for the education of all students with disabilities who are residents of the district, including those receiving special education in approved private schools and non-residents placed in a home or institution within the district.</p> <p>School districts must maintain specific information concerning students with disabilities, including services provided, performance data, and discipline data. These items must be reported to the state as required by the PDE Secretary.</p>
		Shall Report	As Required	

CHAPTER 14 – GENERAL PROVISIONS

Section	Title	Action	Timing	Details
105 22 Pa. Code 14.105	Paraprofessionals	Shall Meet Requirements	Prior to Employment	Instructional paraprofessionals are defined as school employees who work under the direction of a certified staff member to support and assist the education of students with disabilities. Support includes one-on-one or group review of material in special education classes, regular classrooms, or other instructional settings prescribed by the IEP. Paraeducators must meet one of the following qualifications: 1) have completed at least 2 years of postsecondary study; 2) possess an associate degree or higher; or 3) meet a rigorous standard of quality as demonstrated through a state or local assessment.
	Continuing Professional Education (CPE)	Shall Provide	Annually	Each school year instructional paraprofessionals shall provide evidence of 20 hours of staff development activities related to their assignment.
105	Personal Care Assistants	Shall Meet Requirements	Annually	A personal care assistant provides one-to-one support and assistance to a student, including the use of medical equipment. A personal care assistant may provide support to more than one student, but not at the same time. Personal care assistants must complete 20 hours of annual staff development activities (this may include training required by the school-based access program).
105	Educational Interpreters	Shall Meet Requirements	Prior to Employment	Educational interpreters provide students who are deaf or hard of hearing with interpreting or transliterating services in an educational setting. Interpreters must meet the same criteria as paraprofessionals, as well as achieve a score of 3.5 on the Educational Interpreter Performance Assessment (EIPA) for the appropriate grade level assigned; be qualified under the Sign Language Interpreter and Transliterator Registration Act; and complete a minimum of 20 hours of staff development annually.

Section	Title	Action	Timing	Details																																								
105	Teacher Caseload	Shall Not Exceed	At Any Time	<p>The following represents the maximum number of students allowed on a teacher’s caseload:</p> <table border="1"> <thead> <tr> <th>TITLE</th> <th>ITINERANT (< 20%)</th> <th>SUPPLEMENTAL (20% < > 80%)</th> <th>FULL-TIME (> 80%)</th> </tr> </thead> <tbody> <tr> <td>Learning Support</td> <td>50</td> <td>20</td> <td>12</td> </tr> <tr> <td>Life Skills Support</td> <td>20</td> <td>20</td> <td>12 (K-6) 15 (7-12)</td> </tr> <tr> <td>Emotional Support</td> <td>50</td> <td>20</td> <td>12</td> </tr> <tr> <td>Deaf & Hearing Impaired Support</td> <td>50</td> <td>15</td> <td>8</td> </tr> <tr> <td>Blind & Visually Impaired Support</td> <td>50</td> <td>15</td> <td>12</td> </tr> <tr> <td>Speech & Language Support</td> <td>65</td> <td></td> <td>8</td> </tr> <tr> <td>Physical Support</td> <td>50</td> <td>15</td> <td>12</td> </tr> <tr> <td>Autistic Support</td> <td>12</td> <td>8</td> <td>8</td> </tr> <tr> <td>Multiple Disabilities Support</td> <td>12</td> <td>8</td> <td>8</td> </tr> </tbody> </table> <p>Classes or programs with students from more than one district shall follow the caseload of the district where the program is located.</p>	TITLE	ITINERANT (< 20%)	SUPPLEMENTAL (20% < > 80%)	FULL-TIME (> 80%)	Learning Support	50	20	12	Life Skills Support	20	20	12 (K-6) 15 (7-12)	Emotional Support	50	20	12	Deaf & Hearing Impaired Support	50	15	8	Blind & Visually Impaired Support	50	15	12	Speech & Language Support	65		8	Physical Support	50	15	12	Autistic Support	12	8	8	Multiple Disabilities Support	12	8	8
TITLE	ITINERANT (< 20%)	SUPPLEMENTAL (20% < > 80%)	FULL-TIME (> 80%)																																									
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Autistic Support	12	8	8																																									
Multiple Disabilities Support	12	8	8																																									
108	Parental Access	Shall Be Granted	As Necessary	Parents must be permitted to have reasonable access to their child’s classrooms, within the parameters of school district policy.																																								
SECTION 24PS 13.1372(8) Act 16 of 2000 Act 55 of 2022	Reporting Expenditures Relating to Exceptional Students	Shall Compile	Annually	<p>School districts shall compile information listing the number of students with disabilities for which expenditures are under \$5,160.99, which shall be known as Category 1A, and between \$5,161.00 and less than the amount in Category 2, which shall be known as Category 1B, for the 2023-2024 school year.</p> <p><i>Note: PDE shall annually adjust the dollar ranges.</i></p>																																								

CHAPTER 14 – CHILD FIND, SCREENING, AND EVALUATION

Section	Title	Action	Timing	Details
121	Child Find	Shall Adopt	Ongoing	School districts must adopt and use a public outreach awareness system to locate and identify children thought to be eligible for special education within the district.
		Shall Publish / Post	Ongoing	Districts also must conduct awareness activities to inform the public of early intervention and special education services offered. This information shall be published in the district handbook and on the public website and must include information regarding signs of developmental delays and other risk factors that could indicate disabilities.
		Shall Provide Notice	Annually	Districts must provide an annual public notification of child identification services, including procedures in maintaining confidentiality. This should be published or announced in newspapers, electronic, and other media.
122	Screening	Shall Establish	Ongoing	School districts must establish a screening plan to identify and provide initial screening to students, provide peer support for teachers and other staff members, and identify students who may need special education services.
		Shall Include	At Reasonable Intervals	The screening process must include hearing and vision screening as well as screening at reasonable intervals. Screening for early intervention does not preclude a parent from requesting an evaluation at any time, including prior to or during early intervention activities.
123	Evaluations	Shall Include	During Evaluations	When evaluating a child for autism, emotional disturbance, intellectual disabilities, multiple disabilities, other health impairments, specific learning disabilities, or traumatic brain injury, the evaluation team must include a school psychologist.
		Shall Provide	Within 60 Calendar Days	The initial evaluation must be provided to parents within 60 calendar days of receiving parental consent for evaluation. Days between the end of the spring term and the start of the fall term shall be excluded from this count.
		Shall Be Made Shall Be Disseminated	When Seeking Evaluation At Least 10 Days Prior	Parental requests for evaluation must be in writing and school districts must have a Permission to Evaluate Form readily available. Copies of the evaluation report must be disseminated to parents at least 10 school days prior to the meeting of the IEP team.

Section	Title	Action	Timing	Details
124	Reevaluation	Shall Reevaluate Child	Every 2 Years	Students with disabilities who are identified as intellectual shall be reevaluated at least once every two years. The rules and timeline for reevaluation of students are similar to initial evaluation.
125	Criteria For Determining Specific Learning Disabilities	Shall Develop Shall Follow	Prior to Completion During Each Evaluation	<p>Each school district must develop procedures for the determination of specific learning disabilities. This must be included in the district's special education plan.</p> <p>To determine that a student has a specific learning disability, the school district must:</p> <ul style="list-style-type: none"> • Address whether the child meets state-approved grade-level standards in one of the following areas: oral expression, listening comprehension, written expression, basic reading skills, reading fluency skills, reading comprehension, mathematics calculation, and mathematics problem solving. • Use either a process based on the child's response to scientific, research-based intervention or a process that examines whether the child exhibits a pattern of strengths and weaknesses, relative to intellectual ability. • Have determined that its findings are the result of visual, hearing, or orthopedic disability; intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency. • Ensure that under-achievement in a child is not due to lack of appropriate instruction.

CHAPTER 14 – INDIVIDUALIZED EDUCATION PROGRAM (IEP)

Section	Title	Action	Timing	Details
133	Positive Behavior Support	Shall Be Used	At All Times	<p>Positive, rather than negative, measures must form the basis of behavior support programs, ensuring all students are free from demeaning treatment, the use of aversive techniques, and the unreasonable use of restraints. Behavior support programs must utilize research-based practices that enhance the opportunity for learning.</p> <p>When an intervention is needed to address problem behavior, the types of intervention chosen for a particular student or eligible young child shall be the least intrusive necessary. The use of restraints is considered a measure of last resort, only to be used after other less restrictive measures, including de-escalation techniques.</p>
	Aversive Techniques	Shall Not Be Used	At Any Time	<p>The following aversive techniques are considered inappropriate and may not be used: corporal punishment; punishment for the manifestation of a student’s disability; locked rooms, locked boxes, or other structures or spaces from which the student cannot readily exit; noxious substances; deprivation of basic human rights (such as withholding meals, water, or fresh air); suspensions constituting a pattern; treatment of a demeaning nature; or electric shock.</p>

CHAPTER 14 – EDUCATIONAL PLACEMENT

Section	Title	Action	Timing	Details
144	Facilities	Shall Meet All Criteria	Ongoing	<p>Students with disabilities must be provided with an appropriate classroom space that is close to the appropriate ebb and flow of usual school activities but where noise will not interfere with instruction. The space must be at least 28 square feet per student.</p> <p>A class should not be moved unless it is to improve the delivery of education services (without reducing the interaction with students without disabilities).</p>
146	Age Range Restrictions	Shall Be in Place	Ongoing	<p>The maximum age range of students in specialized settings shall be three years in elementary school and four years in secondary school. A student may not be placed in a class that exceeds these limits unless it is specified in the student’s IEP.</p>

CHAPTER 14 – EARLY INTERVENTION

Section	Title	Action	Timing	Details
152	Early Intervention Child Find	Shall Adopt Shall Be Published	Ongoing Annually	Agencies must adopt and use a system to locate and identify young children thought to be eligible who reside within the agency's boundaries. Each agency must conduct awareness activities to inform the public, including an annual public notification published in newspapers and / or other media with circulation adequate to notify parents throughout the area of service.
153	Evaluations	Shall Be in Place Shall Complete and Present Shall Reevaluate	Ongoing Within 60 Calendar Days Every 2 Years	Evaluations are to be conducted for children thought to be eligible for early intervention and who are referred for evaluation. The evaluations should be sufficient in scope and depth to investigate information relevant to the child's suspected disability, including: <ul style="list-style-type: none"> • Physical development. • Cognitive and sensory development. • Learning problems. • Learning strengths and educational need. • Communication development. • Social and emotional development. • Self-help skills. • Health considerations. • An assessment of the family's perceived strengths and needs which will enhance the child's development. Initial evaluation or reevaluation shall be completed and a copy of the evaluation report presented to parents no later than 60 calendar days after the agency receives written parental consent. Reevaluations must occur at least every two years. Each eligible child must be evaluated by a Multidisciplinary Team (MDT) to make a determination of continued eligibility and to develop an evaluation report.
154	Individualized Education Program (IEP)	Shall Complete Shall Implement Shall Review	As Needed Within 14 Days Annually	The early intervention agency must complete an IEP for eligible children based on the evaluation results. The IEP team must include at least one special education teacher and an agency representative familiar with appropriate activities for preschool children. The agency representative must be qualified to provide or supervise the provision of specially designed instruction. The IEP must include, with parental consent, a section on family services to assist the family in supporting the child's development. For children who are within one year of transition to a program for school age students, the IEP must contain goals and objectives for the transition. The IEP shall be implemented as soon as possible, but no later than 14 calendar days after completion. The IEP must be reviewed by the IEP team at least annually. If a child with an IEP moves into a new early intervention agency, the current IEP shall be implemented – to the best of the agency's ability – until a new IEP is developed.

Section	Title	Action	Timing	Details
155	Range of Services	Shall Recommend	As Needed	<p>The early intervention agency must recommend services be provided in the least restrictive environment with the appropriate, necessary supplementary aids and services.</p> <p>The duration of early intervention services must accommodate the individual needs in accordance with the Mutually Agreed upon Written Agreement (MAWA). The IEP team will determine whether a child should be provided services during a break.</p> <p>Early intervention personnel shall have the following caseloads:</p> <ul style="list-style-type: none"> • Early intervention itinerant teachers who provide services in a typical preschool, community program, or child's home shall have a caseload range of 20 to 40 children based on duration and frequency of service. • Early intervention classroom teachers may have up to six young children in their classroom. Teachers may have additional children up to a maximum of 11 if an additional teacher or paraprofessional is assigned to the classroom. • Speech therapists who provide services in classrooms, typical preschools, community programs, or the child's home shall have 25 to 50 children based on the duration and frequency of service.
156	System of Quality Assurance	Shall Provide	At All Times	Programs for early intervention agencies are subject to the program standards and evaluations set forth by the PA Department of Education.
157	Exit Criteria	Shall Be Exited	When the Following Criteria Apply	A child shall be exited from the early intervention program based on one or more of the following criteria: the child has reached the age of beginners and is no longer eligible for early intervention; the child has functioned within the range of normal development for four months with an IEP; or the parent or guardian withdrew the child for other reasons.
158	Data Collection	Shall Be Collected	As Prescribed	The PA Department of Education requires early intervention agencies to maintain accurate information concerning eligible young children and the types of services received. That information is to be reported in aggregate. The Secretary of the PA Department of Education will prescribe the format, content, data items, and time for submission.

CHAPTER 14 – PROCEDURAL SAFEGUARDS

Section	Title	Action	Timing	Details
162	Procedural Safeguards	Shall Be Sent	Annually	School districts must follow all requirements of 34 CFR 300.504 (relating to procedural safeguards) set forth by the U.S. Department of Education. Additionally, the state requires that related notices be issued by certified mail.
	Due Process Hearings	Shall Be Conducted	Upon Request	<p>If a parent disagrees with the school district’s evaluation, placement, or provision of free, appropriate public education, the parent is entitled to an impartial due process hearing, upon request. A school district may also request a hearing if the parent fails to respond to a proposed evaluation or reevaluation, or if the parent rejects the district’s proposed evaluation, placement, or provision of free appropriate public education.</p> <p>The hearing must be held in the school district at a place and time reasonably convenient for the parents and child involved. It shall be an oral, personal hearing that is closed to the public except by request of the parent.</p> <p>The hearing officer will make a ruling based on evidence presented, as well as discussion and conclusions of law. Parents may be represented by legal counsel and have access to educational records of the child. This decision may be appealed to the court.</p>

Chapter 15 addresses a school district’s responsibility to comply with the requirements of Section 504 and its implementing regulations at 34 CFR Part 104 (relating to nondiscrimination on the basis of handicap in programs and activities receiving or benefiting from federal financial assistance) and implements the statutory and regulatory requirements of Section 504.

Section 504 and its accompanying regulations protect otherwise qualified handicapped students who have physical, mental, or health impairments from discrimination because of those impairments. The law and its regulations require public educational agencies to ensure that these students have equal opportunity to participate in the school program and extracurricular activities to the maximum extent appropriate to the ability of the protected handicapped student in question. School districts are required to provide these students with the aids, services, and accommodations that are designed to meet the educational needs of protected handicapped students as adequately as the needs of non-handicapped students are met. For purposes of the chapter, students protected by Section 504 are defined and identified as protected handicapped students.

Section 504’s broader definition of disability provides a child find obligation for evaluation when there is reason to suspect a mental or physical impairment that substantially limits a major life activity, even if there is no reasonably suspected need for special education.

Section Contents

General Provisions	81
Annual Notice	81
School District Initiated Evaluation and Provision of Services	81
Parent Initiated Evaluation and Provision of Services	82
Service Agreement	83
Procedural Safeguards	84
Confidentiality	84
Discrimination Claims	84

CHAPTER 15 – PROTECTED HANDICAPPED STUDENTS

*Section	Title	Action	Timing	Details
15.3	General Provisions	Shall Provide	As Needed	A school district must provide each enrolled handicapped student, at no cost to the student or family, with aids, services, or accommodations needed to afford the student equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities without discrimination.
15.4	Annual Notice	Shall Be Sent	On or Before the First Day of School	On or before the first day of each school year, school districts must inform parents of enrolled students that the district does not discriminate against protected handicapped students and the district’s responsibilities under Chapter 15. The notice may be included in a document reasonably expected to reach the parents of enrolled students, including a school calendar or brochure.
15.5 <i>(continued on next page)</i>	School District Initiated Evaluation and Provision of Services	Shall Notify	As Needed	A school is required to attempt to identify students who may be eligible for Section 504 services and protections. A school district shall send a written notice to the student’s parents if a school district believes the student meets one of the following conditions: <ul style="list-style-type: none"> • Should be identified as a protected handicapped student. • Should no longer be identified as a protected handicapped student. • Requires a change in current service agreement.

CHAPTER 15 – PROTECTED HANDICAPPED STUDENTS

Section	Title	Action	Timing	Details
<p>15.5 <i>(continued)</i></p>	<p>School District Initiated Evaluation and Provision of Services</p>	<p>Shall Notify</p>	<p>As Needed</p>	<p>The notice shall be in the parents' native language and include the following:</p> <ul style="list-style-type: none"> • That the school district believes the student is – or is no longer – a protected handicapped student. • The basis for the school district's belief. • The proposed change or modification to the service agreement. • The parents' right to inspect and review all relevant student records. • The parents' right to meet with the appropriate school officials about the subject. • The specific related aids, services, or accommodations the school district is proposing. • The requirement that the parents agree to the student's identification as a protected handicapped student. • The requirement that the parents execute a service agreement with the school district before the district can provide proposed aids, services, or accommodations. • The school district will modify or terminate the student's current service agreement without the parents' written consent, pending completion of the procedures in Chapter 15.8. • The procedural safeguards available to students. <p>School districts may ask for additional medical records from the parent in order to gather more information for its proposed recommendation.</p> <p>A school district-initiated request to evaluate a student must specifically identify the procedures and types of tests which it proposes to use to evaluate the student and inform parents that they have the right to give or withhold their written consent on these evaluations.</p>
<p>15.6 <i>(continued on next page)</i></p>	<p>Parent Initiated Evaluation and Provision of Services</p>	<p>Shall Submit Written Request</p>	<p>As Needed</p>	<p>Parents have the right to request that their child be evaluated and provided services if they believe their child should be identified as a protected handicapped student, should no longer be identified as a protected handicapped student, or if a change is required to the student's current service agreement.</p> <p>This request must be made in writing and should include all relevant medical records. The written request should include:</p> <ul style="list-style-type: none"> • Specific reasons that the parents believe the student is or is no longer a protected handicapped student. • The specific related aids, services, or accommodations the parents believe the student needs. • The specific modifications the parents would like the school district to make in the student's current service agreement, if the parents are requesting a modification.

Section	Title	Action	Timing	Details
15.6 <i>(continued)</i>	Parent Initiated Evaluation and Provision of Services	Shall Evaluate and Respond	Within 25 School Days	<p>Within 25 school days of receiving the request, a school district must evaluate the information and provide a written response in the parents' native language. The response should include:</p> <ul style="list-style-type: none"> • Whether the request – or portion(s) of the request – are being granted or denied. • The parents' right to meet with the appropriate school officials to discuss the subject. • The procedural safeguards available to students and their parents under Chapter 15.8. • That parents using the procedural safeguards in this chapter may also file suit in federal court under Section 504. <p>If upon evaluation a school district determines it needs additional information, the district will ask the parents to provide additional medical records and grant the district permission to evaluate the student.</p>
15.7	Service Agreement	Shall Be Executed	Upon Agreeing to Services	<p>Once parents and the school district agree to the related aids, services, or accommodations that should be or should no longer be provided, the district and parents shall enter into or modify a service agreement.</p> <p>The service agreement must be a written document that is fully executed by a representative of the school district and by one or both parents.</p> <p>The agreement must include:</p> <ul style="list-style-type: none"> • All specific related aids, services, and accommodations the student shall receive. • The dates the services will begin. • The dates they will be discontinued. • The procedures to be followed in the event of a medical emergency (when applicable). <p>If the parents or school district cannot agree on the services to be provided, either party may utilize the procedural safeguards. The school district must notify the parents in writing of their rights in this regard.</p> <p>In implementing the services agreement, the school district must address relevant factors, including educational resources, physical plant, and personnel capacities.</p>

CHAPTER 15 – PROTECTED HANDICAPPED STUDENTS

Section	Title	Action	Timing	Details
15.8 34 CFR 300.504	Procedural Safeguards	Shall File	As Needed	Parents may file a written request with the PA Department of Education if they feel the school district is not fulfilling the student’s service agreement or the school district has failed to comply with the procedures of this chapter.
		Shall Respond	Within 60 Calendar Days	The PA Department of Education will investigate and respond to requests within 60 calendar days of the initial request. Parents may file a written request with the school district for an informal conference with regard to identification or evaluation of a student.
		Shall Convene	Within 10 School Days of Receipt	Within 10 school days of the receipt of the request, the school district shall convene an informal conference where every effort shall be made to reach an amicable agreement. If matters are not resolved, either the parents or the school district may request a formal hearing to be heard in front of an impartial hearing officer, as outlined in Chapter 14.64. Appeals may be filed to the due process hearing. During this time, the administrative order shall be stayed, pending completion of the judicial proceedings.
	Procedural Safeguard Notice	Shall Provide	Once per School Year With Exceptions	A copy of the procedural safeguards available to parents of a child with a disability must be given one time a school year except that a copy must also be given to parents: <ul style="list-style-type: none"> • Upon initial referral or parent request for evaluation • Upon receipt of the first State complaint and receipt of the first due process complaint in a school year • In accordance with the discipline procedures outlined in the regulations • Upon request by a parent A school entity may place a current copy of the procedural safeguards notice on its website.
15.9	Confidentiality	Shall Protect	At All Times	The school district must protect the confidentiality of personally identifiable information regarding the student.
		Shall Obtain	As Needed	The district must get parental consent before releasing personally identifiable information to unauthorized persons.
		Shall Permit	As Needed	Parents and representatives of the parents shall be granted access to relevant educational records of the student.
15.10	Discrimination Claims	Shall Protect	At All Times	An eligible or non-eligible student under Chapter 14 may use the procedures for requesting assistance under 15.8 to raise claims regarding denial of access, equal treatment, or discrimination based on handicap. A student filing a claim need not exhaust procedures in this chapter prior to initiating a court action under Section 504.

Chapter 16 addresses the requirements to serve students who demonstrate outstanding intellectual and creative ability.

A gifted student is defined as a student who is exceptional under section 1371 of the School Code (24 P. S. § 13-1371) because the student meets the definition of “mentally gifted” in this section, and needs specially designed instruction beyond that required in Chapter 4 (relating to academic standards and assessment). The term applies only to students who are of “school age” as defined under § 11.12 (relating to school age).

Section Contents

General Provisions	85
Screening and Evaluation Process	86
Gifted Individualized Education Plan (GIEP).....	89
Educational Placement.....	90
Procedural Safeguards	91

CHAPTER 16 – GENERAL PROVISIONS

Section	Title	Action	Timing	Details
16.3	Experimental Programs	Shall Submit	Annually	<p>School districts have the opportunity to operate an experimental program for gifted students. To do this, districts must submit an annual application that includes:</p> <ul style="list-style-type: none"> • Provisions for the inclusion of parents, administrators, and professionals in the design and ongoing review of the process. • Provisions for annually evaluating the program. • A definition of the need that exists which necessitates the program. • Data to support the existence of this need. • A description of the program, including specific goals and objectives, personnel and their functions, and timelines for development, implementation, and evaluation. <p>Annual applications are no longer needed after the program has been approved three consecutive years and resulted in improved achievement.</p> <p>Programs may be terminated by the PA Secretary of Education for failing to meet objectives or noncompliance with state law.</p>
16.4	Gifted Education Plans	<p>Shall Develop</p> <p>Shall Publicize</p> <p>Shall Submit</p>	<p>Every 6 Years</p> <p>28 Days Prior</p> <p>As Required</p>	<p>Each school district must develop and implement a gifted education plan every six years.</p> <p>The plan must address the process for identifying children who are gifted, and the gifted special education programs offered.</p> <p>The plan must be made available for public inspection and comment for a minimum of 28 days prior to the plan’s approval.</p> <p>School districts are required to provide, as the PA Department of Education requires, reports of students, personnel, and program elements, including relevant costs.</p>

CHAPTER 16 – GENERAL PROVISIONS

Section	Title	Action	Timing	Details
16.5	Personnel	Shall Ensure Qualifications	Prior to Employment	Professional personnel must be certified individuals responsible for identifying gifted students and providing gifted education. Paraprofessionals shall work under the direction of professional personnel. Duties and training are determined by the employing agency.
		Shall Provide	Annually	School districts must provide inservice training for gifted and regular teachers, principals, administrators, and support staff responsible for gifted education.
16.6	General Supervision	Shall Be Subject to Review	Ongoing	The PA Department of Education will conduct on-site monitoring of programs on a cyclical basis to ensure school district implementation of Chapter 16 requirements.
16.7	Special Education	Shall Be Considered	As Needed	<p>If a student is determined to be both gifted and eligible for special education, the procedures in Chapter 14 take precedence, and their needs for gifted education shall be fully addressed by Chapter 14 procedures.</p> <p>For students determined to be both gifted and eligible for special education, it is not necessary for a district to conduct separate screenings and evaluations, and a single IEP shall be developed for the student.</p>

CHAPTER 16 – SCREENING AND EVALUATION PROCESS

16.21 <i>(continued on next page)</i>	General	Shall Adopt and Inform	Annually	<p>School districts must adopt and use a system for locating and identifying gifted students.</p> <p>This should include awareness activities to inform the public of gifted education services and programs, and the manner by which parents may request these.</p> <p>Awareness activities must be conducted annually and include advertising in newspapers and other media, inclusion in the student handbook, and posting on the district website.</p>
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CHAPTER 16 – SCREENING AND EVALUATION PROCESS

Section	Title	Action	Timing	Details
<p>16.21 <i>(continued)</i></p>	<p>General</p>	<p>Shall Establish</p>	<p>Ongoing</p>	<p>School districts must establish procedures to determine whether a student is mentally gifted – that is, they have an IQ of 130 or higher and / or fit into additional criteria, including:</p> <ul style="list-style-type: none"> • A year or more above grade achievement level for the student’s age group in one or more subjects. • An observed or measured rate of acquisition / retention of new content or skills. • Demonstrated achievement in one or more academic areas. • Early and measured use of high-level thinking skills, academic creativity, leadership skills, intense academic interest areas, communications skills, foreign language aptitude, or technology expertise. • Documented evidence that intervening factors (such as English as a Second Language), gender or racial bias, socio-economic or cultural deprivation are masking gifted abilities.
<p>16.22 <i>(continued on next page)</i></p>	<p>Gifted Multidisciplinary Evaluation</p>	<p>Shall Provide Notice Shall Refer</p>	<p>Prior to Evaluation When Conditions Apply</p>	<p>School districts must provide notice and receive consent before performing an initial evaluation.</p> <p>Referrals are to be made when a teacher or parent suspects the child is gifted and not receiving appropriate education, and when one or more of the following apply:</p> <ul style="list-style-type: none"> • A request has been made by a student’s parent(s). • The student is performing at a level that exceeds that of other students in a regular classroom. • A hearing officer or judicial decision orders an evaluation.
		<p>Shall Provide</p>	<p>Within 10 Calendar Days</p>	<p>Parents may request an evaluation at any time but are limited to one request per school term. The request must be in a writing. School districts must make the permission form readily available. If a request is made orally to an employee or administrator, that individual must provide a copy of the permission to evaluate form within 10 calendar days of the request.</p> <p>Evaluations must be performed by Gifted Multidisciplinary Teams (GMDTs). The team is to be comprised of the student’s parents, a certified school psychologist, persons familiar with the student’s academic performance, one or more of the student’s current teachers, persons trained in appropriate evaluation techniques, and (when possible) persons familiar with the student’s cultural background.</p> <p>Evaluations must investigate a student’s academic functioning, learning strengths, and educational needs. The evaluation must include information from the parents or others who interact with the student on a regular basis.</p>

CHAPTER 16 – SCREENING AND EVALUATION PROCESS

Section	Title	Action	Timing	Details
16.22 <i>(continued)</i>	Gifted Multidisciplinary Evaluation	Shall Conduct	As Needed	<p>In order to protect the process, no single test may be used to make a determination of giftedness. Intelligence tests may not be used as the only measure of aptitude for students of limited English proficiency or with a racial-, linguistic-, or ethnic-minority background.</p> <p>Evaluations must meet the following criteria:</p> <ul style="list-style-type: none"> • Be free from racial, cultural, or disability biases. • Accurately reflect the student’s aptitude. • Be professionally validated. • Be administered by certified school psychologists. • Assess specific areas of educational need and ability, not merely IQ. <p>The GMDT must prepare a written report that brings together the information and findings from the evaluations. The report must include a recommendation as to whether the child is gifted and in need of services (and the basis for those findings) and recommendations for the student’s programming. Names and positions of members of the GMDT must also be included.</p> <p>The initial evaluation must be completed, and a copy of the evaluation report presented to the parents no later than 60 calendar days after receiving the consent form. (Calendar days from the day after the last day of the spring school term up to and including the day before the first day of the subsequent fall school term may not be counted.)</p>
16.23	Gifted Multidisciplinary Reevaluation	Shall Conduct	As Needed	<p>Gifted students must be reevaluated before a change in educational placement is recommended for the student.</p> <p>Additionally, gifted students may be reevaluated at any time by recommendation of the Gifted Individualized Education Plan (GIEP) team.</p> <p>Reevaluations must include a review of the GIEP, a determination of successes of the plan, and recommendations for revision.</p> <p>The timeline for reevaluation is the same as the initial evaluation.</p>
		Shall Present	Within 60 Calendar Days	
		Shall Present	Within 60 Days	

CHAPTER 16 – GIFTED INDIVIDUALIZED EDUCATION PLAN (GIEP)

Section	Title	Action	Timing	Details
16.31 <i>(continued on next page)</i>	General	Shall Establish	As Needed	<p>A Gifted Individualized Education Plan (GIEP) must be created for the student and based upon the student’s evaluation report.</p> <p>Revisions may be made based on review of the plan as outlined in 16.23.</p>
	General	Shall Include	As Needed	<p>Each GIEP team must include the following:</p> <ul style="list-style-type: none"> • One or both of the student’s parents. • The student, if parent(s) chooses to have the student participate. • A qualified, authorized representative of the school district to serve as chair of the GIEP team. • One or more of the student’s current teachers. • Other individuals at the discretion of the parents or district. • A teacher of the gifted.
		Shall Establish	Ongoing	<p>The school district is responsible to establish and implement procedures to ensure the parents of gifted students are offered the opportunity to be present at each GIEP team meeting.</p> <p>Procedures must include any one or combination of the following: documented phone calls, letters, and certified letters with return receipts.</p> <p>The following should be included in the invitation for it to be considered a “reasonable effort” for parental participation:</p> <ul style="list-style-type: none"> • Purpose and location of the meeting. • The names of persons expected to attend. • Procedural rights available to protect the student and parent in clear language. • That a determination will be made at the meeting as to whether the student is gifted or not. • That if the student is determined to be gifted, a GIEP will be developed. • Notifying the parent and other persons of the meeting at least 10 days prior.
		Shall Include	As Needed	<p>The GIEP of each student must contain the following:</p> <ul style="list-style-type: none"> • A statement of the student’s present levels of education performance. • A statement of annual goals and short-term learning outcomes. • A statement of the specially designed instruction and support services to be provided. For a student identified as having a disability, this would include accommodations and modifications. • Timeline for initiation, anticipated frequency, location, and anticipated duration of gifted education. • Objective criteria, assessment procedures, and timelines for determining on an annual basis whether the goals and learning outcomes are being achieved. • The names and positions of the GIEP team participants and meeting date.

CHAPTER 16 – GIFTED INDIVIDUALIZED EDUCATION PLAN (GIEP)

Section	Title	Action	Timing	Details
16.31 <i>(continued)</i>	General	Shall Be Provided	As Needed	A copy of the GIEP must be provided to parents along with a notice of parental rights regarding procedural safeguards.
		Shall Notify	As Needed	The school district must notify teachers who work with a gifted student of their responsibilities under the GIEP.
		Shall Develop	Within 30 Days	The GIEP must be developed no later than 30 days after the issuance of the GMDT's written report.
		Shall Implement	Within 10 Days	The GIEP must be implemented no later than 10 days after it is signed or at the start of the following school year if completed less than 30 days before the last day of scheduled classes.
		Shall Convene	Annually Upon Request	GIEP teams must convene annually at a minimum. A GIEP team meeting may also be convened at the request of a GIEP team member, parent, the student, or the school district.

CHAPTER 16 – EDUCATIONAL PLACEMENT

Section	Title	Action	Timing	Details
16.41	General	Shall Decide	As Needed	<p>The GIEP team is responsible for making decisions about the educational placement of a gifted student. The placement must:</p> <ul style="list-style-type: none"> • Enable the student to receive specially designed instruction based on individual need. • Ensure the student will benefit from the rate, level, and manner of instruction. • Provide opportunities for the student to participate in acceleration or enrichment (or both) above those provided as part of general education.
		Shall Adopt	Ongoing	Districts must adopt board policies related to caseloads and class sizes for gifted students to ensure sufficient staff for the services required in each student's GIEP.
		Shall Not Exceed	Ongoing	As of July 1, 2010, the total number of students on a gifted teacher's caseload cannot exceed 65. Additionally, the number of students in a gifted teacher's class roster cannot exceed 20. These limits may be waived by the PA Secretary of Education in extenuating circumstances.
		Shall Not Base Decisions	Ongoing	<p>Gifted placement may not be based on any of the following:</p> <ul style="list-style-type: none"> • Lack of availability of placement alternatives. • Lack of availability or efforts to make services available. • Lack of qualified staff. • Lack of space or facilities. • Administrative convenience.

Section	Title	Action	Timing	Details
16.61	Notice	Shall Provide	10 Days Prior	<p>A school district must provide written notice to parents at least 10 days prior to conducting a gifted evaluation or reevaluation; initiating a change in identification, evaluation, or educational placement of a student; or proposing or refusing changes to a student's GIEP.</p> <p>A change may not be made to a student's status or GIEP if a judicial proceeding is pending, unless agreed by all parties.</p> <p>Notices must be written in language understandable to the general public. If necessary, the content shall be communicated orally in the native language of the parent(s).</p> <p>Notices must include:</p> <ul style="list-style-type: none"> • A description of the proposed action. • Reasoning for the proposed action. • Description of options considered. • Description of the evaluation or test that is the basis for the action. • Description of other factors used in the determination. • Full explanation of procedural safeguards. <p>The notice shall inform the parents of the following:</p> <ul style="list-style-type: none"> • Addresses and phone numbers of various organizations which are available to assist in connection with the hearing. • Timelines involved in conducting an evaluation, developing a GIEP, and initiating a hearing. • That an outside evaluation submitted by a parent will be considered. • Information related to impartial due process hearings.
16.62	Consent	Shall Obtain	As Needed	<p>School districts must have documented, written parental consent prior to conducting an evaluation, placing a student in a gifted program, or disclosing identifiable information related to the student to unauthorized persons.</p>
		Shall Present	Upon Completion	<p>After completion of the GIEP, a copy must be presented to the parent(s) along with a notice of recommended assignment, signed by the district superintendent, and a notice of parental right to an impartial due process hearing. The notice must be presented in person at the conclusion of the GIEP conference or by certified mail with five calendar days after completion of the conference. Notices must be written in language understandable to the general public. If necessary, the content shall be communicated orally in the native language of the parent(s).</p>
		Shall Respond	Within 10 Days	<p>Parents have 10 calendar days to respond to the notice of recommended assignment sent by mail or five days to respond to a notice presented in person at the conclusion of the GIEP Conference.</p>
		Shall Wait	At Least 5 Days	<p>If parents receive the notice in person and approve within five calendar days, the school district must wait at least five calendar days before implementing to give parents a five-day period to revoke their approval.</p>

CHAPTER 16 – PROCEDURAL SAFEGUARDS

Section	Title	Action	Timing	Details
16.63	Impartial Due Process Hearing	Shall Be Held	As Needed	<p>Parents have the right to request a due process hearing if they disagree with the identification, evaluation, educational placement, or provision of gifted education for their child. Unless agreed upon by both parties, the student will remain in the student's current education placement pending the outcome of the hearing.</p> <p>A district may request a hearing to proceed with an evaluation or reevaluation if a parent fails to respond to the request or if the parent rejects a proposed placement (other than the initial placement). If the parent fails to respond or refuses to consent to initial provision of gifted services, neither due process nor mediation may be used.</p> <p>The hearing must be held in the local school district and at a place reasonably convenient to the parents. It may be held during the evening at the parent's request. These options must be included on the form provided for requesting a hearing.</p> <p>The hearing must be an oral, personal hearing and be open to the public unless the parents request a closed hearing at least five days prior. If open, the decision issued – and only the decision – shall be available to the public. If closed, the decision shall be treated as part of the student's record and not available to the public.</p> <p>The decision of the hearing officer must be evidence-based. The officer will have the authority to order additional evidence.</p>
		Shall Provide	Upon Request	<p>A written transcript of the hearing must be provided to parents, upon request, at no cost.</p> <p>Parents may be represented by a legal counsel, and the parents or their representative must be given access to the student's educational records.</p> <p>The decision of the hearing officer may be appealed to the court.</p> <p>A hearing officer may not be an employee or agent of the school district where the parents or student resides or agency responsible for the education or care of the student.</p>
		Shall Be Held	Within 30 Calendar Days	<p>Hearings must be held within 30 calendar days of the initial request and a decision shall be made within 45 days of the initial request.</p>
		Shall Maintain	Ongoing	<p>School districts must keep a list of persons who serve as hearing officers, including the qualifications of each officer. Parents must be informed of the availability of this list and copies provided upon request.</p>
		Shall Be Used	As Needed	<p>Mediation may be used to settle a dispute regarding a student's gifted education. If used, a written agreement must be prepared and placed in the child's record and included in the GIEP. Additionally, each party shall receive an executed copy of the agreement.</p> <p>The mediator must meet with both parties in a joint session and individually in private sessions.</p> <p>Mediation conferences are confidential and shall not be recorded.</p> <p>The mediator may not be called as a witness in future proceedings.</p> <p>A GIEP team must be convened within 10 school days following the mediation agreement.</p> <p>Mediation may not be used to deny or delay a party's right to a due process hearing.</p>

Act 1 of 2006 (Special Session)

TAXPAYER RELIEF ACT

Act 1 of 2006 (Special Session), also known as the Taxpayer Relief Act, established what is known as the Act 1 Index. The index determines the maximum percentage increase a school district can raise taxes without a voter referendum. The Act was amended by

Act 25 of 2011, which gives power to the PA Department of Education (PDE) to grant exceptions for school districts. These exceptions allow school districts, under certain conditions, to raise taxes above the district's index without a voter referendum.

SPECIAL SESSION ACT 1 OF 2006

Section	Title	Action	Timing	Details
<p>333 Special Session Act 1 Of 2006 Act 25 of 2011</p>	<p>Public Referendum Requirements for Increasing Certain Taxes</p>	Shall Seek Voter Approval	As Needed	Act 1 of 2006 (Special Session) requires that school districts receive voter approval or a special exemption from the Pennsylvania Department of Education (PDE) for tax increases greater than the "Act 1 Index." PDE shall set the index annually based on statewide wage growth and employee compensation increases nationwide.
		Shall Determine	Annually	For FY 2024-2025, the base index is 5.3%. For FY 2025-2026, the base index will be 4.0%. For school districts with a market value / personal income aid ratio (MV / PI AR) greater than .4000, the value of their index is adjusted upward. PDE posts an adjusted index listing on education.pa.gov that outlines the index for all 500 school districts in the Commonwealth.
		Shall Submit	No Later Than 85 Days Prior to Election	All school districts seeking to increase taxes must submit information to PDE no later than 85 days prior to the date of the election immediately prior to the beginning of the fiscal year (the primary election, for school districts operating on a July to June fiscal calendar). Within 10 days of receipt, PDE will inform the district whether the proposed tax is less than, equal to, or above the district's index.
		May Apply	If Applicable	If the proposed tax is less than or equal to the district's index, no further action is needed. If the proposed tax is greater than the district's index, the school district may apply for an exception through the PDE. If the exception is granted, this increase does not need to go to a referendum. Exceptions may be given if the increase is needed to cover: <ul style="list-style-type: none"> The local share of existing debt or a portion of the local share of new debt. Increases in pension costs attributable to increases in the required employer contribution rate exceeding the index. (Increase in pension costs attributable to an increase in salaries does not qualify for an exception.)
		Shall Submit	In Accordance with Policy	Districts needing voter approval on a proposed tax increase must submit ballot questions to county Board of Elections pursuant to Board policy to be included on the ballot.
		Shall State	With the Ballot	The ballot question must ask if voters approve raising taxes by a specified percentage above the district's index plus the amount of the exception (if any).
		Shall Provide	With the Referendum	A non-technical interpretive statement must also be included. This statement must explain why the district is seeking the increase and what may happen if denied. The statement shall be written in conjunction with the county Board of Elections.
		Shall Not Use	At Any Time	No public funds may be used to seek to persuade voters. A school district that is granted an exception may still seek a referendum to raise the tax an additional amount, above that which was granted by the exception.

Comprehensive Disaster Response and Emergency Preparedness Plans are not only required but must be reviewed and distributed annually.

School District Websites should include a repository of all policies and procedures and meet the Web Content Accessibility Guidelines (WCAG 2.1 standards) with limited exceptions by April 26, 2027.

Charter School mandates include per-child funding and transportation for charter school students. For cyber charter schools, school districts shall provide reasonable access to facilities for the administration of standardized testing, providing notification within 30 days of the cyber school’s request of the location being provided, and upon request, assistance in delivering services to students with disabilities.

Classroom Monitors – School entities shall report to PDE by March 31, 2026, the number of individuals who served as classroom monitors and the school entity’s day-to-day substitute teacher compensation rates in each of the school years from 2020-2021 through 2025-2026.

Health and Wellness is an area that continues to expand with recent legislation adding mandates around diabetes care in schools, the use of epinephrine auto-injectors, and sun protection for students.

Personal Financial Literacy – Beginning with the 2026-2027 school year, school districts must offer a mandatory course in personal financial literacy worth at least ½ credit or half of a full credit. Students shall be required to complete the course once during grades nine, ten, eleven, or twelve.

There are strict mandates for **Caseloads** and **Training Requirements** related to special education professionals, including those working with gifted students.

Mandated Reporting to the PA Department of Education includes both annual reports and filings on a multi-year basis. See “Mandated Reporting” at right for more details.

National Guard or Reserve Parent Student Support – A school entity shall provide students who are children of members of the National Guard or Reserve the same supports as students who are children of active-duty military families under the Interstate Compact on Educational Opportunity for Military Children Act.

Professional Development for educators is mandated by the Pennsylvania Public School Code, but in many cases does not define the total hours required (see “Mandated Training Hours for Educators” on page 95).

School Security Personnel – Beginning with the 2024-2025 school year, a school entity shall have at least one full-time school security personnel who has completed the training under section 1305-C, 1313-C(A.1) or 1314-C on duty during the school day unless the school entity has been granted a waiver under subsection (F).

The mandates for **Special Education Services and Programs** (Chapter 14), **Protected Handicapped Students** (Chapter 15), and **Special Education for Gifted Students** (Chapter 16) are in place to comply with federal standards.

MANDATED REPORTING TO PDE

AED Placement	Annual
Advertising & Sponsorships	August 1, 2025
Agreements with Institutions of Higher Learning /	
Dual Enrollment	Annual
Annual Financial Reports (AFR)	Annual
Anti-Bullying Policy	Every 3 Years
Bus Evacuation Drill Certification	Annual
Charter School Tuition Calculations and	
Related Financial Data	November 1, 2024 / Annual Thereafter
Early Intervention Reports	Annual
Graduation & Drop-Out Rates	Annual
Instructional Vacancy Data	Annual
Safe Schools Incident Reports	Annual
School Police Officers	Annual
School Security Personnel	June 30, 2025 / Annual Thereafter
Special Education Reports	Annual
State Report Cards	Annual

The above list represents major mandated reports and is not an all-encompassing list.

MANDATED TRAINING HOURS FOR EDUCATORS

Trauma-Informed Approaches	1 Hour
School Safety & Security	3 Hours / Annually
Child Abuse Recognition & Reporting	3 Hours / 5 Years
Child Exploitation Awareness ¹	4 Hours / 5 Years
Youth Suicide Awareness	4 Hours / 5 Years
AED Training ²	Undefined
Alcohol, Drugs, Tobacco, & Controlled Substances ³	Undefined
CPR Training ⁴	Undefined
Holocaust, Genocide, & Human Rights ⁵	Undefined
Preventing Exposure to Allergens ⁶	Undefined
Preventing Opioid Abuse ⁷	Undefined
School Security Drill Training ⁸	Undefined
Diabetes Care ⁹	Undefined
Epinephrine Auto-Injectors ¹⁰	Undefined

¹ Child Exploitation Awareness is not a required training, but for those that do offer it, there is a minimum of four hours every five years.

² AED training is required only for staff expected to use AEDs. This training should also include CPR.

³ Training in alcohol, drug, tobacco, and controlled substance awareness must be included as part of inservice training, but the amount of hours is not specified.

⁴ Educators are not explicitly required to have CPR training but schools are mandated to provide a CPR training session once every three years.

⁵ For schools offering coursework on the Holocaust, genocide, and human rights, these topics must be included in inservice training.

⁶ The Department has made available “necessary training in preventing exposure to allergens” but does not define it further.

⁷ Opioid abuse training is required as part of inservice for instructors expected to teach on the subject. Hour requirements are not specified.

⁸ School administrators are expected to train all school employees in procedures used for school security drills.

⁹ Diabetes care training is mandated for individuals who are designated by a school nurse to provide such care.

¹⁰ Training for the use of epinephrine auto-injectors is mandated for those individuals designated by a school nurse to provide such care. School bus drivers and crossing guards may also receive this training.

The federal government has two primary levers to shape education policy: (1) money, in the form of federal education funding; and (2) ensuring fairness, generally through mandates that focus on ensuring equity in education.

1 FINANCIALS

The **Elementary and Secondary Education Act (ESEA)** is the largest and most comprehensive federal law that authorizes federal spending on K-12 public education. In order to receive this money, states must continue to meet certain requirements. If a state does not meet these requirements, federal funding may be withheld. Each state’s legislature determines how the state will fulfill the requirements set by federal policy. This state law, with some direction from federal law, places requirements on the state, local school districts, individual schools, and authorizers. The state education agency officially receives this money from the federal government, and as the funding recipient, has primary responsibility for verifying that the state is meeting these requirements.

Title 1 includes the most well-known requirements a state must meet to continue receiving the largest allocation of federal education dollars:

- Set challenging academic standards for core subjects.
- Assess students annually on their proficiency according to these standards (commonly through standardized tests).
- Let the public know how every school in the state is performing each year (commonly called the State Report Card requirement).
- Engage in activities to improve performance in low-performing schools.

There are other requirements tied to additional funding sources that address topics such as teacher and principal quality, education of English learners and other special student populations, and education in some geographic areas.

2 EQUITY

Federal policy also guides what states, districts, and individual schools must do to ensure they are serving all students fairly and appropriately. This is commonly done through mandates, which apply regardless of whether the school receives federal education funds. Many of these mandates, including the **Individuals with Disabilities Education Act (IDEA)** and the **McKinney-Vento Homeless Assistance Act**, focus on educational equity for all students and are rooted in the equal protection clauses of the Constitution. Federal mandates also address family privacy and the health and safety of school students and personnel.

ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA) OF 1965

The Elementary and Secondary Education Act (ESEA) is the largest and most comprehensive federal law that authorizes federal spending on K-12 public education.

The following provides a summary of the law and its reauthorizations:

The ESEA is an extensive statute that funds primary and secondary education, emphasizing high standards and accountability. As mandated in the act, funds are authorized for professional development, instructional materials, resources to support educational programs, and the promotion of parental involvement. The act was signed into law on April 9, 1965, and its appropriations were to be carried out for five fiscal years. The government has reauthorized the act every five years since its enactment. During these reauthorizations, a variety of revisions and amendments have been introduced.

1965 – 1968:

- Title I, part of ESEA, distributes funding to schools with high percentages of students from low-income families, focusing on closing skill gaps in reading, writing, and math.
- Title II supports school libraries, textbook acquisition, and funds preschool programs.
- Title III, the Adult Education Act of 1966, provides funding for educational centers, services, and special education in isolated areas. It leads to the Bilingual Education Act and the Education of the Handicapped Act in 1968.
- Title IV allocates \$100 million over five years for educational research and training.
- Title V supplements grants under Public Law 874 to state departments.
- Title VI provides definitions and limitations related to the law.

1969 – 2015:

- The 1969 amendments include Title II funding for programs for refugee children and those in low-rent public housing. Title VI focuses on the education of individuals with disabilities, and Title VII supports the Vocational Education Act of 1963. Title VIII defines gifted and talented and establishes the Teacher Corps.
- The Educational Amendments of 1972 (Title IX) protects against sex-based discrimination in federally funded programs.

- The Education Consolidation and Improvement Act (ECIA) of 1981 reduces federal regulations of Title I and emphasizes bilingual education in Title II.
- The Hawkins-Stafford Elementary and Secondary School Improvement Act of 1988 refocuses Title I on school improvement, excellence programs, and increased parental involvement.
- The Improving America's Schools Act (IASA) of 1994 revises ESEA, adding math and reading / language arts standards, reducing the poverty threshold for schoolwide programs, and giving more local control.

The No Child Left Behind (NCLB) Act of 2001

The 2001 reauthorization of ESEA was known as the No Child Left Behind Act. This reauthorization required increased accountability from schools both from the teachers and from the students. Yearly standardized tests measured how schools were performing against the achievement bars set by Title I. Schools were also responsible for publishing annual report cards that detailed their student achievement data and demographics. Schools were now held accountable not only by punitive measures that would be taken if schools failed to meet Adequate Yearly Progress (AYP) but also corrective actions were taken if states did not have an assessment system approved by Title I.

Under NCLB, schools were also required to plan for restructuring if they failed to make AYP for three years after being identified for improvement. NCLB also required teachers to be highly qualified if hired using Title I funding. Additionally, the 2001 version of NCLB allowed military recruiters access to 11th and 12th-grade students' names, addresses, and telephone listings when requested (U.S. Department of Education, 2014).

Every Student Succeeds Act (ESSA)

ESEA was reauthorized on December 10, 2015, as the Every Student Succeeds Act (ESSA). The law offered flexibility to states from some of the law's most cumbersome provisions. To qualify for this flexibility, states had to demonstrate that they adopted college and career-ready standards and assessments, implemented school accountability systems that focused on the lowest-performing schools and those with the largest achievement gaps, and ensured that districts were implementing teacher and principal evaluation and support systems.

HEALTH AND SAFETY PLAN

The American Rescue Plan (ARP) Act requires each local education agency (LEA) that receives funding under the ARP Elementary and Secondary School Emergency Relief (ESSER) Fund to develop and make publicly available on the LEA's website a Safe Return to In-Person Instruction and Continuity of Services Plan (a "Health and Safety Plan").

Based on ARP requirements, 90 percent of ARP ESSR funds will be distributed to school districts and charter schools based on their relative share of Title 1-A funding in FY 2020-2021.

The Health and Safety Plan must address how it will maintain the health and safety of students, educators, and other staff, and which will serve as local guidelines for all instructional and non-instructional school activities during the period of the LEA's ARP ESSER grant.

The ARP requires LEAs to review their Health and Safety Plans at least every six months during the period of the LEA's ARP ESSER grant. LEAs must also review and update their plans whenever there are significant changes to the CDC recommendations for K-12 districts.

The Health and Safety Plan requirement is no longer in effect once the LEA has finalized their closeout of the ARP-ESSER Grant. Closeout of the grant is signified by an LEA submitting their Final End Year Report (FER) and PDE's acceptance of the FER. Those LEAs, under late liquidation, cannot closeout until activities have been completed for their requested contract/project and have submitted their FER, and PDE has reviewed and accepted it.

Deadline to Obligate Funds:
September 30, 2024.

Deadline to Liquidate (i.e., final payments are made):
No later than 90 days after the end of the grant period on September 30, 2024.

Spending Extension Requests

On September 18, 2023, the United States Department of Education announced that state education agencies can request a 14-month extension to spend ARP funds. If approved, states and districts would have the flexibility of spending ARP funds 14 months beyond the January 28, 2025, deadline or until March 28, 2026. Advanced permission is required.

Declined Allocation (Act 34 of 2023)

PDE will notify each school entity to determine whether it intends to decline allocated American Rescue Plan (ARP) funds. The school entity must respond within sixty (60) days of the notice.

If the school entity fails to respond, PDE can deem that the money allocated to the school entity is unclaimed and place it in a restricted account.

STUDENTS WITH DISABILITIES

Federal laws mandate that school districts must meet the educational needs of all children and provide procedural safeguards for students with disabilities and their parents.

HOMELESS YOUTH

Federal laws require states and schools to follow specific rules to ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children.

REPORTING

School districts are required to report on homeless / unaccompanied youth as part of the McKinney-Vento Act.

Additional reporting is required around Title I staff and student participation; Title III nonpublic student count; Title III professional development activities survey; a Limited English proficiency survey; and per-student, per-building spending.

STUDENT RECORDS

Federal laws and regulations contain numerous requirements regarding confidentiality of student records.

POSTING

Qualifications of Paraprofessionals (Title I)

Each school entity that receives funds under Title I must post on the school entity's website, and where practicable, on the website of each school served by the school entity, for each grade served by the school entity, information on each assessment required by the State to comply with section 1111 of ESEA, other assessments required by the State, and where such information is available and feasible to report, assessments required districtwide by the school entity.

EQUAL ACCESS TO FACILITIES

School entities that provide an opportunity for one or more outside youth or community group to meet on school premises or in school facilities before or after school hours shall not deny equal access or a fair opportunity to meet to, or discriminate against, any group officially affiliated with the Boy Scouts of America, or any other youth group listed in Title 36 of the United States Code.

School districts must notify students, parents, employees, and others that they do not discriminate against the Boy Scouts.

School entities shall post on their websites the following rules, regulations, and policies to the extent that they are required to be adopted by the school district under federal or state law as well as publish and / or post other notices, rules, regulations, and policies as noted:

COMMUNITY

- E-mail addresses for school directors¹
- Open meetings (newspaper publication required)
- Open records information
- Parental involvement policy for parents and guardians of students participating pursuant to section 1118 of the Elementary and Secondary Education Act of 1965 (Public Law 89-10,20 U.S.C. Section 6318)
- Public access to and use of school district buildings, facilities, and grounds
- Public attendance at school events
- Public complaint process
- Public participation in school board meetings

EDUCATION PROGRAMS

- Curriculum review by parents and students
- Gifted education awareness activities
- Graduation requirements
- Hybrid learning
- No Child Left Behind information²
- Non-discrimination notice (Chapter 15)
- Online courses offered
- Open campus initiative
- Promotion and retention
- School choice and supplemental education services (for schools identified as in need of improvement)²
- Special education awareness activities (Child Find)
- Special education procedural safeguards²
- Title IX mandatory disclosures

FINANCIAL MATTERS

- Annual financial statement (school districts of the first class)³
- Annual proposed budget³
- Construction contracts, reconstruction, repairs, and work⁴
- Financial Improvement Plan (where applicable)
- Financial recovery plan (where applicable)
- Notice prior to competitive food / beverage contracts²
- Purchase of services⁴
- Receivership reports (where the district is in receivership)

SCHOOL PROPERTY

- Asbestos management plan²
- Integrated pest management plan
- Non-discrimination notices (equal access to facilities)²
- Notice prior to closing a school building³
- Notice prior to the sale of district property³
- Pesticide application notice²
- School visitation policies
- Use of school property and facilities

STUDENTS

- Admission of beginners
- Antihazing policy
- Attendance, excusals, and truancy
- Audio interception on school board buses or school vehicles for disciplinary or security persons
- Bullying policy
- Career information and recruitment
- Dating violence policy (if adopted by district)

- Dress and Grooming
- Family Educational Rights and Privacy Act (FERPA)²
- Free / Reduced price school lunch policy²
- Home-schooled children: dates and times related to sports and activities physicals
- Low achieving schools opportunity scholarship (for low achieving schools)
- Notice of military recruiters opt-out²
- Parent appeal of a school district's placement of twins or multiple birth siblings
- Participation by home school students in school district extracurricular activities
- Retention, maintenance, and access to student records
- Searches
- State disclosure re: Title IX athletic opportunities
- Student complaint process
- Student discipline
- Suspension and expulsion of students
- Threat assessment teams
- Use of personal electronic devices
- Withdrawal from school
- Youth suicide awareness and prevention

STUDENT HEALTH

- Asthma inhalers and epinephrine injectors
- Children's Health Insurance
- Communicable diseases and immunization
- Health examinations and screenings
- Student use of medications

- The school district's wellness policy

OTHER MATTERS

- Discrimination / Title IX Sexual Harassment policy and training materials
- Equal Employment Opportunity Commission Know Your Rights⁵
- Family and Medical Leave Act⁵
- Federal Minimum Wage⁵
- Hazardous substances (workplace notice and hazardous substance survey form)⁵
- Health and Safety Plan
- Health and safety workplace postings⁵
- PA Abstract Equal Pay Law⁵
- PA Abstract of the Child Labor Act Hours Provisions (where applicable)⁵
- PA Fair Employment Law (PHRC)⁵
- PA Minimum Wage Law⁵
- PA Right to Know Act⁵
- PA Unemployment Compensation Labor Law⁵
- PA Workers Compensation Insurance⁵
- Postings for drivers education teachers (where applicable)
- Qualifications of paraprofessionals (Title 1)
- Superintendent and Assistant Superintendent performance review criteria and results
- Your Rights under USERRA (The Uniformed Services Employment and Reemployment Rights Act)⁵

¹ Not applicable to Intermediate Units

² Notice required by some means, which likely will include the district website

³ Notice required by the newspaper but should also be on the website

⁴ Newspaper advertisement required (website not specified)

⁵ Posting required (website not specified)

OCTOBER 2024

STATE MANDATES

BERKS COUNTY SCHOOL DISTRICTS



**BERKS COUNTY
INTERMEDIATE UNIT**

Dr. Jill Hackman
Executive Director
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