



Book	Policy Manual
Section	200 Pupils
Title	Supplemental Discipline Records
Code	216.1
Status	Policy Committee Review
Last Reviewed	January 26, 2024

### **Authority**

The school district shall maintain required records concerning students adjudicated delinquent and transfer students disciplined for offenses involving weapons, alcohol, drugs and violence on, or within 1,500 feet of, school property.[1][2][3][4][5]

### **Guidelines**

#### **Records/Information Regarding Students Who Have Been Adjudicated Delinquent**

The building principal or designee shall receive from the court, through the juvenile probation office, information concerning the adjudication of an enrolled student. The information may include, but not be limited to, the name and address of the student, a description of the delinquent acts committed by the student and the disposition of the case. If the student is adjudicated delinquent of a felony offense, the building principal or designee may receive additional information, including but not limited to juvenile probation or treatment reports pertaining to the adjudication, prior delinquent history and the supervision plan. Other information may be provided as deemed necessary by the juvenile probation office unless restricted by a court order or other applicable law or regulation.[4][5]

Upon receipt, the building principal or designee shall send a written acknowledgement to the juvenile probation office of the receipt of the information, including acknowledgement of the requirements and restrictions of the district regarding such information.[5]

The building principal or designee shall share this information with the student's teacher and the principal of another school to which the student may transfer. The information shall be used for the limited purposes of protecting school personnel and students, and arranging for appropriate counseling and education for the student.[4][5]

The information may be used for school disciplinary decisions only if: the student was under the supervision of the Board at the time of the incident; the act(s) took place within 1,500 feet of school property; and the school has complied with all other statutory,

regulatory and constitutional provisions relative to the imposition of school discipline.[4]  
[5][6][7][8][9]

The information received from the juvenile probation office concerning an adjudicated student shall be maintained separately from the student's official school record.[4][5]

### Records Regarding Student Enrollment - Sworn Statement or Affirmation Related to Disciplinary Exclusions

Upon registration and prior to admission to the school district, the parent/guardian or person having charge of the student shall provide a signed sworn statement or affirmation stating whether the student previously was or presently is suspended or expelled from any public or private school for an offense involving weapons, alcohol or drugs; willful infliction of injury to another person; sexual assault; or any act of violence committed on school property. The statement shall include the dates of suspension or expulsion and the name of the school from which the student was suspended or expelled for these reasons.[1][8]  
[10][11]

The sworn statement or affirmation shall include the signature of the parent/guardian or person having charge of the student and they shall be informed that any willful false statements concerning this registration shall be a misdemeanor of the third degree.[1]

This registration statement shall be maintained as part of the student's disciplinary record.

### Transfer of Disciplinary Records

#### *Transfer Into the District -*

When a student transfers to a district school from another school district, a nonpublic school, or other school within this district, the district shall request a certified copy of the student's disciplinary record from the school from which the student is transferring. The sending school shall have ten (10) days from receipt of the request to provide the disciplinary record. This record shall be maintained as part of the student's disciplinary record and shall be available for inspection as required by law and Board policy.[2][12]

#### *Transfer From the District -*

When a student transfers from a district school to another school district, a nonpublic school or other school within the district, the district shall transmit a certified copy of the student's disciplinary record within ten (10) days of receiving the request from the school to which the student has transferred. A copy of the notice initially provided by the juvenile probation office to the district shall also be provided to the school to which the student has transferred.[5]

The building principal or designee shall maintain a log of all individuals from other school districts to whom this information is subsequently provided, and shall inform the juvenile probation office upon providing this information to officials from other schools outside the district.[5]

Legal

1. 24 P.S. 1304-A

2. 24 P.S. 1305-A

3. 24 P.S. 1307-A

4. 42 Pa. C.S.A. 6341

5. 237 PA Code Rule 163

6. Pol. 113.1

7. Pol. 218

8. Pol. 218.3

9. Pol. 233

10. 24 P.S. 1318.1

11. Pol. 200

12. Pol. 216

20 U.S.C. 1232g

20 U.S.C. 7118

Pol. 113.4

1911  
1912  
1913  
1914  
1915  
1916  
1917  
1918  
1919  
1920  
1921  
1922  
1923  
1924  
1925  
1926  
1927  
1928  
1929  
1930  
1931  
1932  
1933  
1934  
1935  
1936  
1937  
1938  
1939  
1940  
1941  
1942  
1943  
1944  
1945  
1946  
1947  
1948  
1949  
1950  
1951  
1952  
1953  
1954  
1955  
1956  
1957  
1958  
1959  
1960  
1961  
1962  
1963  
1964  
1965  
1966  
1967  
1968  
1969  
1970  
1971  
1972  
1973  
1974  
1975  
1976  
1977  
1978  
1979  
1980  
1981  
1982  
1983  
1984  
1985  
1986  
1987  
1988  
1989  
1990  
1991  
1992  
1993  
1994  
1995  
1996  
1997  
1998  
1999  
2000  
2001  
2002  
2003  
2004  
2005  
2006  
2007  
2008  
2009  
2010  
2011  
2012  
2013  
2014  
2015  
2016  
2017  
2018  
2019  
2020  
2021  
2022  
2023  
2024  
2025





Book	Policy Manual
Section	200 Pupils
Title	Graduation
Code	217
Status	Policy Committee Review
Adopted	September 28, 2020
Last Reviewed	January 26, 2024

### **Purpose**

The Board shall establish graduation requirements and acknowledge each student's successful completion of the instructional program by awarding diplomas and certificates at graduation ceremonies.

### **Authority**

The Board shall adopt the graduation requirements students must achieve in accordance with state law and regulations.[1][2][3][4]

The Board requires graduation requirements to be published and distributed to students and parents/guardians, and made available in each school building and posted on the district's publicly accessible website. All changes to graduation requirements shall be published and distributed to students and parents/guardians, and made available in each school building and posted on the district's publicly accessible website immediately following approval by the Board.[2][5]

### **Diplomas**

The Board shall award a high school diploma to every student enrolled in this district who meets the requirements for graduation established by this Board.[2][6][7][8][9][10]

A student who has completed the requirements for graduation shall not be denied a diploma as a disciplinary measure, but the student may be denied participation in the graduation ceremony when personal conduct so warrants. Such exclusion shall be regarded as a school suspension.[11]

*Students Experiencing Educational Instability -*

The district shall provide supports to ensure that students experiencing educational instability graduate in a timely manner, in accordance with law and Board policy. A graduation plan shall be developed to facilitate this process for students in grades nine (9) through twelve (12) who are experiencing educational instability.[12][13]

#### *Students With Disabilities -*

The Board shall permit a student with a disability, whose Individualized Education Program (IEP) prescribes continued educational services, to participate in commencement ceremonies with their graduating class and receive a certificate of attendance, provided that the student has attended four (4) years of high school. The Board shall issue a high school diploma to each student with a disability who completes the graduation requirements established by the Board or the goals established in the student's IEP, as determined by the student's IEP team.[1][2][14][15][16][17][18][19]

#### *Part-Time Students -*

A student may qualify for graduation by attending a district school part-time when lawfully employed part-time or when officially enrolled part-time in a postsecondary institution.  
[20][21]

#### *Full-Time Postsecondary Students -*

The fourth year of high school shall not be required for graduation if a student has completed all requirements for graduation and attends a postsecondary institution as a full-time student.[21][22]

#### *Children of Active Duty Military Families -*

The district shall provide supports to facilitate the on-time graduation of children of active duty military families in accordance with the Interstate Compact on Educational Opportunity for Military Children, state law and Board policy.[23][24]

#### *Eligible Veterans -*

In order to honor and recognize honorably discharged eligible veterans who left high school prior to graduation to serve in World War II, the Korean War or the Vietnam War, the Board shall grant a diploma to a veteran who meets the applicable requirements of law and completes the required application.[6]

Upon proper application, the Board may award a diploma posthumously to a veteran who meets the stated requirements.

The Superintendent shall submit to the Board for its approval the names of veterans of World War II, the Korean War and the Vietnam War who are eligible for a high school diploma.

#### **Delegation of Responsibility**

The Superintendent or designee shall be responsible for ensuring the following:

1. Publication and distribution of graduation requirements to students and parents/guardians.[2][5]

2. Counseling of students regarding expectations of graduation requirements.[2][3][4][8][9][10][16]
3. Assessment of individual student attainment of academic standards to ensure the student's progress toward achievement of graduation requirements.[2][3][4][8][9][10][16]
4. Accurate recording and reporting of each student's progress and accumulation of graduation requirements.[10][25]
5. Provision of assistance to those students having difficulty attaining the academic standards.[1][2]
6. Development of a list of individuals who qualify for the award of a diploma.
7. Planning and executing graduation ceremonies that appropriately recognize this important achievement.

The Superintendent or designee shall annually, no later than December 1, report to the PA Department of Education (PDE) graduation information and data, as required by law.[1]

Legal

1. 24 P.S. 121

2. 22 PA Code 4.24

3. 22 PA Code 4.51

4. 22 PA Code 4.52

5. 24 P.S. 510.2

6. 24 P.S. 1611

7. 24 P.S. 1613

8. Pol. 102

9. Pol. 127

10. Pol. 212

11. Pol. 233

12. 24 P.S. 1331.1

13. Pol. 251

14. 24 P.S. 1614

15. 22 PA Code 11.27

16. 22 PA Code 4.12

17. 34 CFR 300.102

18. 34 CFR 300.305

19. Pol. 113

20. 22 PA Code 11.5

21. 22 PA Code 11.8

22. 22 PA Code 11.4

23. 24 P.S. 7302

24. Pol. 254

25. Pol. 216

34 CFR Part 300

Interstate Compact on Educational Opportunity for Military Children (MIC3)



Book	Policy Manual
Section	200 Pupils
Title	Suspension and Expulsion
Code	233
Status	Policy Committee Review
Adopted	September 28, 2020
Last Reviewed	January 26, 2024

## **Purpose**

The Board recognizes that exclusion from the educational program of the schools, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and one that cannot be imposed without due process. The Board shall define and publish the types of offenses that would lead to exclusion from school. Exclusions affecting students with disabilities shall be governed by applicable state and federal law and regulations.[1][2][3][4][5]

## **Authority**

The Board may, after a proper hearing, suspend or expel a student for such time as it deems necessary, or may permanently expel a student.[1][6][7]

## **Guidelines**

### **Exclusion From School - Suspension**

The principal or person in charge of the school may suspend any student for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days and shall immediately notify the parent/guardian and the Superintendent in writing when the student is suspended.[1][7]

No student may be suspended without notice of the reasons for which the student is suspended and an opportunity to be heard on their own behalf before the school official who holds the authority to reinstate the student. Prior notice is not required where it is clear that the health, safety or welfare of the school population is threatened. Suspensions may not be made to run consecutively beyond the ten-school day period.[1]

When a suspension exceeds three (3) school days, the student and parent/guardian shall be given the opportunity for an informal hearing with the designated school official. Such hearing shall take place as soon as possible after the suspension, and the district shall

offer to hold it within the first five (5) days of the suspension.[1][6]

Informal hearings under this provision shall be conducted by the building principal.

### Purpose of Informal Hearing

The purpose of the informal hearing is to permit the student to explain the circumstances surrounding the event leading to the suspension, to show why the student should not be suspended, and to discuss ways to avoid future offenses.[6]

### Due Process Requirements for Informal Hearing[6]

1. The student and parent/guardian shall be given written notice of the reasons for the suspension.
2. The student and parent/guardian shall receive sufficient notice of the time and place of the informal hearing.
3. The student may question any witnesses present at the informal hearing.
4. The student may speak and produce witnesses who may speak at the informal hearing.
5. The district shall offer to hold the informal hearing within five (5) days of the suspension.

### Exclusion From Class - In-School Suspension

No student may receive an in-school suspension without notice of the reasons for which the student is suspended and an opportunity to be heard prior to the time the suspension becomes effective. The parent/guardian shall be informed of the suspension action taken by the school.[2]

Should the in-school suspension exceed ten (10) consecutive school days, the student and parent/guardian shall be offered an informal hearing with the building principal. Such hearing shall take place prior to the eleventh day of the in-school suspension. The procedure shall be the same as the procedure for informal hearings held in connection with out-of-school suspensions.[2][6]

The district shall provide for the student's education during the period of in-school suspension.[2]

### Expulsion

**Expulsion** is exclusion from school by the Board for a period exceeding ten (10) consecutive school days. The Board may permanently expel from the district rolls any student whose misconduct or disobedience warrants this sanction. No student shall be expelled without an opportunity for a formal hearing before the Board, and upon action taken by the Board after the hearing.[1][6][7]

### Expulsion Hearings

A formal hearing shall be required in all expulsion actions.[1][6][7][8]

The formal hearing shall observe the due process requirements of:[6]

1. Notification of the charges in writing by certified mail to the student's parent/guardian.
2. At least three (3) days' notice of the time and place of the hearing, which shall include a copy of this policy, hearing procedures and notice of the right to representation by legal counsel. A student may request the rescheduling of the hearing when the student demonstrates good cause for an extension.
3. The hearing shall be private unless the student or parent/guardian requests a public hearing.
4. Representation by counsel at the parent's/guardian's expense and parent/guardian may attend the hearing.
5. Disclosure of the names of witnesses against the student and copies of their written statements or affidavits.
6. The right to request that witnesses against the student appear in person and answer questions or be cross-examined.
7. The right to testify and present witnesses on the student's behalf.
8. A written or audio record shall be kept of the hearing and a copy made available to the student at the student's expense, or at no charge if the student is indigent.
9. The hearing shall be held within fifteen (15) school days of the notice of charges, unless a delay is mutually agreed to by both parties or is delayed by:
  - a. The need for laboratory reports from law enforcement agencies.
  - b. Evaluations or other court or administrative proceedings are pending due to a student's invoking their rights under the Individuals with Disabilities Education Act (IDEA).
  - c. Delay is necessary due to the condition or best interests of the victim in cases of juvenile or criminal court involving sexual assault or serious bodily injury.
10. Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

### Adjudication

A written adjudication shall be issued after the Board has acted to expel a student. The adjudication may include additional conditions or sanctions.[9]

### Attendance/School Work During Suspension and Prior to Expulsion

Students serving an out-of-school suspension must make up missed exams and work, and shall be permitted to complete assignments pursuant to established guidelines.[1][10]



Students who are facing an expulsion hearing must be placed in their normal classes if the formal hearing is not held within the ten-school day suspension.

If it is not possible to hold the formal hearing within the first ten (10) school days, the school district may exclude such a student from class for up to five (5) additional – fifteen (15) total – school days if, after an informal hearing, it is determined that the student's presence in their normal class would constitute a threat to the health, safety or welfare of others.

Any further exclusion prior to a formal hearing may be only by mutual agreement. Such students shall be given alternative education, which may include home study.

#### Attendance/School Work After Expulsion

Students who are under eighteen (18) years of age are still subject to compulsory school attendance even though expelled and shall be provided an education.[1][10][11]

The parent/guardian has the initial responsibility of providing the required education and shall, within thirty (30) days, submit written evidence to the school that the required education is being provided or that they are unable to do so. If the parent/guardian is unable to provide for the required education, the school district shall, within ten (10) days of receipt of the parent's/guardian's notification, make provision for the student's education.

The Board may provide an educational program to the student immediately upon expulsion and may waive the 30-day period, at its discretion.

#### Students With Disabilities

A student with a disability shall be provided educational services as required by state and federal laws and regulations and Board policies.[12][13]

#### **Delegation of Responsibility**

The Superintendent or designee shall develop administrative regulations to implement this policy which include:

1. Publication of a Code of Student Conduct, in accordance with Board policy on student discipline.[14]
2. Procedures that ensure due process when a student is being deprived of the right to attend school.
3. Regulations regarding student records which require that records of disciplinary suspension be maintained in accordance with Board policy on student records.[15][16]
4. The name of a student who has been disciplined shall not become part of the agenda or minutes of a public meeting, nor part of any public record of the Board. Such students may be designated by code.
5. Any student who has been expelled may apply for readmission to school upon such conditions as may be imposed by the Board.



Legal

1. 22 PA Code 12.6
2. 22 PA Code 12.7
3. 22 PA Code 14.143
4. 20 U.S.C. 1400 et seq
5. 34 CFR Part 300
6. 22 PA Code 12.8
7. 24 P.S. 1318
8. 2 Pa. C.S.A. 101 et seq
9. 2 Pa. C.S.A. 101
10. Pol. 204
11. 24 P.S. 1326
12. Pol. 113
13. Pol. 113.1
14. Pol. 218
15. Pol. 216
16. Pol. 113.4
- 22 PA Code 12.3

1870  
1871  
1872  
1873  
1874  
1875  
1876  
1877  
1878  
1879  
1880  
1881  
1882  
1883  
1884  
1885  
1886  
1887  
1888  
1889  
1890  
1891  
1892  
1893  
1894  
1895  
1896  
1897  
1898  
1899  
1900



Book	Policy Manual
Section	200 Pupils
Title	Students Experiencing Homelessness, Foster Care and Other Educational Instability
Code	251
Status	Policy Committee Review
Adopted	September 28, 2020
Last Reviewed	January 26, 2024

### **Purpose**

The Board recognizes the challenges encountered by students experiencing homelessness, foster care and other educational instability. The Board is committed to facilitating the immediate enrollment; eliminating barriers to the attendance, education and graduation; and providing additional supports in compliance with federal and state laws, regulations and Board policy, for such students.[1][2][3][4][5][6][7][8]

### **Authority**

The Board directs the district to collaborate with school staff, other school districts, local agencies and other entities in supporting the needs of students experiencing educational instability.

The Board shall ensure that students experiencing educational instability have equal access to the same educational programs, activities and services provided to other district students.[1][2][3][4][5][6][7]

The Board authorizes the Superintendent to waive specific requirements in Board policies, procedures and administrative regulations to the extent that they create barriers for the enrollment and attendance of students experiencing educational instability. Such waivers include, but are not limited to, requirements regarding:[1][2][3][4][5][6][7]

1. Dress code.[9]
2. Transportation.[10]
3. School-sponsored or extracurricular activities for which students meet placement and qualification requirements, including, but not limited to, clubs, athletics, performing arts, class trips, social events, career and technical education, internships and specialized classes.[11][12][13][14][15][16][17]

4. Fees related to school-sponsored or extracurricular activity participation fees, and other fees including, but not limited to, school identification (badges, cards, etc.), uniforms, materials, lost or damaged items, athletic physical exams, parking or driving, food services, library, locker or padlock rental or replacement, summer school or credit recovery, technology and graduation regalia.[9][13][14][15][18][19][20][21][22]
5. Graduation.[19]
6. Registration deadlines.

It is the policy of the Board that no student shall be discriminated against, segregated or stigmatized based on their status as a student experiencing educational instability.

### **Definitions**

**Student Experiencing Educational Instability** means a student who has experienced one (1) or more changes in school enrollment during a single school year due to any of the following:[4]

1. Homelessness.[1][3][7]
2. An adjudication of:[23][24]
  - a. Dependency relating to child protective services and juvenile matters;
  - b. Delinquency, if disclosed by the student's parent/guardian; or
  - c. As part of court-ordered services under a voluntary placement or custody agreement.

A student experiencing foster care may also qualify as a student experiencing educational instability as defined above, if such circumstances apply.[25]

**Enroll or Enrollment** means attending classes and participating fully in school activities.[26]

**Additional costs** means the difference between what the district spends to transport a resident student to the student's assigned school and the cost to transport a child in foster care to the child's school of origin.

**Foster care** means twenty-four (24) hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and pre-adoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the state, tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption or whether there is federal matching of any payments that are made.[25]

**Homeless children and youths** means individuals who lack a fixed, regular and adequate nighttime residence, and includes:[26]

1. Children and youths who are:

- a. Sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
  - b. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
  - c. Living in emergency, transitional or domestic violence shelters; or
  - d. Abandoned in hospitals;
2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
  3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings;
  4. Migratory children who qualify as homeless because they are living in circumstances described above; and
  5. School-aged parents living in houses for school-aged parents if they have no other available living accommodations.

**School of origin** is the school in which the student experiencing educational instability was last enrolled.

- The school of origin for a *homeless child or youth* - the last school in which the homeless child or youth was enrolled when permanently housed or the school in which the homeless child or youth was last enrolled, including preschool.[27]
- The school of origin for a *child in foster care* - the school in which a child is enrolled at the time of placement in foster care. If a child's foster care placement changes, the school of origin is the school the child is attending immediately prior to each change in placement.[8]
- When the homeless child or youth, or child in foster care, completes the final grade level served by the school of origin, the school of origin shall become the designated receiving school at the next grade level for all feeder schools.

**Unaccompanied youth** means a homeless child or youth not in the physical custody of a parent or guardian. This includes youth who have run away from home; been abandoned or forced out of home by a parent, guardian or other caretaker; or separated from a parent or guardian for any other reason.[26]

### **Delegation of Responsibility**

The Board designates the Superintendent or designee to serve as the district's point of contact for students experiencing educational instability.[4][5][27]

The name and contact information of the district's point of contact shall be included in the student's education records and provided to the student's education decision maker.[4]

The district's point of contact shall ensure outreach and coordination with the following, as appropriate to each individual student's needs:[4][5][27]

1. Local children and youth agency to:
  - a. Establish formal mechanisms to ensure that the district is promptly notified when a child enters foster care or changes foster care placements;
  - b. Develop a protocol on how to make best interest determinations; and
  - c. Develop and coordinate transportation procedures.
2. Other local service agencies and entities that provide services to students experiencing educational instability.
3. Other school districts on issues of prompt identification, transfer of records, transportation and other inter-district activities.
4. District staff responsible for the provision of services under Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act.[11][28]
5. State and local housing agencies responsible for comprehensive housing affordability strategies.

The district's point of contact, in consultation with the school counselor, school social worker, home and school visitor or school psychologist and the student's Individualized Education Program (IEP) team or Section 504 Team, shall:[4]

1. Facilitate the student's expedited consultation with the school counselor or other mental health professionals, as appropriate.
2. Facilitate the prompt placement of the student in appropriate courses.
3. Connect the student with educational services that meet the student's specific needs.
4. Immediately request the prior school entity, county agency and the student's education decision maker to provide the complete student information and records, including an IEP or Section 504 service agreement, if applicable. Within ten (10) business days, the prior school entity located within Pennsylvania, including schools with residential placements, shall provide the requested information and records to ensure proper transfer of course credits, grades and an IEP or Section 504 service agreement, if applicable.
5. Develop and execute a graduation plan in collaboration with the student in grades nine (9) through twelve (12). The graduation plan shall be customized to meet the specific needs of the student and shall detail the courses necessary for on-time graduation and transition to postsecondary education or the workforce. The graduation plan shall be included in the student's education records.

#### *Additional Responsibilities to Support Homeless Students -*

The district's point of contact shall ensure that public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents/guardians of homeless children and youths, and unaccompanied youths, including schools, shelters, public libraries and soup kitchens. Such notice shall be provided in a manner and form understandable to the parents/guardians of homeless children and youths, and unaccompanied youths.[27]

The district's point of contact shall provide reliable, valid and comprehensive data to the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness (ECYEH) Program in accordance with federal and state laws and regulations.[27]

### Training

The district's point of contact shall provide professional development and training to school staff on the education needs of students experiencing educational instability.

#### *Additional Training to Support Homeless Students -*

The district's point of contact shall participate in professional development programs and other technical assistance activities offered by the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.[27]

The district's point of contact shall arrange professional development programs for school staff, including office staff.[27]

School personnel providing services to homeless children and youths, including school enrollment staff, shall receive professional development and support to:[27]

1. Improve identification of homeless children and youths and unaccompanied youths;
2. Understand the rights of such children, including requirements for immediate enrollment and transportation; and
3. Heighten the awareness of, and capacity to respond to, the educational needs of such children.

### Guidelines

Students enrolled in this district experiencing educational instability shall be provided support and services, as appropriate to each individual student's needs, in accordance with Board policy.[4]

Minimal documentation shall be required for a student experiencing educational instability to qualify for supports and services. Information used to determine that a student is experiencing educational instability may be confirmed verbally, in writing or by another manner by shelter providers, outreach workers, case managers, juvenile probation officers and others.

Parents/Guardians and students have the authority to determine what information shall be shared with the district.

Information related to the student's educational instability status shall be confidential and disclosed by the point of contact or other administrators only to other school staff who have a legitimate need to know unless authorized by the student or parent/guardian.[29]  
[30]

### Enrollment



Except when an unaccompanied youth or the parents/guardians of a homeless youth request otherwise, it shall be presumed that a student experiencing educational instability shall continue to be enrolled in their school of origin unless it is determined that it is not in the student's best interest to remain in the school of origin.[5][27]

In accordance with the homeless child's or youth's best interest, the district shall continue to enroll a homeless student in the student's school of origin within the district while the student remains homeless and through the end of the academic year in which the student obtains permanent housing.[27]

An unaccompanied youth or the parents/guardians of a homeless student may request enrollment in any grade-appropriate school within the district regardless of the district attendance area where the student is actually living or a school of origin in another district.[27]

The district's point of contact shall assist an unaccompanied youth in placement or enrollment decisions, giving priority to the views of the student in determining where the student will be enrolled.[27]

#### *Best Interest Determination -*

The best interest determination shall be made in accordance with federal and state laws and regulations, court orders and established local procedures.

In making a best interest determination, the district shall:[5][27]

1. In the case of a homeless child or unaccompanied youth, give priority to the request of the parent/guardian or unaccompanied youth.
2. Consider student-centered factors related to impact of mobility on achievement, education, appropriateness of the current educational setting, health and safety, and proximity to living arrangements including foster care placement.

The cost of transportation shall not be used as a factor in the best interest determination.

Documentation related to the best interest determination shall be maintained in the student's education record.[29][30]

#### *Timeliness of Enrollment -*

When a school receives a student experiencing educational instability, the school shall immediately enroll the student and begin instruction, even if:[4][5][7][29][30][31][32][33][34][35]

1. The student is unable to produce records normally required for enrollment.[27][31]
2. The application or enrollment deadline has passed.[27][31][32]

The district's point of contact shall immediately contact the school last attended by the student to obtain relevant academic or other records.[27]

The district may require a parent/guardian to submit contact information.

#### *Grade Level Assignment -*



If the district is unable to determine the student's grade level due to missing or incomplete records, the district may administer tests or utilize appropriate means to determine the student's assignment within the school.[36]

### Dispute Resolution

If a dispute involving a student experiencing educational instability arises, the concern shall be addressed and/or resolved at the lowest appropriate level in accordance with Board policy, unless otherwise stated below.[37]

#### *Dispute Resolution for Homeless Students -*

If the district determines that it is not in the student's best interest to attend the school of origin or the school requested by the unaccompanied youth or parent/guardian, the district shall provide the unaccompanied youth or parent/guardian with a written explanation of the reasons for its determination. The explanation shall be in a manner and form understandable to the unaccompanied youth or parent/guardian and shall include information regarding the right to appeal.[27]

If a dispute arises over eligibility, enrollment or school selection:[27]

1. The parent/guardian or unaccompanied youth shall be referred to the district's point of contact, who shall assist in the dispute resolution process.
2. The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals.
3. The district's point of contact shall issue a written decision of the dispute within twenty (20) business days of being notified of the dispute.

A parent/guardian or unaccompanied youth may file a complaint with the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.

#### *Dispute Resolution for Students in Foster Care -*

If a dispute arises over the appropriate school placement for a child in foster care, to the extent feasible and appropriate, the child shall remain in their school of origin, pending resolution of the dispute.[2]

### Education Records

Information about a student's educational instability shall be treated as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA), and shall not be deemed to be directory information.[29][30][38]

The district may disclose personally identifiable information from the education records of a student without written consent of the parent/guardian or the eligible student if the disclosure is:[29][30][38]

1. To comply with a court order authorizing the disclosure of education records in a case where a parent is a party to a proceeding involving child abuse or neglect or a dependency matter.
2. To an agency caseworker or other representative of a state or local child welfare agency, or tribal organization, who has the right to access a student's case plan, as

defined and determined by the state or tribal organization, when such agency or organization is legally responsible, in accordance with state or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the state or tribal laws applicable to protecting the confidentiality of a student's education records.

### Comparable Services

Students experiencing educational instability shall be provided services comparable to those offered to other district students including, but not limited to:[3][27][39]

1. Transportation services.[10]
2. School nutrition programs.[21]
3. Career and technical education.[12]
4. Educational programs for which the student meets the eligibility criteria, such as:
  - a. Services provided under Title I or similar state or local programs.[40]
  - b. Programs for English Learners.[41]
  - c. Programs for students with disabilities.[11]
  - d. Programs for gifted and talented students.[16]
5. Preschool programs.

### *Transportation for Homeless Students -*

The district shall provide transportation for homeless students to their school of origin or the school they choose to attend within the district.[3][10][27]

If the school of origin is outside district boundaries or homeless students live in another district but will attend their school of origin in this district, the school districts shall agree upon a method to apportion the responsibility and costs of the transportation.[27]

### *Transportation for Students in Foster Care -*

The district shall ensure that children in foster care needing transportation to their school of origin promptly receive transportation in a cost-effective manner.[6][10]

To ensure that transportation for children in foster care to their school of origin is provided, arranged, and funded, the district shall collaborate with the local children and youth agency to develop a local transportation plan.[6]

The transportation plan shall address the following:[6]

1. The procedure the district and local children and youth agency will follow to provide transportation for children in foster care in a cost-effective manner and in accordance with applicable law.[8]

2. How transportation costs will be covered if additional costs are incurred. Options include:
  - a. The local children and youth agency agrees to reimburse the district;
  - b. The district agrees to pay for the cost;[6]
  - c. The district and the local children and youth agency agree to share the costs;  
or
  - d. The district of origin, the district of foster residence, and the placing children and youth agency agree to share the costs.
3. Dispute resolution procedures to ensure that any disagreements regarding the cost of transportation are resolved promptly and fairly, and do not impact a student's ability to remain in the school of origin during the dispute resolution process.

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

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

### Course Credit and Graduation

The district shall ensure that each student experiencing educational instability in grades nine (9) through twelve (12) is provided with a graduation plan to facilitate the student's timely graduation. The graduation plan shall specify the courses and other requirements necessary for the student to graduate. The district's efforts to ensure that the student experiencing educational instability graduates in a timely manner may include:[4][5][6]

1. Waiving a specific course required for graduation if similar coursework has been satisfactorily completed in another school entity or the student has demonstrated competency in that content area. Evidence as to whether coursework has been satisfactorily completed and the amount of full or partial credit assigned, may be determined through any of the following:[4][19]
  - a. Competency demonstration, which could include, but is not limited to:
    - i. Submission of an essay, presentation or project.
    - ii. Recognition that the student has already successfully completed a higher-level course, an experiential learning opportunity or internship that demonstrates competence in the content area.
  - b. Performance on an examination.
  - c. Successful completion of a career and technical education course.
  - d. Other evidence or method determined appropriate by the district.
2. If a specific course requirement cannot be waived, the district shall provide an alternative or modified course of study that is currently offered to students and that will assist the student with acquiring the required work or competency requirements by the anticipated graduation date.

3. If, after considering full and partial course credits, waiving courses or providing alternative courses of study, the district determines that the student meets the established graduation requirements, the student shall be allowed to participate in the graduation ceremony and graduate with their peers.

If the student is determined not eligible for graduation, the district may request a high school diploma from the prior school entity. The prior school entity may issue a diploma if the student meets the prior school entity's graduation requirements.

#### *Keystone Diploma –*

In any school year for which demonstration of proficiency on a Keystone exam is required for graduation, a student who has successfully satisfied the graduation requirements may obtain a secondary school diploma known as the Keystone Diploma from the PA Department of Education, if both of the following provisions apply:[4][42]

1. All other graduation options have been exhausted.
2. The student is unable to obtain a diploma from the student's prior or receiving school entity.

The district's point of contact shall assist the student in determining the student's eligibility for a Keystone Diploma and, if eligible, obtaining the Keystone Diploma from the PA Department of Education.[4][42]

#### *Students with Disabilities –*

Students experiencing educational instability who have an IEP shall maintain the right to special education and the right to graduate either through attainment of credits or through the completion of the goals established in their IEP, in accordance with applicable law, regulations, Board policy, administrative regulations and state guidance.[11][19]

#### Legal

1. 22 PA Code 11.18
2. 24 P.S. 1305
3. 24 P.S. 1306
4. 24 P.S. 1331.1
5. 20 U.S.C. 6311
6. 20 U.S.C. 6312
7. 42 U.S.C. 11431 et seq
8. 42 U.S.C. 675
9. Pol. 221
10. Pol. 810
11. Pol. 113
12. Pol. 115
13. Pol. 121
14. Pol. 122
15. Pol. 123

16. Pol. 114
17. Pol. 231
18. Pol. 124
19. Pol. 217
20. Pol. 223
21. Pol. 808
22. Pol. 110
23. 23 Pa. C.S.A. 6301 et seq
24. 42 Pa. C.S.A. 6301 et seq
25. 45 CFR 1355.20
26. 42 U.S.C. 11434a
27. 42 U.S.C. 11432
28. Pol. 103.1
29. Pol. 113.4
30. Pol. 216
31. Pol. 200
32. Pol. 201
33. Pol. 203
34. Pol. 204
35. Pol. 209
36. Pol. 206
37. Pol. 906
38. 20 U.S.C. 1232g
39. Pol. 146
40. Pol. 918
41. Pol. 138
42. 24 P.S. 121
- 20 U.S.C. 6301 et seq
- 22 PA Code 403.1
- 34 CFR Part 99
- 67 Fed. Reg. 10698

PA Education for Homeless Children and Youth State Plan

Basic Education Circular, August 1, 2022: Act 1 of 2022 - Assisting Students Experiencing Education Instability

Ensuring Educational Stability for Foster Care Youth - Transportation Plan Guide

10. 2011  
11. 2011  
12. 2011  
13. 2011  
14. 2011  
15. 2011  
16. 2011  
17. 2011  
18. 2011  
19. 2011  
20. 2011  
21. 2011  
22. 2011  
23. 2011  
24. 2011  
25. 2011  
26. 2011  
27. 2011  
28. 2011  
29. 2011  
30. 2011  
31. 2011  
32. 2011  
33. 2011  
34. 2011  
35. 2011  
36. 2011  
37. 2011  
38. 2011  
39. 2011  
40. 2011  
41. 2011  
42. 2011  
43. 2011  
44. 2011  
45. 2011  
46. 2011  
47. 2011  
48. 2011  
49. 2011  
50. 2011  
51. 2011  
52. 2011  
53. 2011  
54. 2011  
55. 2011  
56. 2011  
57. 2011  
58. 2011  
59. 2011  
60. 2011  
61. 2011  
62. 2011  
63. 2011  
64. 2011  
65. 2011  
66. 2011  
67. 2011  
68. 2011  
69. 2011  
70. 2011  
71. 2011  
72. 2011  
73. 2011  
74. 2011  
75. 2011  
76. 2011  
77. 2011  
78. 2011  
79. 2011  
80. 2011  
81. 2011  
82. 2011  
83. 2011  
84. 2011  
85. 2011  
86. 2011  
87. 2011  
88. 2011  
89. 2011  
90. 2011  
91. 2011  
92. 2011  
93. 2011  
94. 2011  
95. 2011  
96. 2011  
97. 2011  
98. 2011  
99. 2011  
100. 2011

2011-2012

2012-2013

2013-2014

2014-2015

2015-2016

2016-2017

2017-2018

2018-2019

2019-2020

2020-2021

2021-2022

2022-2023

2023-2024

2024-2025

2025-2026

2026-2027

2027-2028

2028-2029

2029-2030

2030-2031

2031-2032

2032-2033

2033-2034

2034-2035

2035-2036

2036-2037

2037-2038

2038-2039

2039-2040

2040-2041

2041-2042

2042-2043

2011-2012  
2012-2013  
2013-2014  
2014-2015  
2015-2016  
2016-2017  
2017-2018  
2018-2019  
2019-2020  
2020-2021  
2021-2022  
2022-2023  
2023-2024  
2024-2025  
2025-2026  
2026-2027  
2027-2028  
2028-2029  
2029-2030  
2030-2031  
2031-2032  
2032-2033  
2033-2034  
2034-2035  
2035-2036  
2036-2037  
2037-2038  
2038-2039  
2039-2040  
2040-2041  
2041-2042  
2042-2043



Book	Policy Manual
Section	200 Pupils
Title	Educational Opportunity for Military Children
Code	254
Status	Policy Committee Review
Last Reviewed	January 26, 2024

### **Purpose**

The Board recognizes the challenges encountered by children of military families due to the frequent moves and deployment of their parents/guardians. The Board is committed to eliminating barriers to student attendance, education and graduation; and to providing additional supports to children of military families in compliance with federal and state laws, regulations and Board policy.

### **Definitions**

**Active duty** – means full-time duty status in the active uniformed services of the United States, including members of the National Guard and reserve on active duty orders.[1][2]

**Children of military families** - means a school-aged child, enrolled in kindergarten through twelfth grade, normally residing in the household of an active duty member. Specifically, this includes children of:[3]

1. Active duty members of the uniformed services.
2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement.
3. Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death.

This does not include the children of:[3]

1. Inactive members of the National Guard and military reserves.
2. Members of the uniformed services now retired, except as otherwise stated in this policy.
3. Veterans of the uniformed services, except as otherwise stated in this policy.



4. Other United States Department of Defense personnel and other federal agency civilian and contract employees not defined as active duty members of the uniformed services.

**State Council** – an entity to coordinate the state’s participation and compliance among its government agencies, school entities and military installations.

**Uniformed services** – means the U.S. armed forces, as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and the Commissioned Corps of the Public Health Service.[4]

**U.S. armed forces** – means the Army, Navy, Air Force, Marine Corps, Coast Guard and Space Force.[4]

### **Authority**

The Board directs the district to comply with the provisions of the Interstate Compact on Educational Opportunity for Military Children (Compact) and this Board policy by:[3][5]

1. Facilitating the timely enrollment of children of military families and ensuring that they are not placed at a disadvantage due to difficulty in the transfer of education records from previous school districts or variations in entrance/age requirements.[6][7][8][9]
2. Facilitating the student placement process through which children of military families are disadvantaged by variations in attendance requirements, scheduling, sequencing, grading, course content or assessment.[10][11][12][13][14][15]
3. Facilitating the qualification and eligibility for enrollment, educational programs and participation in extracurricular, academic, athletic and social activities.[16][17][18]
4. Facilitating the on-time graduation of children of military families.[19]
5. Providing for the promulgation and enforcement of administrative rules implementing the provisions of the Compact.
6. Providing for the uniform collection and sharing of information between and among states, schools and military families under the Compact.
7. Promoting coordination between the Compact and other compacts affecting military children.
8. Promoting flexibility and cooperation between the educational system, parents/guardians and the student in order to achieve educational success for the student.

### **Advance Enrollment**

In addition to the provisions of the Compact, the district shall enroll children of a parent/guardian who is an active duty member of the U.S. armed forces, including a reserve component, that has received official military orders to transfer into or within Pennsylvania, prior to establishing residency in this district.[6][8][20]

The parent/guardian shall provide the following:[6][20][21]



1. A copy of the official military order.
2. Proof of intent to move into this district, which may include:[20]
  - a. A signed contract to buy a home.
  - b. A signed lease agreement.
  - c. A statement from the parent/guardian stating their intent to move into the district.

Within forty-five (45) days after the arrival date specified in the military orders, the parent/guardian shall provide the district with proof of residence in this district.[20]

The Board shall ensure that children of military families have equal access to the same educational programs, activities and services provided to other district students.

### **Delegation of Responsibility**

The Superintendent shall be authorized to waive specific requirements in Board policies, procedures and administrative regulations to the extent that they create barriers for the enrollment, placement and attendance of children of military families.[6][7][8][11][15][16][17][19][22]

The Superintendent or designee shall collaborate with the military family education liaison designated by the State Council, school staff, sending schools, local agencies and other entities in supporting the needs of children of military families.

### **Guidelines**

Children of military families enrolled in this district shall be provided support and services, as appropriate to each individual student's needs, in accordance with the Compact and Board policy.[23][24][25][26][27]

Legal

1. 10 U.S.C. 12301 et seq

2. 10 U.S.C. 12401 et seq

3. 24 P.S. 7302

4. 10 U.S.C. 101

5. 24 P.S. 7301

6. Pol. 200

7. Pol. 201

8. Pol. 202

9. Pol. 216

10. Pol. 127

11. Pol. 204

12. Pol. 206

13. Pol. 212

14. Pol. 215

15. Pol. 201.1

16. Pol. 122

17. Pol. 123

18. Pol. 231

19. Pol. 217

20. 24 P.S. 1302.1

21. 24 P.S. 1302

22. Pol. 203

23. Pol. 103.1

24. Pol. 113

25. Pol. 114

26. Pol. 138

27. Pol. 918

Pol. 113.4

Pol. 115

Pol. 146

Pol. 209

Interstate Compact on Educational Opportunity for Military Children (MIC3)

254-Attach.docx (14 KB)