

Statute	Regulation	Summary of Requirements
Age Discrimination Act 42 U.S.C. §§ 6101-6107	Grievance procedures 34 C.F.R. § 110.25	Recipients of federal funds shall notify their beneficiaries of information. Regarding the Act, adopt and publish a grievance procedure, and designate at least one employee to coordinate investigative and compliance efforts.
Asbestos Hazard Emergency Response Act, 15 U.S.C. §§ 2641-2656, generally. 15 U.S.C. § 2643(i)(1), (i)(5), Asbestos Management Plans	Asbestos management plans, 40 C.F.R. § 763.93; 40 C.F.R. § 763.92 (training)	School districts are required to have an asbestos management plan for each school, including all buildings that they lease, own, or otherwise use as school buildings, and to maintain and update the plan to keep it current with ongoing operations and maintenance, periodic surveillance, inspection, re-inspection, and response action activities. At least once each school year, school districts must notify parents, teachers, and employee organizations of the availability of management plans. All members of the custodial staff who may work in a building with asbestos-containing building materials must have awareness training. All new custodial staff must be trained within 60 days of hire.
Americans with Disabilities Act (ADA), 42 U.S.C. §§ 12101- 12213, generally	Designation of coordinator, grievance procedures, 28 C.F.R. § 35.107	A public entity that employs 50 or more persons shall designate at least one employee to coordinate its compliance efforts and carry out its responsibilities under the ADA. These responsibilities include investigating any complaint communicated to the public entity alleging noncompliance or actions that would be prohibited by Title II of the ADA. The public entity shall make available to all interested individuals the name, office address, and telephone number of the designated employee(s). The public entity shall adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II of the ADA.
Healthy, Hunger-Free Kids Act of 2010, reauthorizing the School Lunch Programs section of the Child Nutrition Act, 42 U.S.C. §§ 1751-1769j; Local School Wellness Policy, 42 U.S.C. §	7 C.F.R. § 210.31 (contents of local school wellness policy)	Districts participating in a federal food program shall establish a local school wellness policy that includes (1) specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness; (2) standards and nutrition guidelines for all foods available on campus during the school day that meet minimum nutritional requirements, and promote student health and reduce childhood obesity; (3) a description of the manner in which parents, students, representatives of the school food authority, physical education teachers, school health professionals, the school board, school administrators, and the general public are

1758b		provided an opportunity to participate in the development, implementation, and periodic review and update of the wellness policy; (4) identification of the position of the LEA or school official(s) responsible for implementation and oversight of the local school wellness policy to ensure each school’s compliance with the policy; and (5) description of the plan for measuring the implementation of the local school wellness policy, and for reporting local school wellness policy content and implementation issues to the public.
Healthy, Hunger-Free Kids Act of 2010; 42 U.S.C. § 1776(g), Professional Standards for State and Local School Nutrition Program Employees	7 C.F.R. § 210.30 (school nutrition program professional standards); 7 C.F.R. § 235.11(g)	School districts must maintain minimum hiring standards, required education, training, and certification as established by the USDA for school nutrition professionals who manage and operate the National School Lunch and School Breakfast Programs. The standards include training requirements for current and new school nutrition program employees, in addition to the hiring standards for new employees. The standards are differentiated based on the size of the school district and the employee’s position.
Children’s Internet Protection Act (CIPA), 47 U.S.C. § 254(h)(5)(B)-(C), 254(l) ESSA maintains the internet safety policy requirement set out in NCLB, 20 U.S.C. § 6777(a) (mirrors CIPA requirements in 47 U.S.C. § 254(h)(5)(B))	Internet safety policy, 47 C.F.R. § 54.520(c)(1)(i); elaborated by Federal Communications Commission Order and Report 11-125 at 15-16	CIPA requires that any district or school using E-Rate discounts have an Internet safety policy that includes a technology protection measure that protects against Internet access by both adults and minors to visual depictions that are obscene, contain child pornography, or, with respect to use of the computers by minors, are harmful to minors. The Internet safety policy must also include monitoring the online activities of minors, and must provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response. The Internet safety policy must also address all of the following: (A) access by minors to inappropriate matter on the Internet; (B) the safety and security of minors when using email, chat rooms, and other forms of direct electronic communications; (C) unauthorized access, including so-called “hacking,” and other unlawful online activities by minors; (D) unauthorized disclosure,

		use, and dissemination of personal information regarding minors; and (E) measures designed to restrict minors' access to materials harmful to them.
Copyright Act, 17 U.S.C. §§ 106, 107, 110		The fair use doctrine and the face-to-face teaching exemption allow educators to use copyrighted materials in narrowly defined teaching situations. School districts are expected to establish appropriate control procedures to maintain the integrity of the Guidelines for Off-Air Recording of Broadcast Programming for Educational Purposes.
Drug-Free Workplace Act requirements for federal grant recipients, 41 U.S.C. § 8103	Drug-free workplace statement, 34 C.F.R. §§ 84.205 - 84.215	Districts receiving direct federal grants must publish a statement and provide a copy to each employee notifying them that controlled substances are prohibited in the workplace; that specific actions will be taken against the employee for violating the prohibition; and that as a condition of employment under the grant, the employee will abide by the terms of the statement, and must notify the school district in writing no more than five calendar days after the conviction if he or she is convicted for a violation of a criminal drug statute occurring in the workplace.
Fair Labor Standards Act (FLSA), 29 U.S.C. §§ 201-219	Minimum Wage Employer notice requirement, 29 C.F.R. §§ 516.4 (any employees subject to minimum wage requirements), 525.14 (any workers under special minimum wage certificates)	Every employer of employees subject to the FLSA's minimum wage provisions must post, and keep posted, a notice explaining the FLSA in a conspicuous place in all of their establishments so as to permit employees to readily read it. The content of the notice is prescribed by the Wage and Hour Division of the U.S. Department of Labor.
Family and Medical Leave Act of 1993 (FMLA), 29 U.S.C. § 2619	Employer notice requirements, 29 C.F.R. § 825.300	Employers must post a general notice/poster from the U.S. Department of Labor, or in another format so long as it includes all the information in Labor's FMLA Poster, explaining the FMLA's provisions and complaint procedures. This general notice must be posted even if no employees are eligible for FMLA leave. The notice must be posted prominently where it can be readily seen by

		employees and applicants. The general notice, FMLA leave eligibility notice, rights and responsibilities notice, and the FMLA designation notice shall either be distributed to each new employee upon hiring or be included in employee handbooks or other written guidance concerning benefits or leave rights. Electronic posting is sufficient to meet these requirements
Health Insurance Portability and Accountability Act (HIPAA), 42 U.S.C. §§ 1320d-1, 1320d-2(d); Health Information Technology for Economic and Clinical Health Act (HITECH), 42 U.S.C. § 17931	Policies and procedures and documentation requirements, 45 C.F.R. §§ 164.306, -.308, -.310, -.312, -.314(b), -.316(a)	Schools sponsoring group health plans must implement reasonable and appropriate policies and procedures to comply with HIPAA's security standards and implementation specifications for electronic protected health information (e-PHI), including but not limited to administrative, physical, and technical safeguards, and organizational requirements. All employees must be made aware of the law and its consequences.
Public Health Service Act, 42 U.S.C. § 300gg-19	29 C.F.R. § 2590.715-2719; 45 C.F.R. § 147.136	For non-grandfathered plans, a group health plan and a health insurance issuer offering group or individual health insurance coverage must implement an effective process for appeals of coverage determinations and claims that includes internal and external review of the decision. Plans and insurers must notify individuals of the availability of internal appeal and external review processes in a culturally and linguistically appropriate manner
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1415(d)	Procedural safeguards notice, 34 C.F.R. § 300.504	School districts shall establish and maintain procedures to ensure that children with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of a free appropriate public education. School districts must give parents of a child with a disability a copy of the procedural safeguards one time per year, and upon initial referral or parental request for an evaluation, upon a parent filing a request for due process complaint, upon a disciplinary action constituting a change in placement, or upon request of a parent. The notice must fully explain the safeguards in the parents' native language unless it is clearly not feasible to do so.

<p>McKinney-Vento Homeless Assistance Act (as amended by ESSA), 42 U.S.C. § 11432(1)(I), - (g)(1)(J)(i) & (iii), - (g)(7)(A)-(B)</p>		<p>All school districts must have policies that remove barriers to enrollment and retention of homeless children and youths, including transportation, and prevent homeless children and youths from being stigmatized or segregated on the basis of their status as homeless.</p>
<p>ESSA, 20 U.S.C. § 7912(a), Unsafe School Choice Option</p>		<p>Districts that can offer a transfer option are required to have a policy established by the State, which has been implemented statewide, that allows a student who attends a persistently dangerous public school or who becomes a victim of a violent criminal offense while in or on school grounds to attend a safe school within the district, including a public charter school.</p>
<p>ESSA, 20 U.S.C. § 7926(a), Prohibition on aiding and abetting sexual abuse</p>		<p>Every State, SEA, or LEA that receives ESEA funds must have in place laws, regulations, or policies that prohibit the SEA, an LEA, or school, as well as any school employee, contractor, or agent, from providing a recommendation of employment for an employee, contractor, or agent that the SEA, LEA, or school, or the individual acting on behalf of the SEA, LEA, or school, knows, or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law, with certain exceptions.</p>
<p>As amended by ESSA, 20 U.S.C. § 6318, Parental and Family Engagement</p>	<p>Schoolwide program components, 34 C.F.R. § 200.28(c) (currently existing regulations in effect, though they are under</p>	<p>Based on the NCLB regulations currently in effect as of the date of this publication, districts and schools receiving Title I funds must have a parental involvement policy. Among other things, a district parental involvement policy must provide support for schools in planning and implementing parent involvement activities, build schools' and parents' capacities for parental involvement, coordinate and integrate parental involvement strategies, and conduct an annual evaluation of the content and effectiveness of the policy. A school-based parental involvement policy must include, among other requirements, provisions for sharing between the parents, school staff, and students the responsibilities for improved student academic</p>

		achievement, and building capacity for involvement, and must be accessible.
As reauthorized by ESSA, 20 U.S.C. § 6321(c), Comparability of Services		A school district shall file with the State a written assurance that it has established and implemented: (1) a school district-wide salary schedule; (2) a policy to ensure equivalence among schools in teachers, administrators, and other staff; and (3) a policy to ensure equivalence among schools in the provision of curriculum materials and instructional supplies. School districts shall maintain records that are updated biennially which document compliance with this requirement.
Moving Ahead for Progress in the 21st Century (MAP-21) Act, 49 U.S.C. § 5331(b)	Employer policy on misuse of alcohol and use of controlled substances, 49 C.F.R. § 382.601	Employers must have a policy for employees engaged in safety-sensitive positions to be tested for drugs/alcohol. Testing of bus drivers is required for districts that provide transportation.
Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h(c)	Parental access to instructional material, 34 C.F.R. § 98.3	Districts shall have policies regarding parents' rights to inspect a student survey; arrangements to protect student privacy in surveys covering particular topics; parents' rights to inspect instructional materials; administration of physical examinations of students; collection, disclosure, or use of personal student information for marketing or selling purposes; and parents' right to inspect any instrument for collection of information for marketing/selling purposes. Districts must also provide notice of these policies to parents at least annually at the beginning of the school year.
Section 504 of the Rehabilitation Act, 29 U.S.C. § 794, (general non-discrimination provision)	Grievance procedures, 34 C.F.R. §§ 104.7, 104.8	A recipient of federal funds that employs 15 or more persons shall designate at least one employee to coordinate compliance efforts, adopt and publish grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504, and notify students and others that it does not discriminate on the basis of disability.
Title IX of the Education	Grievance procedures, 34 C.F.R. § 106.8 (ED	A district receiving federal funds must designate at least one employee to coordinate its compliance efforts under Title IX and shall

<p>Amendments of 1972, 20 U.S.C. §§ 1681-1688</p>	<p>funds), 45 C.F.R. § 86.8 (HHS funds)</p>	<p>adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any discrimination on the basis of sex in education programs or activities receiving federal financial assistance.</p>
<p>Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 U.S.C. §§ 4301-4335 generally; 38 U.S.C. § 4334, Notice of rights and duties</p>	<p>Employer notice requirements, Appendix to 20 C.F.R. Part 1002</p>	<p>Employers must provide notice to persons entitled to rights and benefits under USERRA of the rights, benefits, and obligations of such persons and such employers under USERRA. The notice requirement may be met by posting the notice where employers customarily place notices for employees.</p>

Statute	Requirements
<p>18 Pa. Code § 2808. Enforcement by Institution and Secondary School</p>	<p>(1) Each institution and each governing board of a secondary school shall adopt a written policy against hazing and, pursuant to that policy, shall adopt rules prohibiting students or other persons associated with an organization operating under the sanction of or recognized as an organization by the institution or secondary school from engaging in hazing or an offense under this chapter.</p> <p>(2) Each institution shall provide a copy of the policy, including the institution's rules, penalties and program of enforcement, to each organization within the institution. Each secondary school shall ensure that students are informed of the secondary school's policy, including the secondary school's rules, penalties and program of enforcement.</p> <p>(3) Each institution and secondary school shall post the policy on the institution's or the secondary school's publicly accessible Internet website.</p> <p>(b) Enforcement and penalties. --</p> <p>(1) Each institution and each governing board of a secondary school shall provide a program for the enforcement of the policy required under subsection (a) and shall adopt appropriate penalties for violations of the policy to be administered by the individual or agency at the institution or secondary school responsible for the sanctioning or recognition of the organizations covered by the policy.</p> <p>(2) Penalties under paragraph (1) may include any of the following:</p> <p>(i) The imposition of fines.</p> <p>(ii) The withholding of diplomas or transcripts pending compliance with the rules or payment of fines.</p> <p>(iii) The rescission of permission for the organization to operate on campus or school property or to otherwise operate under the sanction or recognition of the institution or secondary school.</p> <p>(iv) The imposition of probation, suspension, dismissal or expulsion.</p> <p>(3) A penalty imposed under this section shall be in addition to a penalty imposed for violation of an offense under this chapter or the criminal laws of this Commonwealth or for violation of any other institutional or secondary school rule to which the violator may be subject.</p>

	<p>(4) A policy adopted under this section shall apply to each act conducted on or off campus or school property if the acts are deemed to constitute hazing or any offense under this chapter.</p>
<p>18 Pa. Code § 6306.1 Use of Tobacco in Schools Prohibited.</p>	<p>(a.2) Policy. --</p> <p>(1) The board of school directors shall establish a policy to enforce the prohibition of tobacco product use under this section and may further establish policy relating to tobacco product use at school-sponsored events that are held off school premises.</p> <p>(2) The board of school directors shall notify employees, pupils and parents of the policy developed in accordance with paragraph (1) by publishing the information in a student handbook and parent newsletter and on posters or other efficient means.</p>
<p>22 Pa. Code § 4.4. General Policies</p>	<p>(d) School entities shall adopt policies to assure that parents or guardians have the following:</p> <p>(1) Access to information about the curriculum, including academic standards to be achieved, instructional materials and assessment techniques.</p> <p>(2) A process for the review of instructional materials.</p> <p>(3) The right to have their children excused from specific instruction that conflicts with their religious beliefs, upon receipt by the school entity of a written request from the parent or guardians.</p> <p>(4) The right to review a State assessment in the school entity during convenient hours for parents and guardians, at least 2 weeks prior to their administration, to determine whether a State assessment conflicts with their religious belief. To protect the validity and integrity of the State assessments, each school entity shall have in place procedures to be followed when parents or guardians request to view any State assessment. Procedures must be consistent with guidance provided by the Department in its assessment administration instructions. If upon inspection of a State assessment parents or guardians find the assessment to be in conflict with their religious belief and wish their students to be excused from the assessment, the right of the parents or guardians will not be denied upon written request that states the objection to the applicable school district superintendent, charter school chief executive officer or AVTS director.</p>

22 Pa. Code § 4.26. ESOL.	Every school district shall provide a program for each student whose dominant language is not English for the purpose of facilitating the student’s achievement of English proficiency and the academic standards under § 4.12 (relating to academic standards). Programs under this section shall include appropriate bilingual-bicultural or English as a second language (ESL) instruction.
22 Pa. Code § 11.41. School District Policies and Rules.	<p>(a) Each school board shall adopt written policies concerning district child accounting, attendance, admission, excusal and program procedures as necessary to implement this chapter. The policies shall be a matter of public record.</p> <p>(b) Each school board shall adopt, and distribute yearly to parents, written rules governing student admissions, attendance, absences and excusals, that are in conformity with this chapter.</p> <p>(c) Each school board shall adopt a written policy permitting students to be excused for participation in agricultural fairs in conformity with section 1329(b) of the Public School Code of 1949 (24 P. S. § 13-1329(b)).</p>
22 Pa. Code § 12.3. School Rules.	(c) Each governing board shall adopt a code of student conduct that includes policies governing student discipline and a listing of students’ rights and responsibilities as outlined in this chapter. This conduct code shall be published and distributed to students and parents or guardians. Copies of the code shall also be available in each school library.
22 Pa. Code § 12.4. Discrimination.	Consistent with the Pennsylvania Human Relations Act (43 P. S. § § 951—963), a student may not be denied access to a free and full public education, nor may a student be subject to disciplinary action on account of race, sex, color, religion, sexual orientation, national origin or disability.
22 Pa. Code § 12.31. General Requirements.	<p>(a) The governing board of every school entity shall adopt a plan for the collection, maintenance and dissemination of student records</p> <p>(b) Copies of the adopted plan shall be maintained by the school entity and updated as required by changes in State or Federal law.</p> <p>(c) Copies of the plan shall be submitted to the Department only upon request of the Secretary.</p>
22 Pa. Code § 14.104. Special Education Plans.	(b) Each school district’s special education plan must specify the special education programs that operate in the district and those that are operated in the district by intermediate units, area vocational technical schools and other agencies, and it must describe the following:

	<p>(5) Policies and procedures designed to prevent the inappropriate over-identification or disproportionate representation by race and ethnicity of children with disabilities, for those school districts identified with significant disproportionality in accordance with 34 CFR 300.646(a) (relating to disproportionality).</p>
<p>22 Pa. Code § 14.141. Child Find.</p>	<p>(a) In addition to the requirements incorporated by reference in 34 CFR 300.111 (relating to child find), each school district shall adopt and use a public outreach awareness system to locate and identify children thought to be eligible for special education within the school district's jurisdiction.</p> <p>(b) Each school district shall conduct awareness activities to inform the public of its early intervention and special education services and programs and the manner in which to request services and programs. Written information shall be published in the school district handbook and school district web site. The public awareness effort must include information regarding potential signs of developmental delays and other risk factors that could indicate disabilities.</p> <p>(c) Each school district shall provide annual public notification, published or announced in newspapers, electronic media and other media, with circulation adequate to notify parents throughout the school district of child identification activities and of the procedures followed to ensure confidentiality of information pertaining to students with disabilities or eligible young children in accordance with this chapter.</p> <p>(d) Intermediate units are responsible for child find activities necessary to provide equitable services consistent with 34 CFR 300.130—300.144, regarding children with disabilities enrolled by their parents in private schools.</p>

22 Pa. Code § 14.122. Screening.

(a) Each school district shall establish a system of screening, which may include early intervening services, to accomplish the following:

(1) Identify and provide initial screening for students prior to referral for a special education evaluation.

(2) Provide peer support for teachers and other staff members to assist them in working effectively with students in the general education curriculum. To provide this support, school districts may implement instructional support teams according to Department guidelines or use an alternative process.

(3) Identify students who may need special education services and programs.

(b) The screening process must include:

(1) Hearing and vision screening in accordance with section 1402 of the School Code (24 P. S. § 14-1402) for the purpose of identifying students with hearing or vision difficulty so that they can be referred for assistance or recommended for evaluation for special education.

(2) Screening at reasonable intervals to determine whether all students are performing based on grade-appropriate standards in core academic subjects.

(c) Each school district may develop a program of early intervening services. In the case of school districts meeting the criteria in 34 CFR 300.646(b)(2) (relating to disproportionality), as established by the Department, the early intervening services are required and must include:

(1) A verification that the student was provided with appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of the Elementary and Secondary Education Act of 1965 (ESEA) (20 U.S.C.A. § 6368(3)), and appropriate instruction in math.

(2) For students with academic concerns, an assessment of the student's performance in relation to State-approved grade level standards.

	<p>(3) For students with behavioral concerns, a systematic observation of the student’s behavior in the school environment where the student is displaying difficulty.</p> <p>(4) A research-based intervention to increase the student’s rate of learning or behavior change based on the results of the assessments under paragraph (2) or (3).</p> <p>(5) Repeated assessments of achievement or behavior, or both, conducted at reasonable intervals, reflecting formal monitoring of student progress during the interventions.</p> <p>(6) A determination as to whether the student’s assessed difficulties are the result of a lack of instruction or limited English proficiency.</p> <p>(7) A determination as to whether the student’s needs exceed the functional ability of the regular education program to maintain the student at an appropriate instructional level.</p> <p>(8) Documentation that information about the student’s progress as identified in paragraph (5) was periodically provided to the student’s parents.</p> <p>(d) Screening or early intervening activities do not serve as a bar to the right of a parent to request an evaluation, at any time, including prior to or during the conduct of early intervening activities.</p>
<p>22 Pa. Code § 14.133. Positive Behavior Support.</p>	<p>(f) School entities have the primary responsibility for ensuring that positive behavior support programs are in accordance with this chapter, including the training of personnel for the use of specific procedures, methods and techniques, and for having a written policy and procedures on</p>

	<p>the use of positive behavior support techniques and obtaining parental consent prior to the use of restraints or intrusive procedures as provided in subsection (c).</p>
<p>22 Pa. Code § 14.144. Facilities.</p>	<p>The comparability and availability of facilities for students with a disability shall be consistent with the approved intermediate unit or school district plan, which shall provide, by description of policies and procedures, the following:</p> <ol style="list-style-type: none"> (1) Students with disabilities will be provided appropriate classroom space. (2) Moving of a class shall occur only when the result will be: <ol style="list-style-type: none"> (i) To bring the location for delivery of special education services and programs closer to the students' homes. (ii) To improve the delivery of special education services and programs without reducing the degree to which the students with disabilities are educated with students without disabilities. (iii) To respond to an emergency which threatens the students' health or safety. (iv) To accommodate ongoing building renovations, provided that the movement of students with disabilities due to renovations will be proportional to the number of students without disabilities being moved. (v) That the location of classes shall be maintained within a school building for at least 3 school years. (3) Each special education class is: <ol style="list-style-type: none"> (i) Maintained as close as appropriate to the ebb and flow of usual school activities. (ii) Located where noise will not interfere with instruction. (iii) Located only in space that is designed for purposes of instruction.

	<p>(iv) Readily accessible.</p> <p>(v) Composed of at least 28 square feet per student.</p>
22 Pa. Code § 16.41. General.	<p>(c) Districts shall adopt board policies relating to caseloads and class sizes for gifted students which:</p> <p>(1) Ensure the ability of assigned staff to provide the services required in each gifted student's GIEP.</p> <p>(2) Address all the educational placements for gifted students used by the district.</p> <p>(3) Limit the total number of gifted students that can be on an individual gifted teacher's caseload to a maximum of 75 students. Beginning July 1, 2010, the total number of gifted students that can be on an individual gifted teacher's caseload is limited to a maximum of 65 students.</p> <p>(4) Limit the total number of gifted students that can be on an individual gifted teacher's class roster to a maximum of 20 students.</p>
22 Pa. Code § 23.4. Responsibilities of the District Board of School Directors.	<p>(4) The adoption of policies and establishment of criteria and procedures governing:</p> <p>(i) The eligibility of resident pupils for free transportation services.</p> <p>(ii) The discipline related to transportation for both public and nonpublic school pupils.</p> <p>(iii) Field trips, including the number of chaperons and whether the chaperons may be accompanied on field trips by their minor children.</p>
22 Pa. Code § 161.1. School Administrator's Handbook.	The School Administrator's Handbook contains the basic policies, directives and procedures of the Department of Education. It is an adjunct to the school laws of the Commonwealth for the administration of the schools of this Commonwealth.
22 Pa. Code § 233. Bylaws.	Statement of Policy

22 Pa. Code § 235.3. Purpose	(a) Professional educators in this Commonwealth believe that the quality of their services directly influences the Nation and its citizens. Professional educators recognize their obligation to provide services and to conduct themselves in a manner which places the highest esteem on human rights and dignity. Professional educators seek to ensure that every student receives the highest quality of service and that every professional maintains a high level of competence from entry through ongoing professional development. Professional educators are responsible for the development of sound educational policy and obligated to implement that policy and its programs to the public.
22 Pa. Code § 349.29. Building Use By Other Agencies or Groups.	Each school district shall establish rules, regulations, and policies concerning the use of school buildings by other agencies or groups. If fees are to be charged, such rules, regulations, or policies shall contain a fee schedule.
22 Pa. Code § 351.25. Suspensions.	(b) What constitutes a substantial difference in rating of those under consideration shall be determined by local policy. (c) Seniority shall be weighted as determined by local policy. The local district shall not eliminate seniority as a weighting factor.
22 Pa. Code § 701.15. Confidentiality of Information	The facility shall establish a policy that ensures the confidentiality of the CHRI report by placing it in a locked file cabinet or similar storage area and ensuring that the CHRI report is not available to anyone who is not directly involved in evaluating the applications for enrollment into the program, except State and Federal personnel who monitor the program.
22 Pa. Code § 721. Interstate Commission on Educational Opportunity for Military Children	The member states hereby create the “Interstate Commission on Educational Opportunity for Military Children.” The activities of the Interstate Commission are the formation of public policy and are a discretionary state function. The Interstate Commission shall: Be a body corporate and joint agency of the member states and shall have all the responsibilities, powers and duties set forth herein, and such additional powers as may be conferred upon it by a subsequent concurrent action of the respective legislatures of the member states in accordance with the terms of this compact.
22 Pa. Code § 731. Early Warning System	Statement of Policy

Statute	Requirements
<p>Article XX-J. Postsecondary Institution Sexual Harassment and Sexual Violence Policy and Online Reporting System; Section 2002-J. Policy for Post-Secondary Institution Sexual Harassment and Sexual Violence</p>	<p>(a) Adoption.--A postsecondary institution shall adopt a clear, understandable written policy on sexual harassment and sexual violence that informs victims of their rights under Federal and State law, including the crime victims bill of rights.</p> <p>(b) Report.--The sexual harassment and sexual violence policy under subsection (a) shall include a provision that a witness or victim of an incident of sexual harassment or sexual violence who reports the incident in good faith will not be sanctioned by the institution for admitting in the report to a violation of the institution's student conduct policy on the personal use of drugs or alcohol.</p> <p>(c) Model policy.--The Department of Education shall develop a model policy and make the model policy available to postsecondary institutions. A postsecondary institution may adopt the model policy as the policy of the institution on sexual harassment and sexual violence.</p>
<p>Article XI-A. Collective Bargaining; Section 1112-A. Matters of Inherent Managerial Policy.</p>	<p>Employers shall not be required to bargain over matters of inherent managerial policy. Those matters shall include, but shall not be limited to, such areas of discretion or policy as the functions and programs of the employer, standards of services, its overall budget, utilization of technology, the organizational structure and selection and direction of personnel. Employers, however, shall be required to meet and discuss on policy matters affecting wages, hours and terms and conditions of employment as well as the impact thereon upon request by employee representatives.</p>
<p>Article XII-A. Safe Schools; Section 1303.1-A. Policy Relating to Bullying</p>	<p>a) No later than January 1, 2009, each school entity shall adopt a policy or amend its existing policy relating to bullying and incorporate the policy into the school entity's code of student conduct required under 22 Pa. Code § 12.3(c) (relating to school rules). The policy shall delineate disciplinary consequences for bullying and may provide for prevention, intervention and education programs, provided that no school entity shall be required to establish a new policy under this section if one currently exists and reasonably fulfills the requirements of this section. The policy shall identify the appropriate school staff person to receive reports of incidents of alleged bullying.</p> <p>(b) Each school entity shall make the policy available on its publicly accessible Internet website, if available, and in every classroom. Each school entity shall post the policy at a prominent location within each school building where such notices are usually posted. Each school entity shall ensure that the policy and procedures for reporting bullying incidents are reviewed with students within ninety (90) days after their adoption and thereafter at least once each school year.</p>

	<p>(c) Each school entity shall review its policy every three (3) years and annually provide the office with a copy of its policy relating to bullying, including information related to the development and implementation of any bullying prevention, intervention and education programs. The information required under this subsection shall be attached to or made part of the annual report required under section 1303-A(b).</p> <p>(d) In its policy relating to bullying adopted or maintained under subsection (a), a school entity shall not be prohibited from defining bullying in such a way as to encompass acts that occur outside a school setting if those acts meet the requirements contained in subsection (e)(1), (3) and (4). If a school entity reports acts of bullying to the office in accordance with section 1303-A(b), it shall report all incidents that qualify as bullying under the entity's adopted definition of that term.</p> <p>(e) For purposes of this article, "bullying" shall mean an intentional electronic, written, verbal or physical act, or a series of acts:</p> <ul style="list-style-type: none"> (1) directed at another student or students; (2) which occurs in a school setting; (3) that is severe, persistent or pervasive; and (4) that has the effect of doing any of the following: <ul style="list-style-type: none"> (i) substantially interfering with a student's education; (ii) creating a threatening environment; or (iii) substantially disrupting the orderly operation of the school; and <p>"school setting" shall mean in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school.</p>
Article XIII Pupils and Attendance.	<ul style="list-style-type: none"> (a) Attendance (b) Enforcing Attendance

Article V. Duties and Power of Boards of School Directors; Section 510.2. Publication of Rules, Regulations, and Policies.

The board of school directors of a school district shall post on its publicly accessible Internet website 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:

(1) The following relating to students:

(i) Admission of beginners.

(ii) Attendance, excusals and truancy.

(iii) Withdrawal from school.

(iv) Student discipline.

(v) Suspension and expulsion of students.

(vi) Searches.

(vii) Audio interception on school buses or school vehicles for disciplinary or security persons.

(viii) Retention, maintenance and access to student records.

(ix) Use of personal electronic devices.

(x) Dress and grooming.

(xi) Student complaint process.

(xii) Parent appeal of a school district's placement of twins or multiple birth siblings.

(xiii) Participation by home school students in school district extracurricular activities.

(2) The following relating to educational programs:

- (i) Curriculum review by parents and students.
- (ii) Promotion and retention.
- (iii) Graduation requirements.
- (3) The following relating to student health:
 - (i) Communicable diseases and immunization.
 - (ii) Health examinations and screenings.
 - (iii) Student use of medications.
 - (iv) The school district's wellness policy.
- (4) The following relating to school property:
 - (i) Use of school property and facilities.
 - (ii) School visitation policies.
 - (iii) Integrated pest management plan.
- (5) The following relating to community:
 - (i) Public participation in school board meetings.
 - (ii) Public attendance at school events.

	<p>(iii) 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 § 6318).</p> <p>(iv) Public access to and use of school district buildings, facilities and grounds.</p> <p>(v) Public complaint process.</p>
Article VI-A. School District Financial Recovery; Section 611-A. Early Warning System	<p>(c) Guidelines. --</p> <p>(1) Within 60 days of the effective date of this section, the department shall establish guidelines for the operation of the early warning system established under this section, including a description of the variables that will be used by the department to identify school districts in financial watch status. The guidelines shall be published as a statement of policy in the Pennsylvania Bulletin and shall be posted on the department's publicly accessible Internet website.</p>
Article XIII. Pupils and Attendance; Section 1317. Authority of Teachers, Vice Principals, and Principals over Pupils.	<p>(b) Every School district and area career and technical school shall develop a written policy regarding expulsions for possession conducted pursuant to all applicable regulations.</p>
Article XIII-B. School Safety and Security; Section 1303-B. School Safety and Security Assessment Criteria.	<p>(a) Duty to establish. --No later than September 30, 2018, the committee shall establish criteria to be used when conducting school safety and security assessments that include the following:</p> <p>2) A policy and training assessment. The policy and training assessment shall consist of an evaluation of the school entity's policies and practices, including:</p> <p>(i) An analysis of the school entity's policies related to student safety, security and management issues.</p> <p>(ii) Discussions with the school entity's employees.</p> <p>(iii) A review of the school entity's student code of conduct.</p> <p>(iv) A review of the school entity's safety and security training practices.</p> <p>(v) Recommendations for effective school safety and security training and practices for all school entity employees.</p>

	(vi) An analysis of the school entity's communications practices and available technology and tools.
Article XIII-B. School Safety and Security; Section 1317.2. Possession of Weapons Prohibited.	(b) Every school district and area career and technical school shall develop a written policy regarding expulsions for possession of a weapon as required under this section. Expulsions shall be conducted pursuant to all applicable regulations.
Article XIII-B. School Safety and Security; Section 1328. Compulsory Education of Physical Defectives.	Pursuant to the requirements of 22 Pa. Code § 11.41 (relating to school district policies and rules), the board of school directors shall formally adopt, as part of its written rules governing pupil absences and excusals, a policy permitting a student to be excused for participation in a project sponsored by an organization that is eligible to apply for a grant under section 5(3) of the act of July 8, 1986 (P.L.437, No.92), known as the "Pennsylvania Agricultural Fair Act."
Article XIV. School Health Services; Section 1414.1. Possession of Use of Asthma Inhalers and Epinephrine Auto-Injectors.	<p>a) Each school entity shall develop a written policy to allow for the possession and self-administration by children of school age of asthma inhalers and epinephrine auto-injectors, and the prescribed medication to be administered thereby, in a school setting. The policy shall comply with section 504 of the Rehabilitation Act of 1973 (Public Law 93-112, 29 U.S.C. § 794) and 22 Pa. Code Ch. 15 (relating to protected handicapped students). The policy shall be distributed with the code of student conduct required under 22 Pa. Code § 12.3(c) (relating to school rules) and made available on the school entity's publicly accessible Internet website, if any.</p> <p>(b) The policy under this section shall require a child of school age that desires to possess and self-administer an asthma inhaler or epinephrine auto-injector in a school setting to demonstrate the capability for self-administration and for responsible behavior in the use thereof and to notify the school nurse immediately following each use of an asthma inhaler or epinephrine auto-injector. The school entity shall develop a system whereby the child may demonstrate competency to the school nurse that the child is capable of self-administration and has permission for carrying and taking the medication through the use of the asthma inhaler or epinephrine auto-injector. Determination of competency for self-administration shall be based on age, cognitive function, maturity and demonstration of responsible behavior. The school entity shall also restrict the availability of the asthma inhaler, the epinephrine auto-injector and the prescribed medication contained therein from other children of school age. The policy shall specify conditions under which a student may lose the privilege to self-carry the asthma inhaler, the epinephrine auto-injector and the medication if the school policies are abused or ignored. A school entity that prevents a student from self-carrying an asthma inhaler or epinephrine auto-injector and the prescribed medication shall ensure that they are appropriately stored at locations in close proximity to the student prohibited from self-carrying and</p>

	<p>notify the student's classroom teachers of the places where the asthma inhaler or epinephrine auto-injector and medication are to be stored and the means to access them.</p> <p>(c) The policy under this section may include the following:</p> <p>(1) The requirement of a written statement from the physician, certified registered nurse practitioner or physician assistant that provides the name of the drug, the dose, the times when the medication is to be taken and the diagnosis or reason the medicine is needed unless the reason should remain confidential. The physician, certified registered nurse practitioner or physician assistant shall indicate the potential of any serious reaction that may occur to the medication, as well as any necessary emergency response. The physician, certified registered nurse practitioner or physician assistant shall state whether the child is qualified and able to self-administer the medication.</p> <p>(2) The requirement of a written request from the parent or guardian that the school entity comply with the order of the physician, certified registered nurse practitioner or physician assistant. The parent's note shall include a statement relieving the school entity or any school employee of any responsibility for the benefits or consequences of the prescribed medication when it is parent-authorized and acknowledging that the school entity bears no responsibility for ensuring that the medication is taken.</p> <p>(3) The ability of the school entity to reserve the right to require a statement from the physician, certified registered nurse practitioner or physician assistant for the continued use of any medication beyond a specified time period. The school entity shall also require updated prescriptions and parental approvals on an annual basis from the pupil.</p>
<p>Article XIV. School Health Services; Section 1526. Youth Suicide Awareness and Prevention.</p>	<p>(1) Adopt an age-appropriate youth suicide awareness and prevention policy consistent with subsection (c), inform each school entity employee and the parent or legal guardian of each student enrolled in the school entity of such policy and post such policy on the school entity's publicly accessible Internet website. The policy adopted by a school entity under this paragraph may be based upon the model policy developed by the department under subsection (b)(1).</p> <p>(2) Include in the professional development plan submitted by the school entity to the secretary for approval pursuant to section 1205.1 four (4) hours of training in youth suicide awareness and</p>

prevention every five (5) years for professional educators in school buildings serving students in grades six through twelve. Training under this paragraph may be used to satisfy a professional educator's continuing professional education requirement under section 1205.2. A school entity may use the materials made available by the department under subsection (b)(2) to conduct such training.

(b) The department shall:

(1) In consultation with a youth suicide prevention organization operating in this Commonwealth, develop a model youth suicide awareness and prevention policy which shall be consistent with subsection (c).

(2) Compile, develop and post on its publicly accessible Internet website the following, which may include materials already publicly available:

(i) Recommended guidelines and educational materials for the training required under subsection (a)(2).

(ii) Recommended resources and age-appropriate educational materials on youth suicide awareness and prevention.

(3) Develop a model youth suicide awareness and prevention curriculum and make such curriculum available to all school entities and, upon request, to nonpublic schools. A school entity may incorporate such curriculum into its existing instructional program pursuant to the school entity's youth suicide awareness and prevention policy.

(c) The model policy developed by the department under subsection (b)(1) and any policy adopted by a school entity under subsection (a)(1) shall include the following:

(1) A statement on youth suicide awareness and prevention.

(2) Protocols for administering youth suicide awareness and prevention education to staff and students.

	<p>(3) Methods of prevention, including procedures for early identification and referral of students at risk of suicide.</p> <p>(4) Methods of intervention, including procedures that address an emotional or mental health safety plan for students identified as being at increased risk of suicide.</p> <p>(5) Methods of responding to a student or staff suicide or suicide attempt.</p> <p>(6) Reporting procedures.</p> <p>(7) Recommended resources on youth suicide awareness and prevention programs, including current contact information for such programs.</p>
<p>Article XIV. School Health Services; Section 1553. Dating Violence Education.</p>	<p>a) The department, through its Office for Safe Schools, and in consultation with the State Board of Education, shall:</p> <p>(1) Develop, within six (6) months of the effective date of this section, a model dating violence policy to assist school districts in developing policies for dating violence reporting and response.</p> <p>(2) Consult with at least one (1) domestic violence center and at least one (1) rape crisis center in developing the model dating violence policy.</p> <p>(b) (1) Each school district may establish a specific policy to address incidents of dating violence involving students at school.</p> <p>(2) The policy may include, but need not be limited to: a statement that dating violence will not be tolerated; violence reporting procedures; discipline procedures for students that commit violence at school; and contact information for and resources available through domestic violence programs and rape crisis programs.</p> <p>(3) A school district that establishes the policy shall:</p>

	<p>(i) Publish the policy in any school district policy or handbook that specifies the comprehensive rules, procedures and standards of conduct for students at school.</p> <p>(ii) Make the policy available on its publicly available Internet website.</p> <p>(iii) Provide parents and guardians with a copy of the policy.</p> <p>(4) The State Board of Education shall conduct a study of the benefits and detriments of mandatory dating violence education and shall submit a report of its recommendations to the chairman and minority chairman of the Education Committee of the Senate and the chairman and minority chairman of the Education Committee of the House of Representatives within three (3) years of the effective date of this section.</p> <p>(c) (1) A school district may provide dating violence training to guidance counselors, nurses and mental health staff at the high school level. Upon the recommendation of the district superintendent, other staff may be included or may attend the training on a voluntary basis. The school district may also provide dating violence training to parents.</p> <p>(2) The dating violence training may include, but need not be limited to: basic principles of dating violence; warning signs of dating violence; the school district's dating violence policy; appropriate responses to incidents of dating violence at school; and services and resources available through domestic violence programs and rape crisis programs.</p> <p>(d) (1) A school district may incorporate dating violence education that is age appropriate into the annual health curriculum framework for students in grades nine (9) through twelve (12). In developing such a policy, the school district shall consult with at least one (1) domestic violence program or rape crisis program that serves the region where the school district is located.</p>
<p>Article XV.G. Open Campus Initiatives; Section 1504-G. Cooperative Agreement.</p>	<p>(a) Contents.--School districts desiring to establish and operate an open campus initiative shall develop and enter into a cooperative agreement that shall, at a minimum, include:</p> <p>(1) A policy for grading, credit and promotion of students participating in open campus initiative courses.</p>

	<p>(2) A policy for participation of students from participating school districts which shall include minimum academic and attendance criteria.</p> <p>(3) A policy for participation of students from nonparticipating school entities, which includes a fee schedule for determining tuition charges for courses delivered to those students, if the participating school districts allow participation of students from nonparticipating school entities.</p> <p>(4) A policy for discipline and removal of students from open campus initiative courses in compliance with State law related to student discipline.</p> <p>(5) Information about the attribution of student data to the school district, charter school, cyber charter school, nonpublic school or home education program in which the student is enrolled, including student assessment data.</p> <p>(6) Information about the sharing of costs between the participating school districts.</p> <p>(7) Information about the use and distribution of tuition revenue.</p> <p>(8) Processes for adding and removing open campus initiative courses.</p> <p>(9) Processes for termination of the open campus initiative.</p> <p>(b) Adoption by boards of school directors.--Each open campus initiative cooperative agreement shall be adopted by majority vote of the board of school directors of each of the participating school districts.</p>
<p>Article XVI-A. Interscholastic Athletics Accountability; Section 1604-A. Council Recommendations and Standards.</p>	<p>(b) The association shall take all steps necessary to comply with the following standards:</p> <p>(1) Adopt and adhere to policies governing the conduct of open meetings that conform with the requirements of 65 Pa.C.S. Ch. 7 (relating to open meetings).</p> <p>(2) Adopt and adhere to a policy establishing a competitive bidding process for the purchase of nonincidental merchandise and services that conforms with the requirements of this act.</p>

- (3) Adopt and adhere to a policy establishing a competitive process for the selection of sites for championship competitions.
- (4) Agree to an annual financial and management review conducted by the committee.
 - (i) Such reviews shall indicate whether the association has:
 - (A) conformed with accepted accounting practices;
 - (B) conformed with all Federal and State statutes governing the administration of nonprofit organizations;
 - (C) conformed with accepted administrative and management practices; and
 - (D) contracted with employees who have fulfilled the duties for which they were contracted and act in the best interests of interscholastic athletics.
 - (ii) The committee shall report its findings from this review to the council, which shall make any appropriate recommendations to the association.
- (5) Ensure that the membership of its board of directors includes the following who shall be full, voting members:
 - (i) One member representing school boards of directors who is an elected member of a school board of directors at the time of appointment.
 - (ii) One member representing athletic directors who is employed as an athletic director at the time of appointment.
 - (iii) One member representing coaches who is employed as a coach at the time of appointment.
 - (iv) One member representing officials who is an active official at the time of appointment.

- (v) One member representing the Department of Education.
- (vi) One member representing school administrators who is employed as a school administrator at the time of appointment.
- (vii) One member representing women's athletics.
- (viii) One member representing nonpublic schools.
- (ix) Two members representing parents.
- (6) Not require any member school entity to reimburse the association for legal fees and expenses incurred by the association or any of its personnel in defending a legal action authorized by a member school entity and brought against the association or any of its personnel and take action to repeal any present rule or policy authorizing such reimbursement prior to the final report of the council.
- (7) Adopt an evaluation system for game officials at district, interdistrict and championship competitions and utilize that evaluation system in the selection of individuals to officiate those contests.
- (8) Adopt and adhere to a policy prohibiting conflicts of interest and setting forth rules of ethics to be followed by association board members and employees.
- (9) Employ in-house counsel.
- (10) Evaluate the performance of its contracted employees to determine whether they have complied with the provisions of their contracts and to determine whether termination is appropriate for any association employees who have violated the provisions of their contracts.
- (11) Adopt no rules restricting media access to interscholastic athletic competitions or restricting the substance of any commentary offered by media reporting of interscholastic athletic competitions.

(12) Adopt rules intended to discourage its member school entities from recruiting student athletes, provided that:

(i) Such rules and any penalties levied for their breach shall be directed at the association's member schools and not at individual student athletes who may have been the subject of recruiting.

(ii) Any and all procedures established to gather evidence related to the enforcement of such rules shall place the burden of proof of the breach of such rules on the association and shall afford any member school entity due process rights in defending itself against the allegations, including a right to a hearing on the charges before the imposition of penalties.

(iii) The association is specifically prohibited from identifying individual student athletes as subjects or targets of such procedures.

(13) Establish a policy, including a mechanism for enforcement, requiring that persons involved in interscholastic athletics be provided equality of opportunity and treatment without regard to race, sex, religion, national origin or ethnic background.

(14) By August 8, 2011, establish a policy requiring that students who in the current or prior school year attended a school entity that has abolished its program of interscholastic athletics in whole or in part shall be eligible to participate without penalty in the program of interscholastic athletics of another school entity in which they are currently enrolled, provided that:

(i) If the association fails to establish and enforce the policy, no school entity may be a member of the association and may not pay dues to the association directly or indirectly through an affiliated organization.

(ii) No school entity that is a member of the association may recruit to participate in its program of interscholastic athletics any students who attend a school entity that has abolished its program of interscholastic athletics.

	<p>(iii) If a school entity that has abolished its program of interscholastic athletics in whole or in part reinstates its program of interscholastic athletics in whole or in part in a subsequent year, a student who is currently or was previously enrolled in the school entity but who has participated in the program of interscholastic athletics of another school entity under this section shall be eligible to participate without penalty in the program of interscholastic athletics of the school entity that reinstated its previously abolished program in whole or in part.</p>
<p>Article XIX-C. Disruptive Student Programs; Section 1901-C.</p>	<p>Notwithstanding section 1502, alternative education programs may operate outside the normal school day of the applicant district, including Saturdays. School districts and private alternative education institutions operating pursuant to the provisions of Article XIX-E shall adopt a policy for periodic review of those students placed in their respective alternative education program for disruptive students. This review shall occur, at a minimum, at the end of every semester the student is in the program or more frequently at the district's or private alternative education institution's discretion. The purpose of this review is to determine whether or not the student is ready to return to the regular school curriculum. Programs may include services for students returning from placements or who are on probation resulting from being adjudicated delinquent in a proceeding under 42 Pa.C.S. Ch. 63</p>