

**Central Pennsylvania Digital Learning Foundation Charter School**  
**[www.cpdf.org](http://www.cpdf.org)**

**Board of Trustees Policy**

**NALOXONE POLICY - M15**

**I. PURPOSE**

The Board of Trustees ("Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes that the Commonwealth of Pennsylvania has suffered an alarming increase in overdose rates since 2012, most attributable to prescription opioids. See TRUST FOR AMERICA'S HEALTH, Pennsylvania State Report (2013), *available at* <http://healthyamericans.org/reports/drugabuse2013/release.php?stateid=PA>. In response to the ongoing problem, Act 139 of 2014 ("the Act"), as well as guidance from the Governor of Pennsylvania and the Pennsylvania Departments of Health, Education, State and Drug and Alcohol Programs have provided authority for individuals administering Naloxone (also commonly known as Narcan or Evzio).

This includes a partnership to provide all public Pennsylvania high schools with two free doses of Narcan (Naloxone Hydrochloride) Nasal Spray. The Charter School will store Naloxone in the Principal's office and provide personnel who possess the education and knowledge to administer Naloxone. Accordingly, the Board adopts this Policy as a necessary source of guidance for families, employees, and others regarding the use and administration of Naloxone at the Charter School.

**II. BACKGROUND**

Act 139 of 2014 permits an individual in a position to assist a person at risk of opioid overdose to obtain and administer Naloxone. Naloxone is a medication that can reverse an overdose that is caused by an opioid drug. When administered during an overdose, Naloxone blocks the effects of opioids on the brain and respiratory system in order to prevent death. It is a medication that can minimize and/or reverse the effects of an overdose caused by opioid drug use. Naloxone has no known potential for abuse and is a non-narcotic and non-addicting prescription drug.

The Act authorizes medical professionals who have prescription authority to prescribe and dispense Naloxone to "a person at risk of experiencing an opioid-related overdose

or family member, friend or other person in a position to assist a person at risk of experiencing an opioid-related overdose.” The Act also provides for immunity from civil, criminal or professional licensure liability for prescribing medical professionals and for a “person” involved in administering Naloxone when that “person” acts in good faith and with reasonable care. The definition of a “person” in the Controlled Substance, Drug, Device, and Cosmetic Act can be read to conclude that public school entities are within the authority and protections given by Act 139.

### **III. GUIDELINES FOR ADMINISTRATION**

A Pennsylvania Department of Drug and Alcohol Programs Naloxone Fact Sheet shall be displayed in a conspicuous location in the waiting area.. A current version is available in the below link:

[www.ddap.pa.gov/overdose/Documents/Naloxone/Naloxone Fact Sheet.pdf](http://www.ddap.pa.gov/overdose/Documents/Naloxone/Naloxone%20Fact%20Sheet.pdf)

Permission to carry and administer Naloxone on school property shall be limited to Charter School Licensed Health Care Professionals. Charter School Licensed Health Care Professionals employed shall complete a Pennsylvania Department of Health approved Naloxone training prior to carrying and/or administering Naloxone. This training shall be repeated every three years.

The Charter School shall request a standing prescription and/or review and update any standing prescription from a licensed physician that allows the Charter School to obtain Naloxone and to replace the medication upon use or in advance of expiration. At all times, the Charter School Licensed Health Care Professionals and Safety Officers will be responsible for supervising building-level administration of Naloxone, including appropriately securing and storing Naloxone, and inventorying and recording all Naloxone in the Charter School’s possession.

Naloxone shall only be administered when there is a reasonable belief that an individual is suffering from an opioid-related overdose. Any administration of Naloxone must be done in good faith and be consistent with Pennsylvania Department of Health training and the manufacturer instructions. As soon as possible after administration of Naloxone, the Charter School Licensed Health Care Professional and/or Safety Officer should contact 911.

Administration of Naloxone shall not be required in circumstances of unavailability of Naloxone, unavailability of a qualified Naloxone administrator, and/or uncertainty as to whether an opioid overdose is occurring, among other reasons. This policy shall not create a duty on the part of the Charter School and/or its personnel to administer Naloxone.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

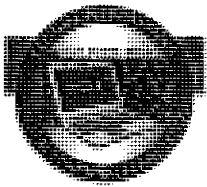
ADOPTED this   9   day of  November , 2017

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

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- Board Policy Binder
  - Board Policy Shared Drive Folder
  - CPDLF Website

**Attachment 85**  
**Policies – Operations**



**Board of Trustees Policy - OP01**  
**BONDING**

The Board of Trustees ("Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes the need for protecting its assets. Prudent trusteeship of the resources of the Charter School dictates that employees responsible for the safekeeping of school funds be bonded. Enumeration and valuations of such bonds shall be determined annually.

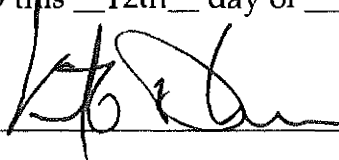
The Charter School shall be indemnified against loss of money by bonding of the Board Treasurer and Secretary in the amount of \$100,000.00.

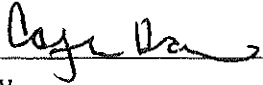
All other employees, including the Chief Executive Officer, Business Manager and Finance Secretary, shall be covered under a blanket bond in the amount of \$100,000.00.

The Charter School shall bear the cost of bonding each employee required to be bonded by this policy or by statute.

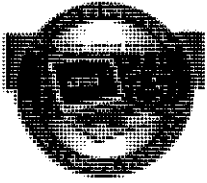
**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this 12th day of May, 2016

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

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**Board of Trustees Policy - OP02**  
**COPYRIGHT MATERIALS**

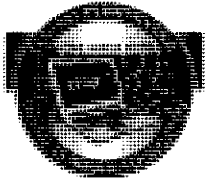
The Board of Trustees ("Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes that applicable laws make it illegal for anyone to duplicate copyrighted materials without permission. The Board further acknowledges that severe penalties are provided for unauthorized copying of audio, visual, or printed materials unless the copying falls within the bounds of the "fair use" doctrine.

Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship, or research. In determining whether the use of a work is a "fair use," factors to be considered shall include, without limitation:

- a) The Purpose and Character of the Use. The use must be for such purposes as teaching or scholarship and must not be of a commercial nature.
- b) The Nature of the Copyrighted Work. Staff may make *single* copies of: book chapters for use in research, instruction or preparation for teaching; articles from periodicals or newspapers; short stories, essays or poems; and charts, graphs, diagrams, drawings, cartoons or pictures from books, periodicals or newspapers.
- c) The Amount and Substantiality of the Portion Used in Relation to the Copyrighted Work as a Whole. Copying the whole of a work cannot be considered fair use.
- d) The Effect of Use Upon The Potential Market For Or Value of The Copyrighted Work. If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials may be an infringement, and making multiple copies presents the danger of greater penalties.

Staff may make copies of copyrighted Charter School materials that fall within established administrative guidelines. Where there is reason to believe the material to be copied does not fall within the administrative guidelines, prior permission shall be obtained from the Chief Executive Officer.

Staff members who fail to follow this policy may be held personally liable for copyright infringement.



**Board of Trustees Policy - OP02**  
**COPYRIGHT MATERIALS**

Administration and staff shall be responsible for instructing students in fair copyright practices and academic integrity, including guidance on citing resources appropriately.

It is the policy of the Charter School that all professional materials produced by employees, in execution of official duties, shall be protected by copyright. The copyright shall be in the name of Charter School.

All questions and requests regarding the implementation of this policy are to be referred to the President of the Board of Trustees.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this 12th day of May, 2016

  
\_\_\_\_\_  
President

  
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Secretary

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Central Pennsylvania Digital Learning Foundation Charter School  
[www.cpdf.org](http://www.cpdf.org)

**Board of Trustees Policy**

**INTERNET SECURITY/FIREWALL POLICY – OP5**

With the recent onset of technological advancements, server security has become vulnerable to numerous threats throughout the web environment. Therefore, the Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) recognizes that it is of the utmost importance to ensure that Charter School’s internet server is secure. With this in mind, Charter School has developed the following policy to provide direction in implementing internet server and network security measures.

**Definitions**

**Firewall:** Any hardware and/or software designed to examine network traffic using policy statements (rulesets) to block unauthorized access while permitting authorized communications to or from a network or electronic equipment.

**Firewall Configuration:** The system settings affecting the operation of a firewall appliance.

**Firewall Ruleset:** A set of policy statements or instructions used by a firewall to filter network traffic.

**Host:** Any computer connected to a network.

**Host Firewall:** A firewall application that addresses a separate and distinct host. Examples include, but are not limited to: Symantec’s Norton Personal Firewall, Zone Labs’ ZoneAlarm, native firewall functionality supplied under operating systems, e.g. Mac OS X, Linux, Windows XP.

**Least privilege:** This principle means that each individual will have access only to systems and information that he or she *needs* access to for a school-related purpose. Primarily, this principle limits the damage that can result from an accident or error.

**Legally/Contractually Restricted Information:** Information that is required to be protected by applicable law or statute (e.g., FERPA, HIPPA) or which, if disclosed to the public, could expose Charter School to legal or financial



obligations. Examples include, but are not limited to, occurrences of personally-identifiable information, e.g. social security numbers ("SSNs"), personnel records, student records, medical records, names in connection with SSNs, and credit card numbers.

**Network Device:** Any physical equipment attached to the Charter School network designed to view, cause, or facilitate the flow of traffic within a network. Examples include, but are not limited to: routers, switches, hubs, and wireless access points.

**Network Firewall:** A firewall appliance attached to a network for the purpose of controlling traffic flows to and from single or multiple hosts or subnets.

**Public Information:** Information that is available to all members of the Charter School community and may be released to the general public. Charter School reserves the right to control the content and format of Public Information. This information is not restricted by charter school, state, federal or international statute or law regarding disclosure or use.

**Technology Resources:** Technologies, devices and resources used to access, store or communicate information. This definition includes, but is not limited to: computers, information systems, networks, laptops, iPads, modems, printers, scanners, fax machines and transmissions, telephonic equipment, audio-visual equipment, digital cameras, wireless reading devices, i.e. Kindles and Nooks, Internet, electronic mail, electronic communications devices and services, multi-media resources, hardware and software, including Moodle software.

**User:** Any person who has signed Charter School's Acceptable Use and Internet Safety Policy and is permitted by Charter School to utilize any portion of Charter School's Technology Resources including, but not limited to, students, employees, contractors, consultants, vendors, and agents of Charter School.

### **Use of Technology**

Network accounts will be used only by the authorized User of the account for its authorized purpose. The principle of least privilege applies, so Users should only have the privileges they need to perform their assigned tasks -- and no more. All communications and information accessible via the network should be assumed to be the property of Charter School and shall not be disclosed. Charter School reserves the right to review all communication on Charter School's Technology Resources. Users shall respect the privacy of the other Users on the system.

The Users of Technology Resources at Charter School agree that they have the responsibility to act in an ethical and legal manner in accordance with all Charter School policies, including, but not limited to, Charter School's Acceptable Use and Internet

Safety Policy, CIPA Policy, and FERPA Policy, along with all applicable federal and state laws.

### **Security/Firewalls**

Network servers are extremely important for the existence of Charter School. Servers are essential because they store confidential information, valuable resources, e-mails, and other resources of the Charter School community. Once a server is compromised, it may be very difficult to retrieve important documents and files.

Therefore, all important data must be backed-up and Charter School's network must be protected from infiltration by subscribing to network security. A firewall can act as a powerful weapon to detect hacking attempts and notify Charter School of any impending threat.

A firewall is an appliance (a combination of hardware and software) or an application (software) designed to control the flow of Internet Protocol (IP) traffic to or from a network or electronic equipment. Firewalls are used to examine network traffic and enforce policies based on instructions contained within the Firewall's Ruleset. Firewalls represent one component of a strategy to combat malicious activities and assaults on computing resources and network-accessible information. Other components include, but are not limited to, antivirus software, intrusion detection software, patch management, strong passwords/passphrases, and spyware detection utilities.

Firewalls are typically categorized as either "Network" or "Host." A Network Firewall is most often an appliance attached to a network for the purpose of controlling access to single or multiple hosts, or subnets. A Host Firewall is most often an application that addresses an individual host (e.g., personal computer) separately. Both types of firewalls (Network and Host) can be and often are used jointly.

#### **Requirements:**

- A Network Firewall is required in all instances where Legally/Contractually Restricted Information is stored or processed.
- A Host Firewall is required in all instances where Legally/Contractually Restricted Information is stored or processed and the operating environment supports the implementation.
- Both the Network and Host Firewalls afford protection to the same operating environment, and the redundancy of controls (two separate and distinct firewalls) provides additional security in the event of a compromise or failure.
- All maintenance of Network Firewall Rulesets must be performed by the [designated Charter School administrator], unless permitted by a documented agreement between Charter School and the school, vendor,

consultant, and/or contractor assuming the Firewall Administrator's responsibilities.

- Where equipment is used to capture, process or store data identified as Legally/Contractually Restricted Information and the equipment is accessible via an Internet connection, a Host Firewall appropriately installed, configured and maintained is required where the operating environment supports that installation. The maintenance of the Host Firewall's Configuration and Ruleset is the responsibility of that system's administrator.

Where equipment is used to capture, process or store data identified as internal or public and the equipment is accessible via an Internet connection, a Host and/or Network Firewall is recommended.

Use of a Host Firewall is recommended for any individual Host with access to the Internet; its maintenance is the responsibility of the individual user or designated support personnel.

Procedures:

1. All Network Firewalls installed and implemented must conform to the current standards as determined by Charter School. Unauthorized or non-standard equipment is subject to immediate removal, confiscation, and/or termination of network connectivity without notice.
2. All Firewall implementations must adopt the position of "least privilege" and deny all inbound traffic by default.
3. Firewalls must be installed within production environments where Legally/Contractually Restricted Information is captured, processed, or stored, to help achieve functional separation between web-servers, application servers, and database servers.
4. Firewalls require periodic review to ensure they afford the required levels of protection.
5. Firewall Rulesets and Configurations must be backed up frequently to alternate storage (not on the same device). Multiple generations must be captured and retained in order to preserve the integrity of the data, should restoration be required. Access to rulesets and configurations and backup media must be restricted to those responsible for administration and review.
6. Network Firewall administration logs (showing administrative activities) and event logs (showing traffic activity) are to be reviewed by the Chief

Executive Officer ("CEO") or his/her designee. Appropriate access to logs and copies is permitted to those responsible for Firewall and/or system maintenance, support and review.

### **Third Party Access**

Third Party Access is defined as granting technology resource data access to an individual who is not an employee of Charter School.

Examples of Third Party Access include, but are not limited to:

1. Software vendor who is providing technical support;
2. Contractor or consultant;
3. Service provider; and
4. An individual providing outsources services to Charter School requiring access to applications or data.

Third Party Access is only to be provided after the Third Party has signed a Non-Disclosure Agreement and Charter School's Acceptable Use and Internet Policy, which must be included in their formal contract with Charter School. Charter School students and staff may never permit another individual to utilize their user name to access Charter School's network.

The CEO or his/her designee may develop additional procedures, as needed, to implement this Policy.

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ADOPTED this   9   day of   July  , 2016

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President

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Secretary

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**Board of Trustees Policy - OP08**  
**OTHER INSURANCE**

Proper school operation requires that adequate basic insurance programs be provided for the protection of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School"), its employees and Board of Trustees ("Board").

The Board has the authority and responsibility to provide adequate insurance coverage to protect the Charter School's interests. Such coverage shall be in accordance with the guidelines listed within this policy.

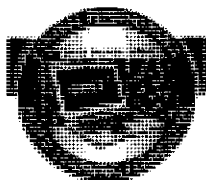
Liability Insurance for the Charter School, including but not limited to policies of General Liability, Educators' Legal Liability, Directors and Officers and Workers Compensation, shall include coverage for liability, but not limited to claims as a result of general liability, acts of employees within the scope of their employment, including sexual abuse, educator's liability, corporal punishment, disputes with contractors, landlord and tenant difficulties, problems concerning garage helpers, and errors and omissions of the Board and administrators.

Travel Accident Insurance shall include coverage for Board Members while in the performance of their duties.

Health Care Insurance shall include coverage for hospital care for administrators and regularly employed persons, medical-surgical treatment for administrators and regularly employed persons, and major medical expenses for administrators and regularly employed persons.

Group Life Insurance shall include coverage for administrators and regularly employed persons.

In placing insurance, the Board shall be guided by the service of the insurance agent and carrier, scope of coverage provided by policy, price of desired coverage, recommendations by PSBA Insurance Trust, or similar organization and assurance of coverage.

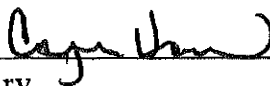


**Board of Trustees Policy - OP08**  
**OTHER INSURANCE**

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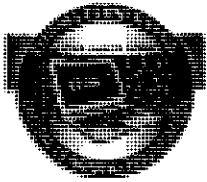
ADOPTED this   12th   day of   May  , 2016

  
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President

  
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Secretary

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**Board of Trustees Policy - OP09**  
**PROPERTY INSURANCE**

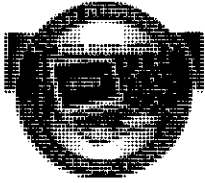
The Board of Trustees ("Board") recognizes its responsibility under law to insure the real and personal property of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School"), and has adopted this policy to ensure for Actual Cost Value and Replacement Cost.

The Board has the authority and responsibility to provide adequate insurance coverage to protect the Charter School's interest in its buildings and properties.

Such coverage shall be in accordance with the following guidelines.

- (a) Basic Fire Coverage shall include damage as a result of fire and lightning, windstorm and hail, explosion, sonic boom, vandalism and malicious mischief, riot and civil commotion, direct aircraft and vehicle damage, smoke, debris removal and sprinkler leakage.
- (b) Board Perils Coverage shall include, in addition to the above, damage as a result of falling objects, weight of ice, snow, and sleet, collapse of building, freezing of pipes, water damage, sprinkler leakage, glass breakage, theft of part of building, and debris removal.
- (c) All Risk Coverage shall include, in addition to the above, all risk of direct physical damage of loss, debris removal and boiler and machinery insurance.
- (d) In placing insurance, the Board shall be guided by service of the insurance agent, scope of coverage provided by policy, price of desired coverage and recommendations of the PSBA Insurance Trust, or similar association.





**Board of Trustees Policy - OP09**  
**PROPERTY INSURANCE**

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ADOPTED this   12th   day of   May  , 2016

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President

\_\_\_\_\_  
Secretary

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Central Pennsylvania Digital Learning Foundation Charter School  
www.cpdf.org

Board of Trustees Policy

REMOTE ACCESS AND MONITORING  
OF SCHOOL-ISSUED TECHNOLOGY – OP10

The Board of Trustees (“Board”) of the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) recognizes the need to establish regulations for school-issued Technology Resources consistent with the educational mission of the Charter School.

**Definitions**

**Technology Resources** means technologies, devices and resources used to access, store or communicate information, as issued by the Charter School to Charter School students for use in connection with the Charter School academic program. This definition includes, but is not limited to: computers, laptops, iPads, modems, printers, scanners, fax machines and transmissions, telephonic equipment, audio-visual equipment, digital cameras, e-readers, i.e. Kindles and Nooks, Internet, electronic mail, electronic communications devices and services, multi-media resources, hardware and software, including the Moodle software (abbreviation for “Modular Object-Oriented Dynamic Learning Environment”).

**Remote Access of Technology Resources** means a situation where a Charter School employee or agent, using client management software, accesses a Technology Resource in the student’s possession. Software maintenance, which will download software and configuration changes automatically when a student connects to the Charter School Network with the Technology Resource, does not constitute remote access of the Technology Resource. Remote access of Technology Resources does not include voluntary participation by the student or other User in web conferences, chat rooms or other web-based activities not required as part of the Charter School’s academic program.

**Software maintenance** means any software or configuration changes sent out to all Technology Resources even if it only affects certain Technology Resources that are necessary for the maintenance and security of the Charter School’s Technology Resources and to ensure that only authorized software is installed on the Technology Resources.

## Repair and Maintenance of Technology Resources

Technology Resources are the property of the Charter School. Students are responsible for the appropriate use of Technology Resources whether in the Charter School facility or if used in the student's home in accordance with Charter School policies. If Technology Resources are in need of repair, service or other maintenance, students are to report it to Technology Department. Students should not attempt to repair or service any Technology Resources. Vandalism to any Technology Resource or any of their accessories is strictly prohibited by the Charter School Student Code of Conduct.

## Remote Access

Certain Technology Resources may be equipped with the ability to be accessed remotely in the following two scenarios:

1. Technical Problems. In some instances it may be necessary for Charter School to access the Technology Resource remotely to resolve a technical problem. If this is needed, the student will be asked for permission. If permission for remote access is given, a permanent record of the approval will be logged along with the time, date and duration of the access. Charter School will only implement remote access software that automatically creates a record of its activation. If the student does not wish to have the technical problem resolved remotely the student may decline the request for remote access. However, a student does not need to be asked for permission prior to remote software maintenance as defined above. Software maintenance may involve the correction of altered code or programming and in some cases may remove files from the Technology Resource if the files are deemed to be a threat to the operation or security of the Network or are stored in unauthorized software.
2. A Technology Resource Reported Missing or Stolen. If the student or parent/guardian believes the Technology Resource is missing or stolen, a written report of the incident must be filled out by the student and parent/guardian and filed with the Technology Department. Once the report is filed, the Charter School may initiate the following procedures for reporting Technology Resources missing or stolen which provide as follows:
  - i. Activate Internet Protocol tracking may be used with parent/guardian and student consent for the sole purpose of retrieving the equipment.
  - ii. At no time will the Technology Resource's camera be activated remotely nor will screen shots, audio, video or on-screen text be remotely monitored.

NOTE: The Board of Trustees may from time to time approve other tracking technologies; however, no tracking technology will be used unless its function and capabilities have first been explained to the parent/guardian and student.

### **Review of Student Records**

The Charter School's Student Information System permits only authorized Charter School users to remotely access student records and various remote levels of access are permitted depending on the reason for review and level of authority of authorized user, in accordance with applicable state and federal law.

### **Review of Student Files**

At no time will any Charter School employee, other than as stated above, review a student's files stored on the Technology Resource, except as follows:

- After the Student Technology Resource has been returned for reason of end of school year, disenrollment or for a replacement Technology Resource because of a defective Technology Resource.
- If the Charter School has a reasonable suspicion that a student is violating applicable state or federal laws, Charter School Code of Conduct and/or Charter School rules or policies, authorized Charter School administrators may remotely access and/or take custody of the Technology Resource and review student files. "Reasonable suspicion" means reasonable grounds exist that the search will uncover evidence that the student has violated state or federal law, Charter School Code of Conduct, or Charter School rules or policies. The scope of the search must be reasonably related to the violation that justified the search.
- Where a Technology Resource is reported missing or suspected stolen, pursuant to a written and signed consent form that clearly and conspicuously sets forth the ability of the Charter School to access or review student files. Parents/guardians and student must be informed in writing that the failure to sign the consent form or to otherwise cooperate with the Charter School or an investigating law enforcement agency in connection with the retrieval of the Technology Resource may subject the parents/guardians and/or student to the cost of the full replacement value of the Technology Resource.
- Teachers and other Charter School personnel may provide assistance to students in locating student files in the presence of and at the request of the student.

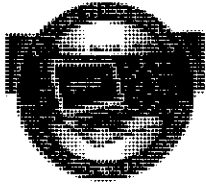
TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

ADOPTED this 9 day of June, 2016

*Royce Am Boyd*

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President

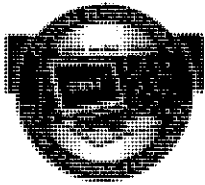
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Secretary



**Board of Trustees Policy - OP11**  
**RESPONSE AS NON-PARTY TO SUBPOENA, CUSTODY  
AND/OR PROTECTION FROM ABUSE ORDERS**

In situations when the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") is not party to a legal proceeding but the Charter School's records custodian or other employee is served with a subpoena to testify and/or produce confidential student records at an administrative, civil or criminal proceeding and/or is requested to comply with a custody and/or protection from abuse order, the Charter School's Board of Trustees ("Board") sets forth the following guidelines:

- 1) The Charter School records custodian/employee served with any such subpoena or order shall immediately notify the Chief Executive Officer ("CEO") of service of same and in turn, the CEO shall immediately provide legal counsel with a copy of the document at issue in order to enable the Charter School to comply or to object in a timely manner.
- 2) No student records shall be disclosed by the Charter School nor shall testimony be given without review by legal counsel of the subpoena and/or court order to determine if proper service has been accomplished and that steps have been taken to comply with the Family Educational Rights and Privacy Act ("FERPA"), which provides certain protections to confidential student information.
- 3) Legal counsel must determine if the subpoena or court order seeks information or testimony unrelated to the proceeding, in order to file a motion to quash or modify, or in the case of testimony, to submit written objections. If counsel determines that there are concerns about whether any/all of the student records should be disclosed, a motion for a protective order may be filed asking the judge to review the records to determine the extent and/or terms of disclosure. Lastly, counsel may advise compliance, but pursuant to FERPA, the Charter School shall first make a reasonable effort to notify the parents/guardians of the student at issue or the student, if eighteen years or older, to obtain written permission to release student records and/or to testify to contents of student records and/or confidential information known by Charter School employee. FERPA also requires the Charter School to keep a record of any student records which it discloses.



**Board of Trustees Policy - OP11**  
**RESPONSE AS NON-PARTY TO SUBPOENA, CUSTODY  
AND/OR PROTECTION FROM ABUSE ORDERS**

- 4) Generally, the Charter School will be responsible for those student records for which it has "possession, custody or control." "Possession" means actual physical possession and "custody and control" means that the employee served has the right to obtain the records upon request.
- 5) No confidential student records shall be released in advance of the proceeding unless the parents/guardians or student consent to such disclosure as FERPA requires that such persons shall have the opportunity to first object to such disclosure.
- 6) Any references to a student in the records at issue, who is unrelated to the subject of the subpoena, shall be redacted before records are produced in compliance with the subpoena.
- 7) In the case of a court order setting forth terms of custody and/or protection from abuse, the Charter School shall only abide by the terms of the document, if it is signed by a judge and no other conflicting order is already in the student file. In case of conflict, the Charter School shall abide by the court signed order with the most current date.
- 8) In the absence of an officially signed court order, the Charter School shall assume that both parents have legal custody until/unless either parent presents the Charter School with an order revoking or modifying physical and/or legal custody or a protection from abuse order.
- 9) In the event that the Charter School is presented with a valid protection from abuse order or order terminating legal custody related to a Charter School student, the Charter School may notify the police in the event that Charter School employees are contacted by the subject of the order regarding the student or in the event the parent/guardian who is the subject of a protection from abuse order comes to and/or on the Charter School facility/grounds.
- 10) The Parent/Student Handbook shall contain a provision which advises parents/guardians that it is the policy of the Charter School not to accommodate parental requests related to custody/domestic matters absent a validly issued, signed and dated court order or subpoena.



**Board of Trustees Policy - OP11**  
**RESPONSE AS NON-PARTY TO SUBPOENA, CUSTODY  
AND/OR PROTECTION FROM ABUSE ORDERS**

- 11) A Charter School may not require a custody order or agreement as a condition of enrollment in any circumstances other than:
- If the parent enrolling the child is relying on a court order or custody agreement as the basis for enrolling the child; or
  - If the resident is seeking to enroll the child under 24 P.S. §1302(a)(1), which requires "appropriate legal documentation to show dependency or guardianship." However, such order or agreement cannot be required if a "sworn statement", as set forth in this section of the PA Public School Code is completed and provided to the Charter School.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this   12th   day of   May  , 2016

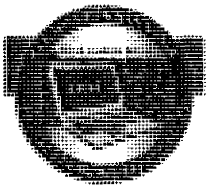
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

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**Board of Trustees Policy - OP12**  
**SCHOOL CALENDAR**

The Board of Trustees ("Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes that the preparation of a calendar is necessary for the efficient operation of Charter School.

The Board shall determine annually the days and the hours when the Charter School shall be in session for instructional purposes in accordance with State law. Such school calendar shall normally consist of 180 days for students unless the Charter School's Charter provides for more than the minimum 180 days.

The Chief Executive Officer shall prepare a school calendar for Board consideration, annually.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this 12th day of May, 2016

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

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**Attachment 86**  
**Policies – Property**



**Board of Trustees Policy - P01**  
**ASBESTOS**

The Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") must comply with the requirements set forth in the Asbestos Hazard Emergency Response Act (AHERA) (15 U.S.C. sec.s 2641-2656) and the Asbestos-Containing Materials in Schools Regulations (40 C.F.R. Part 763). Compliance with AHERA and the Regulations is mandatory and enforceable by law. Schools that fail to comply with the regulations may be subject to civil or criminal liability, or an injunction. This includes the Annual Notification set forth below.

Employees and building occupants, or their parents, must be informed at least once per year of the inspections, response actions, and post-response action activities taking place in a Charter School building. In addition, parents, teachers and employee organizations must be notified in writing that the management plan is available for inspection in the administrative office of the Charter School. The management plan should contain a description of the steps taken to notify appropriate groups, as well as a copy of the written notice utilized to notify them.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this 12th day of May, 2016

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

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# Central Pennsylvania Digital Learning Foundation Charter School

[www.cpdf.org](http://www.cpdf.org)

## Board of Trustees Policy

### DIGITAL CAMERA POLICY – P02

The Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) believes in the development of student learning through the use of technology and aims to implement technological enhancements to the instructional program for Charter School students. In furtherance of this goal, the Board of Trustees has approved student and staff usage of digital cameras and directs that students and staff abide by the following policy regarding their use.

Digital cameras allow instant capture of images that can be distributed via the Internet, intranet, email and in print form. It is expected that an individual’s privacy be respected at all times. Images of members of the Charter School community taken with the Charter School digital cameras distributed to students and staff shall not be distributed in any medium or digitally manipulated without the express permission of the subject.

The authorized use of images is limited to activities that support the educational goals of the Charter School. All digital cameras and their parts, photographs, stored content, and applications made available to students and staff are considered the property of the Charter School. All staff and students entrusted with digital cameras and their parts and applications must adhere to administrative procedures regarding the use, maintenance, storage and return of digital cameras and their content, parts and applications. No material shall be purchased, used, stored, retrieved, downloaded and/or maintained on or for digital cameras and no attempt shall be made to do so without the prior express consent of the Chief Executive Officer (“CEO”) or his/her designee.

All digital cameras and their content, parts, photographs and applications shall be maintained and used in accordance with manufacturer recommended specifications, administrative procedures and any applicable federal and state laws and regulations.

The Board of Trustees charges each student and staff member entrusted with or in possession of a digital camera for any period of time with responsibility for the proper care, maintenance and use of the camera and any and all related applications, content and parts thereof.

Digital cameras shall not be used for purposes other than school-related assignments or activities. Digital cameras may not be lent to any other person for any reason. Students and staff may not invade another person's privacy by taking unwanted or inappropriate photographs. In addition, photographs taken with the Charter School camera may not be published without written approval from the subject and the teacher for whose class assignment the camera was being used.

Filming or taking pictures on school property during school hours must be under the direction of a Charter School employee. At no time will any filming or pictures be taken on school buses or in any restroom, locker room, or other dressing areas.

The taking or sharing of obscene, pornographic, lewd, illegal, or otherwise inappropriate images or photographs will not be tolerated. Any violation of this provision will be immediately referred to law enforcement. The CEO and/or the Board of Trustees may report to the appropriate authorities any student whose damage or reckless or inappropriate use of a digital camera or its content or related applications or parts has violated applicable state and/or federal laws and/or regulations.

The Charter School shall not be responsible for any unauthorized usage or attempted unauthorized usage of the digital camera and/or its content, pictures, applications and/or parts. Students and staff are responsible for any and all loss or damage in connection with the digital camera and its content applications and/or parts. Students and staff may be required to reimburse the Charter School for any associated damages, fines or losses. The Charter School is not responsible for any claims, demands, damages or awards sought against students or staff in connection with their use or attempted use of digital cameras and/or their applications, content or parts.

Staff and student users of digital cameras are responsible for performing their own data backups. The Charter School is not responsible for any files left on any digital camera or for loss of, or damage to, a user's files during the time the digital camera is in possession of the students and/or staff.

All digital cameras are covered under the digital camera manufacturer's limited warranty. Damage not covered by the manufacturer's warranty or by the Charter School includes:

- a. Accidents;
  - b. Unreasonable use, abuse, neglect and alterations;
  - c. Improper service, improper installation and improper connections with peripherals;
  - d. Any service or repair provided outside the scope of the limited warranty;
- and

- e. Damage to or loss of any programs, data, or removable storage media, whether it occurs during warranty repair or other repair service.

Any attempts to dismantle or repair the digital camera oneself will invalidate the manufacturer's warranty and may result in fines. The manufacturer will repair or replace the digital cameras if they fail to function properly during the warranty period. Therefore, students and staff shall immediately notify the Charter School of any damage to or problems with the digital cameras.

Students and staff shall comply with the Charter School's Acceptable Use and Internet Safety Policy, CIPA Policy and all other administrative policies and procedures as well as adhere to state and federal copyright laws and regulations regarding the use and possession of digital cameras and their applications and parts as well as any content or pictures stored, shared or attempted to be stored or shared on the cameras.

Digital cameras shall be used for school purposes only as expressly authorized by the CEO and in the manner and scope as directed by the CEO. Failure to adhere to reasonable administrative procedures, directions and guidelines regarding digital cameras may result in any or a combination of the following consequences: The Charter School's confiscation of the digital camera, however, if allegations of pornographic images of minors is made then neither Charter School Administration nor Staff shall view any of the images but rather shall immediately secure camera in locked area and only release camera to law enforcement who shall be promptly called to the School; reports to appropriate authorities; consequences under the Charter School's Student Code of Conduct (up to and including suspension and/or referral to the Board of Trustees for expulsion depending upon the severity of the incident); consequences under the Charter School's employee handbook (up to and including warnings, suspension and/or termination of employment depending upon the severity of the incident); and/or the imposition of fines and/or damages as may be deemed appropriate by the CEO and/or Board of Trustees and allowed by applicable federal and state laws and regulations.

The CEO shall develop procedures to implement this policy which shall include: (1) Rules for the safekeeping and accounting of digital cameras; (2) Preparation of a schedule of fines for lost or damaged digital cameras; (3) A report to the Board of Trustees on the occurrence of an incidence of vandalism and/or damage to digital cameras which report shall include the number and kind of incident, the cost of vandalism or loss to the Charter School, and related facts as the CEO deems appropriate. If the digital camera is lost or stolen, the authorized user of that camera must file a written claim to the Charter School within twenty-four (24) hours and give notice to the appropriate local authorities.

All digital cameras and their parts and applications shall be inventoried and inspected for functionality upon return to the Charter School.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this day 5 of May, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**Confirmation 2015-2016**

To acknowledge that you have received, read, understand and agree to comply with the Policy entitled, "**Digital Camera Policy**" please sign below. Retain a copy for your personal file and return a copy to the Central Pennsylvania Digital Learning Foundation Charter School:

**Student Name:** \_\_\_\_\_ **Grade:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Parent/Guardian Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Employee Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Other:** \_\_\_\_\_ **Date:** \_\_\_\_\_





**Board of Trustees Policy - P03**  
**DISPOSAL OF SURPLUS PROPERTY,  
OBSOLETE EQUIPMENT, AND REAL ESTATE**

The Board of Trustees ("Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") understands the need to review inventory for efficient operation of the Charter School. Unneeded surplus, unusable, and/or obsolete property can consume valuable storage space. This policy is intended to quickly and efficiently dispose of such property, thus avoiding future unnecessary handling and storage.

When it has been determined that any property is obsolete or unneeded surplus and should be exchanged for other property, the Board authorizes that such property may be sold or exchanged in accordance with any of the following provisions:

- a) The property is no longer required for its originally intended purpose.
- b) The property is considered out of date, obsolete, or in unusable condition.
- c) The property is in quantities exceeding any possibility of effective use by the Charter School.

If any staff member identifies property which is unused, obsolete or surplus, that member is to notify the Charter School's Chief Executive Officer of such property. It is the CEO's responsibility to create a list of such property and provide this list to the Board.

Determination as to whether any of the state criteria apply to property possessed by the Charter School shall be made by the CEO, who may delegate this responsibility provided that all requirements of this policy are met. As necessary, the CEO or his/her designee may call upon other staff personnel to develop criteria to aid in this identification.

School property owned by the Charter School which is unusable, obsolete, surplus to need, has been replaced, or is otherwise no longer of value to the Charter School will be listed and presented to the Board with a recommendation for disposition. The Board is vested with the final authority to approve any disposition.



**Board of Trustees Policy - P03**  
**DISPOSAL OF SURPLUS PROPERTY,  
OBSOLETE EQUIPMENT, AND REAL ESTATE**

**GUIDELINES**

Items of some value may be disposed of in the following ways:

- a) Public auction generally conducted by a licensed auctioneer.
- b) Salvage scrap sold to local dealers.
- c) Negotiated sale normally used when disposing of items or property of substantial value.
- d) Sealed bid normally used for items of substantial value or unique qualities.
- e) Pre-priced sale large quantities of obsolete or surplus furniture and equipment may be sold by this method.
- f) Some items have no sale value or disposal exceeds the net worth. These items may be donated to charitable organizations or otherwise discarded.
- g) Offered to the general public at a predetermined price.

Equipment being replaced may be traded in on new equipment as part of the purchase procedure.

Charter School employees, officers, directors, etc. may not receive or accept abandoned or disposed of property. Charter School employees, officers, directors, etc. may submit sealed bids or purchase pre-priced items, as long as the person had nothing to do with the bid process or pricing and must recuse themselves from any decisions regarding disposition of the items.

No property that has been acquired by, or conveyed or granted to the Charter School shall be considered as abandoned by it unless and until the Board has passed, by vote of the majority of members of the Board, a resolution declaring it to be the intention of the Charter School to vacate and abandon same, whereupon all rights, title, and interest of the Charter School in such property shall be fully terminated. 24 P.S. § 7-708.



**Board of Trustees Policy - P03**  
**DISPOSAL OF SURPLUS PROPERTY,  
OBSOLETE EQUIPMENT, AND REAL ESTATE**

**REAL ESTATE**

This policy does not apply to the disposition of Charter School real estate, which shall be handled at the discretion of the Board in accordance with applicable state and federal laws, including applicable sections of the Public School Code of 1949 and any applicable sections of the PA Municipalities Planning Code.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

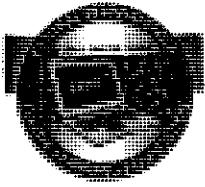
ADOPTED this 12th day of May, 2016

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

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**Board of Trustees Policy - P06**  
**SCHOOL PROPERTY RECORDS**

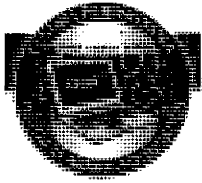
In order to ensure accountability for the prudent use of public funds, the Board of Trustees directs that a property accounting and inventory system be established and maintained for all Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") real and personal property as defined herein.

- (a) Real property shall consist of all land and buildings acquired by Charter School in the course of its operations.
- (b) Charter School personal property shall consist of furniture and equipment items with a purchase price in excess of \$500.00. All furniture or equipment items of lesser value shall be placed in use without being recorded on personal property inventory records.
- (c) Charter School consumable supplies and materials, including books and computer software shall be accounted for through the use of a stock record and bin card system or its equivalent.

The Chief Executive Officer ("CEO") shall be responsible for the design and implementation of a Charter School real and personal property inventory control system. Such inventories shall be maintained on a current basis and shall be verified by annual physical inventories.

The CEO shall be responsible for the design and implementation of a stock record and bin card system or its equivalent for all Charter School consumable supplies and materials including books and computer software. Inventory balances shall be verified by periodic, unannounced physical inventories of stock items. Any major loss shall be reported to the Board of Trustees.

This delegation carries with it the delegation of whatever authority is necessary for the successful implementation of an effective inventory control system at the Charter School.



**Board of Trustees Policy - P06**  
**SCHOOL PROPERTY RECORDS**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED  
TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE  
AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS  
AND/OR CHARTER CONTROL.**

ADOPTED this 12th day of May, 2016

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

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# Central Pennsylvania Digital Learning Foundation Charter School

## Board of Trustees Policy

### USE OF SCHOOL FACILITIES POLICY – P07

The Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) shall endeavor to make full use of its facilities for the education of its students and where legally and economically feasible for uses that promote improved community services.

Within the guidelines of this policy, the Chief Executive Officer (“CEO”), shall have the authority to grant permission for the use of Charter School facilities (including Off-Site Charter School Facilities as defined below) and to develop regulations and assign responsibilities for such use.

In the event of circumstances involving serious matters relating to the health and welfare of the Charter School or its community, the CEO or her designee shall have the authority to provide use of Charter School facilities without cost to the users.

#### **Full-time employees**

Unless granted permission from the CEO or her designee, full-time employees of the Charter School shall work in-person, “on-site” at the Charter School’s main office located:

Appalachia Intermediate Unit 8  
Educational Development Center  
580 Foot of Ten Road  
Duncansville, PA 16635

#### **Persons, Groups or Organizations who may use Charter School facilities:**

- (a) Any non-profit group or organization may use Charter School facilities provided that they do not illegally restrict membership, attendance, or leadership by reason of race, color, religion, creed, ancestry, age, sex, sexual orientation, physical handicap or national origin.
- (b) Non-profit organization shall mean any community civic, cultural, athletic, educational, parent, youth, service or school organization or any governing authority, corporate or public, or any governmental body or

any alumni association that desires to use Charter School facilities for social, recreational or other purpose.

**Fees and Costs for facilities use:**

- (a) The CEO or her designee shall develop a fee schedule that will fairly reimburse the Charter School for any direct or indirect expenses incurred in making its facilities available for community use. The fee schedule shall be updated periodically to assure its accuracy.
- (b) Charges and fees as referenced above shall be waived for the following:
  - (1) Meetings of the Parent Advisory Committee or any of its committees;
  - (2) Meetings of officially recognized alumni or alumnae organizations;
  - (3) Fundraising activities approved by the Board of Trustees;
  - (4) In the event of an extreme emergency declared by the Governor, Borough or Emergency Coordinator or by the American Red Cross, Charter School facilities shall be made available as emergency shelters.

**Insurance and Indemnification Requirements:**

- (a) Persons, groups or organizations using Charter School facilities for fundraising purposes shall provide the Charter School with a certificate of insurance for a Comprehensive Public Liability Insurance in the amount of not less than One Million Dollars (\$1,000,000) indemnifying the Charter School against possible tort claims arising from such use.
- (b) The insurance shall be placed with insurers lawfully authorized to do business in Pennsylvania.
- (c) The company or agency which issues the Certificate of Insurance must provide a complete street address where it can be served with notice (Post Office box addresses will not be accepted) and a telephone number. The company or agency must certify that it is an agent of the insurance company issuing the policy and that its statement is subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

- (d) The Charter School shall not accept any policy (1) written on a claims made basis or (2) which only names the Charter School as an additional insured or (3) which is written only on an "excess or umbrella" basis or which carries any deductible or self-insured retention over \$500.00. However, deductibles or self-insured retentions may be declared to and approved by the Board of Trustees. If the deductibles or self-insured retentions are not approved, the user shall procure a bond guaranteeing payment of losses, investigation, claims administration and defense expenses up to the amount of the deductibles or self-insured retentions.
- (e) Charter School shall be named specifically as an additional insured on the liability policy of insurance and documented proof of same must be provided to Charter School prior to use of Charter School facility/property by a group.

**Application for Use:**

- (a) All prospective users of Charter School facilities shall apply in writing on a form to be supplied by the CEO or her designee. The application form shall include an indemnification agreement to be signed by the user and witnessed by the CEO or her designee.

**Prohibited Activities:**

- (a) Use of Charter School facilities for any illegal activity, including but not limited to gambling, and for any activity at which alcoholic beverages will be served is prohibited as is the use of tobacco or illicit drugs.
- (b) The use of equipment or materials on Charter School property which would be generally considered unsafe or dangerous to the user, other participants in the activity.
- (c) Commission of, or failure to control or prevent, acts of vandalism, disorderly conduct, violations of local ordinances, or violations of fire, liquor or criminal laws of the United States or the Commonwealth of Pennsylvania shall disqualify a person, group or organization from future use of Charter School's facility.

**Use for Voting Purposes:**

- (a) The Town of Hollidaysburg, acting through its Commissioners, shall be permitted to use Charter School facilities for voting, but the school shall be



reimbursed for the cost of custodial and maintenance services as permitted by law. The CEO or her designee shall endeavor to reach an agreement with the Commissioners with regard to the placement of the voting booths to minimize disruption to instructional programs and to ensure that the safety of the children is not jeopardized by the presence of the voting public at the school on Election Day.

**Responsibilities of User of Charter School Facilities:**

- (a) The user must inspect the Charter School facilities prior to the commencement of the period of their use and must inform the CEO or her designee in writing of any defects which a visual inspection would reveal. If any defects are found, the Charter School has the right to withdraw its prior authorization to the user to use Charter School's facilities.
- (b) The user assumes the care, custody and control of Charter School's facilities during the period of use. The user is responsible for the monitoring and supervision of all its events at Charter School's facilities during the period of use. Upon expiration of the period of use, the user must return to Charter School, the facilities in as good order, condition and state of repair as they were prior to their use by the user.
- (c) Charter School has the right to terminate the use of its school facilities by the user due to the user's non-compliance with the requirements of the policy. Abuse, misuse or vandalism of Charter School facilities by the user will result in the suspension of the user's future privileges to use available Charter School facilities.
- (d) The user is responsible for any personal injuries or property damages occurring at Charter School facilities during the period of use. The user must defend, indemnify and hold the Charter School harmless from and against any losses or damages due to the user's non-compliance with the requirements of this policy and any losses, damages, claims and expenses arising out of any personal injuries or property damages caused by the user or which occur during the period of use.

## Off-Site Facilities

As designated by the CEO or her designee, off-site facilities owned, leased or otherwise utilized by the Charter School for the benefit of Charter School students, employees and providers ("Off-Site Charter School Facilities") may offer face-to-face interaction or access to specific technology. *Off-Site Charter School Facilities may only be utilized for (1) standardized testing and or other testing; (2) tutoring; and (3) supplemental services related to special education, such as speech therapy, physical therapy, occupational therapy. Students may be at Off-Site Charter School Facilities only for the time needed to participate in these services and activities.* Charter School personnel, students and families utilizing Off-Site Charter School Facilities shall conform to all Charter School Policies while on the premises.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this day 10 of January, 2019

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

### Distribution:

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- CPDLF Website

**Central Pennsylvania Digital Learning Foundation Charter School**  
**[www.cpdf.org](http://www.cpdf.org)**  
**Board of Trustees Policy**

**WIRELESS READING DEVICES POLICY- P08**

The Board of Trustees ("Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") believes in the advancement of student learning through the use of new and innovative technology. Consequently, the Board has approved student and staff usage of wireless reading devices, including, but not limited to Kindles, Nooks, BeBooks and Cool-ERs, and directs that the following shall be observed:

All wireless reading devices and their parts, stored content, and applications made available to students and/or staff are considered the property of Charter School. Therefore, the Charter School requires that all wireless reading devices and their contents, parts and applications be maintained and used in accordance with manufacturer recommended specifications, administrative procedures and applicable federal and state laws and regulations.

All wireless reading devices and their parts and applications shall be inventoried and inspected for functionality on a periodic basis by the Charter School as deemed appropriate, but, at least yearly.

The Board charges each student and/or staff member entrusted with or in possession of any wireless reading device for any period of time with responsibility for the proper care, maintenance and use of the wireless reading device and any and all related applications, content and parts thereof.

No materials shall be purchased, used, stored, retrieved, downloaded and/or maintained on or for wireless reading devices and no attempt shall be made to do so without the prior express consent of the Chief Executive Officer ("CEO") or his/her designee.

The Charter School shall not be responsible for any unauthorized usage or attempted unauthorized usage of wireless reading devices and/or their content, applications and/or parts. Students and staff are responsible for any and all loss or damage in connection with wireless reading devices and their content applications and/or parts and may be required by the Charter School to reimburse the Charter School for any associated damages, fines or losses. The Charter School is not responsible for any

claims, demands, damages or awards sought against student or staff in connection with their use or attempted use of wireless reading devices and/or their applications, content or parts.

Students and staff shall comply with the Charter School's Acceptable Use and Internet Safety Policy, CIPA Policy and any and all other Charter School policies and procedures. Students and staff shall also adhere to state and federal copyright laws and any regulations regarding the use and possession of wireless readings devices and their applications and parts as well as any content stored, shared or attempted to be stored, shared and/or accessed on wireless reading devices.

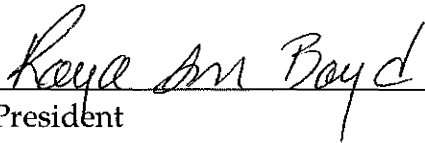
The Charter School may report to the appropriate authorities any student or staff member whose damage or reckless or inappropriate use of a wireless reading device or its content or related applications or parts has violated applicable state and/or federal laws and regulations.

Wireless reading devices shall be used for school purposes only during those periods and times expressly authorized by Administration and in the manner and scope as directed by Administration. Failure to adhere to reasonable administrative procedures, directions and guidelines regarding wireless reading devices may result in any or a combination of the following consequences: the Charter School's confiscation of the wireless reading device; reports to appropriate authorities; consequences under the Charter School's Student Code of Conduct (up to and including suspension and/or referral to the Board for expulsion depending upon the severity of the incident); consequences under the Charter School's employee handbook (up to and including warnings, suspension and/or termination of employment depending upon the severity of the incident); and/or the imposition of fines and/or damages as may be deemed appropriate by the Charter School and allowed by applicable federal and/or state laws and regulations.

The Board directs the CEO to develop procedures necessary to implement this policy which shall include: (1) Rules for the safekeeping and accounting of wireless reading devices; (2) Preparation of a schedule of fines for lost or damaged wireless reading devices; (3) A report to the Board on occurrence of the incidence of vandalism and/or damage to wireless reading devices which report shall include the number and kind of incident, the cost of vandalism or loss to the school, and related facts as the CEO deems appropriate.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

ADOPTED this day 9 of June, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**Confirmation (List Current School Year)**

To acknowledge that you have received, read, understand and agree to comply with the Policy entitled, "**Wireless Reading Devices Policy**" please sign below. Retain a copy for your personal file and return a copy to the Charter School:

**Student Name:** \_\_\_\_\_ **Grade:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Parent/Guardian Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Employee Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Other:** \_\_\_\_\_ **Date:** \_\_\_\_\_

# **Attachment 87**

Policies – Special Education



**Board of Trustees Policy – SP01**  
**ACCESS TO INSTRUCTIONAL MATERIALS**

The Pennsylvania State Board of Education adopted the National Instructional Materials Accessibility Standard (NIMAS) as defined in the Education of Individuals with Disabilities Education Improvement Act of 2004 ("IDEA"), for the purpose of providing print instructional materials in alternate accessible formats or specialized formats to blind persons or other persons with print disabilities in a timely manner. Pursuant to the state regulations which incorporate the IDEA, the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") will adopt NIMAS to ensure the timely provision of high quality, accessible instructional materials to children who are blind or other persons with print disabilities. The NIMAS refers to a standard for source files of print instructional materials created by publishers that may be converted into accessible instructional materials.

In accordance with 22 Pa. Code §711.45, the Charter School, shall, in a timely manner, provide print instructional materials in specialized, accessible formats (that is, Braille, audio, digital, large-print, and the like) to children who are blind or other persons with print disabilities, as defined in 2 U.S.C.A. § 135a (regarding books and sound-reproduction records for blind and other physically handicapped residents; annual appropriations; and purchases).

The Charter School, shall act in a timely manner to provide instructional materials required under 22 Pa. Code §711.45(a) if it takes steps to ensure that children who are blind or other persons with print disabilities have access to their accessible format instructional materials at the same time that students without disabilities have access to instructional materials. The Charter School will not withhold instructional materials from other students until instructional materials in accessible formats are available.

Receipt of a portion of the instructional materials in alternate accessible or specialized format will be considered receipt in a timely manner if the material received covers the chapters that are currently being taught in the student's class.

If a child who is blind or other person with a print disability enrolls in the Charter School after the start of the school year, the School shall take all reasonable steps to





**Board of Trustees Policy - SP01**  
**ACCESS TO INSTRUCTIONAL MATERIALS**

ensure that the student has access to accessible format instructional materials within 10 school days from the time it is determined that the child requires printed instructional materials in an alternate accessible or specialized format.

The Charter School may coordinate with the National Instructional Materials Access Center (NIMAC) to facilitate the production of and delivery of accessible materials to children who are blind or other persons with print disabilities. The NIMAC refers to the central repository, established under section 674(e) of the Education of Individuals with Disabilities Education Act, which is responsible for processing, storing and distributing NIMAS files of textbooks and core instructional materials.

Schools coordinating with NIMAC shall require textbook publishers to deliver the contents of print instructional materials to the NIMAC in NIMAS format files on or before delivery of the print instructional materials to the School. Schools that choose not to coordinate with NIMAC may require that publishers deliver the contents of print instructional materials to the NIMAC in NIMAS format files on or before delivery of the print instructional materials to the School.



**Board of Trustees Policy - SP01**  
**ACCESS TO INSTRUCTIONAL MATERIALS**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this   14th   day of   April  , 2016

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

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**Board of Trustees Policy - SP02**  
**ALTERNATE ASSESSMENT OF STUDENTS**

The Board of Trustees (the "Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes the need for all children with disabilities to be included in assessment programs. The Chief Executive Officer ("CEO") or his/her designee shall ensure that all children with disabilities are included in all general state and district-wide assessment programs, including the Pennsylvania System of School Assessment ("PSSA"), with appropriate accommodations or alternate assessments where necessary and as indicated in their respective IEPs.

An assessment is a valid and reliable measurement of a student's performance on a set of academic standards in a subject area that captures the students understanding of the set as a whole and the central concepts, knowledge and skills of each content area. As part of the new regulations in place since March 1, 2014, Pennsylvania's Core Standards offer a set of rigorous, high-quality academic expectations in English Language Arts and Mathematics that all students should master by the end of each grade level.

In compliance with Chapter 4 (§4.11), the PA Core State Standards are a set of identified learning skills in English Language Arts and Mathematics written by Pennsylvania educators to meet the needs of Pennsylvania's students. They set the benchmarks and guidelines for what a student should learn and master at the end of each grade level. The PA Core Standards are similar to the Common Core State Standards (CCSS). Students in grades 3 through 8 will continue to be assessed through the PSSA, which will include material aligned to the PA Core Standards only as of 2015.

The Keystone Exams are given in Algebra 1, Literature and Biology and replace the grade 11 PSSA for accountability purposes. The Keystones have also been aligned to the PA Core Standards. Therefore, all students with disabilities, except those students taking the PASA, are required to take the Keystone Exams no later than 11th grade. Pennsylvania has developed an alternative means for some students to demonstrate proficiency on the PA Core Standards, if needed.

The Pennsylvania Alternate System of Assessment (PASA) is a statewide alternate assessment designed for students with the most significant cognitive disabilities.



**Board of Trustees Policy - SP02**  
**ALTERNATE ASSESSMENT OF STUDENTS**

Specifically, it is intended for those who are unable to participate meaningfully in the PSSA even with accommodations. By administering the PASA to students with severe disabilities, schools achieve compliance with federal laws and the Pennsylvania School Code that require that all students participate in the statewide accountability system.

Students who meet the eligibility criteria for the alternate assessment as determined annually by the IEP team take PASA in grades 3, 4, 5, 6, 7, 8, and 11. The PASA is an individually administered test given each spring to students by their teacher or another certified Test Administrator who knows the student well. Test administration can be adapted so that even students with the most severe disabilities can participate in the assessment and receive a score. Like the PSSA, the PASA is designed to take a snapshot of student's typical performance on a small sample of academic skills derived from the PA Core Standards.

The PASA will only include items related to the Alternate Eligible Content. The educational decisions about content rests with the Charter School IEP team and the decisions are based on individual educational needs and involvement and progress in the general education curriculum. The Alternate Eligible Content is located on the PaTTAN website under Initiatives - Students with Significant Cognitive Disabilities.

The Charter School must maintain information regarding the number of children who: participate in regular assessments; were provided accommodations in order to participate in those assessments; and participate in alternate assessments.

The CEO or his/her designee is directed to develop procedures to ensure that students with disabilities participate in the PSSA or PASA and the Keystone Exams to the extent consistent with applicable law.

The CEO or his/her designee is directed to monitor student participation in statewide assessment to foster participation.

The CEO or his/her designee is directed to provide training opportunities to personnel regarding statewide assessment participation in PSSA, Keystone Exams and PASA requirements.



**Board of Trustees Policy - SP02**  
**ALTERNATE ASSESSMENT OF STUDENTS**

The CEO or his/her designee is directed to make Pennsylvania's guidelines regarding statewide assessments available to personnel.

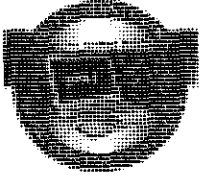
The CEO or his/her designee is directed to develop procedures to prepare students in test-taking techniques prior to test administration.

The CEO or his/her designee is directed to review assessment data and use data to drive any needed program changes. The CEO or his/her designee is directed to report to the Board what changes are recommended and needed.

The CEO or his/her designee must maintain information regarding the performance of children with disabilities on regular assessments and on alternate assessments.

IEPs must include a description of benchmarks or short-term objectives for children who take alternate assessments aligned to alternate achievement standards. IEPs must, if the IEP team determines that the child shall take an alternate assessment on a particular statewide or school-wide assessment of student achievement, provide a statement of why the child cannot participate in the regular assessment, and why the particular alternate assessment selected is appropriate for the child.

IEPs must also include a statement of any accommodations that are necessary to measure the academic achievement and functional performance of the child on statewide and district-wide assessments consistent with law. Under Chapter 4, IEP Teams will determine successful completion of graduation requirements for students with disabilities. Students with disabilities may attain the academic standards by completion of their IEPs under the IDEA and/or Chapter 4.

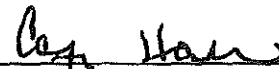


**Board of Trustees Policy - SP02**  
**ALTERNATE ASSESSMENT OF STUDENTS**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this 14th day of April, 2016

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

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**Board of Trustees Policy - SP03**  
**ASSISTIVE TECHNOLOGY (AT) POLICY AND PROCEDURES**

The Board of Trustees ("Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes that Assistive Technology devices and/or services may be essential factors in meeting the educational needs of children with disabilities. Both federal and state special education laws explicitly define Assistive Technology to include both assistive technology devices and/or services, the purposes of which are to improve the functional capabilities of a student with a disability. Such Assistive Technology must be provided for a child with a disability, at no cost to parents, if determined by the IEP team to be necessary for the student to receive a free appropriate public education (FAPE). Such services may be required as part of special education, related services, or supplementary aids and services required to enable a child to be educated in the least restrictive environment.

The Board further recognizes that the IEP team is responsible for determining if an assistive technology device and/or service is necessary for a child with a disability to receive FAPE. It is important to remember that assistive technology devices and/or services are not always enough by themselves. The IEP team should focus on whether or not assistive technology devices and/or services are necessary for the eligible child to meet educational demands and therefore receive FAPE.

As defined in both federal and state law, **assistive technology device** means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of children with disabilities. Assistive technology devices range from a simple switch for a child with particular physical limitations to a sophisticated vocal output augmentative communication device for a child with severe speech impairment. The term does not include a medical device that is surgically implanted, or the replacement of such device.

**Assistive technology service** means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. Assistive Technology services are those that are necessary to enable the student and/or



**Board of Trustees Policy - SP03**  
**ASSISTIVE TECHNOLOGY (AT) POLICY AND PROCEDURES**

IEP Team to use any Assistive Technology services specified in the IEP. Such services may include:

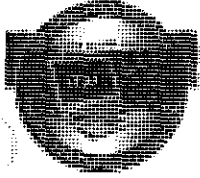
- A) The evaluation of the needs of a child with a disability, including a functional evaluation of the child in the child's customary environment;
- B) Purchasing, leasing, or otherwise providing for the acquisition of Assistive Technology devices by children with disabilities;
- C) Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing Assistive Technology devices;
- D) Coordinating and using other therapies, interventions, or services with Assistive Technology devices, such as those associated with existing education and rehabilitation plans and programs;
- E) Training or technical assistance for a child with a disability or, if appropriate, that child's family;
- F) Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise involved in the major life functions of that child.

By virtue of these expansive definitions, an exhaustive yet specific list of what constitutes assistive technology devices and/or services does not exist.

Consideration of Assistive Technology, in the context of IEP development, review or revision, is intended to be a collaborative process in which team members determine whether AT devices or services are needed for the student to access the general education curriculum or meet IEP goals. Consideration may necessitate that the IEP team include (or have access to) someone who has knowledge about Assistive Technology or who can guide the Team in considering Assistive Technology in the context of what they know about the student. Team members who are considering Assistive Technology should examine available data and observations about the student and ask whether the student may need Assistive Technology:

- A) To be in the LRE;
- B) To meaningfully participate in the general education curriculum;
- C) To participate in activities;
- D) To access educational/print materials, including textbooks;
- E) To access auditory information;





**Board of Trustees Policy - SP03**  
**ASSISTIVE TECHNOLOGY (AT) POLICY AND PROCEDURES**

- F) For written communication/computer access;
- G) For augmentative communication;
- H) To participate in state and local assessments.

Therefore, to the extent that assistive technology devices and/or services may be required as part of special education, related services, or supplementary aids or services, a child's IEP must include a statement describing the full extent of devices (e.g., no, low, and high technology and back-up strategies) and service(s) as well as the amount of such service(s). When describing the Assistive Technology needed by the student, it is considered best practice to describe the features rather than the brand name, because most devices and software have multiple features, not all of which may be required by the student to have FAPE. The provision of assistive technology devices and/or services may not be made conditional on subsequent approval by entities outside the IEP process (i.e., IU availability, Medical Access Reimbursement, etc.).

All procedural safeguards and time lines set forth in federal and state laws for completing multidisciplinary evaluations, reevaluations, and developing and implementing IEPs are fully applicable to assistive technology devices and/or services when they are necessary to ensure eligible children receive FAPE.

It is the Charter School's responsibility to provide assistive technology devices and services when included as part of a student's IEP. State and federal law do not require that the Charter School purchase Assistive Technology as needed in the IEP. However, it is appropriate for the Charter School to purchase, rent or borrow Assistive Technology or utilize Assistive Technology that is acquired through the student's insurance. The Charter School may not require the family to utilize insurance or any other funding source. The Charter School remains responsible for any costs related to repair, maintenance, or replacement of required Assistive Technology that is specified in the IEP.

The Chief Executive Officer ("CEO") or his/her designee is directed to seek any necessary assistance from the Commonwealth regarding the purchase and payment for Assistive Technology. According to PDE, the CEO or his/her designee should inform the family not to assume the device will be billed to Medical Assistance (MA), even if a child's MA number is provided on an equipment acquisition form. If the device is billed to MA, the CEO or his/her designee will notify the parents by sending a transfer



**Board of Trustees Policy - SP03**  
**ASSISTIVE TECHNOLOGY (AT) POLICY AND PROCEDURES**

of ownership letter. When the parents are in receipt of the transfer of ownership letter, the billing process has begun. If the billing is ultimately rejected by MA, the parents will be informed by letter. The CEO or his/her designee may not delay or deny a student's receipt of assistive technology while it attempts to secure MA funding and is directed to comply with any applicable procedures as modified by PDE.

**Additional Administrative Procedures:** The CEO or his/her designee is charged with implementing procedures to ensure that devices are properly maintained and functioning, including hearing aids and external components of surgically implanted medical devices.

Routine checks and tests of those devices will be administered and results logged or otherwise noted when necessary. The CEO or his/her designee is directed to implement a process to address: the need for AT, effective maintenance of all AT devices, the selection of age and developmentally appropriate AT devices, review of recommendations from qualified personnel including speech language pathologists regarding AT, and the maintenance of AT by the charter school. All AT devices are to be maintained in a manner deemed appropriate for their intended use and purpose as directed by the manufacturer to the maximum extent possible.

The need for AT services and devices are to be identified with specificity in students' IEPs and AT services and devices are to be reviewed at least annually in the course of an IEP team meeting, or as requested by the IEP team and/or parent.

The CEO or his/her designee is directed to have AT devices promptly repaired when needed and in the interim a device or back up plan is to be in place while the device is being repaired/maintained.

The CEO or his/her designee is further directed to have a plan in place to provide AT services without interruption.

The CEO or his/her designee is charged with making personnel aware of the availability of AT resources.



**Board of Trustees Policy - SP03**  
**ASSISTIVE TECHNOLOGY (AT) POLICY AND PROCEDURES**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

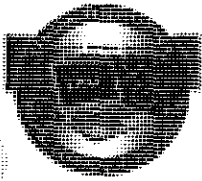
ADOPTED this 14th day of April, 2016

\_\_\_\_\_  
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**Board of Trustees Policy - SP05**  
**DISCIPLINARY EXCLUSIONS OF SPECIAL EDUCATION STUDENTS**

There are special rules in Pennsylvania for excluding children with disabilities for disciplinary reasons as set forth in Chapter 711 of Title 22 of the Pennsylvania Code as well as the Procedural Safeguards Notice available through PaTTAN. The Board of Trustees directs compliance with these requirements and directs the Chief Executive Officer ("CEO") or his/her designee to implement procedures necessary to effectuate the following:

**AUTHORITY OF SCHOOL PERSONNEL (34 CFR §300.530)**

**1. Case-by-case determination**

The Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") personnel may consider any unique circumstances on a case-by-case basis, when determining whether a change of placement, made in accordance with the following requirements related to discipline, is appropriate for a child with a disability who violates a school code of student conduct.

**2. General**

To the extent that they also take such action for children without disabilities, school personnel may, for not more than 10 consecutive school days, remove a child with a disability (other than a child with mental retardation) who violates a code of student conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension. School personnel may also impose additional removals of the child of not more than 10 consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement (see **Change of Placement Because of Disciplinary Removals** for the definition, below) or exceed 15 cumulative school days in a school year. Once a child with a disability has been removed from his or her current placement for a total of 10 school days in the same school year, the Charter School must, during any subsequent days of removal in that school year, provide services to the extent required below under the sub-heading **Services**.

**3. Additional authority**

If the behavior that violated the student code of conduct was not a manifestation of the child's disability (see **Manifestation determination**, below) and the



**Board of Trustees Policy - SP05**  
**DISCIPLINARY EXCLUSIONS OF SPECIAL EDUCATION STUDENTS**

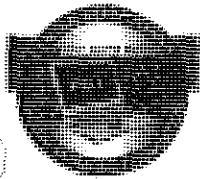
disciplinary change of placement would exceed 10 consecutive school days, school personnel may apply the disciplinary procedures to that child with a disability in the same manner and for the same duration as it would to children without disabilities, except that the school must provide services to that child as described below under **Services**. The child's IEP Team determines the interim alternative educational setting for such services. Under PA special education regulations, a disciplinary exclusion of a student with a disability for more than 15 cumulative school days in a school year will be considered a pattern so as to be deemed a change in educational placement (explained under **Change of Placement Because of Disciplinary Removals**). The Charter School is required to issue a NOREP/Prior Written Notice to parents prior to a removal that constitutes a change in placement (removal for more than 10 consecutive days or 15 cumulative days).

**4. Services**

The services that must be provided to a child with a disability who has been removed from the child's current placement may be provided in an interim alternative educational setting. A charter school is only required to provide services to a child with a disability who has been removed from his or her current placement for 10 school days or less in that school year, if it provides services to a child without disabilities who has been similarly removed. Students may have the responsibility to make up exams and work missed while being disciplined by suspension and may be permitted to complete these assignments within guidelines established by their charter school.

A child with a disability who is removed from the child's current placement for more than 10 consecutive school days must:

- a. Continue to receive educational services, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and
- b. Receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not happen again.



**Board of Trustees Policy - SP05**  
**DISCIPLINARY EXCLUSIONS OF SPECIAL EDUCATION STUDENTS**

After a child with a disability has been removed from his or her current placement for 10 school days during one school year, or if current removal is for 10 consecutive school days or less, and if the removal is not a change of placement (see definition below), then school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

If the removal is a change of placement (see definition below), the child's IEP Team determines the appropriate services to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP.

**5. Manifestation determination**

Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct (except for a removal that does not constitute a change in educational placement i.e., is for 10 consecutive school days or less and not a change of placement), the Charter School, the parent, and relevant members of the IEP Team (as determined by the parent and Charter School) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:

- a. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- b. If the conduct in question was the direct result of the Charter School's failure to implement the child's IEP.

If the Charter School, the parent, and relevant members of the child's IEP Team determine that either of those conditions were met, the conduct must be determined to be a manifestation of the child's disability.

If the Charter School, the parent, and relevant members of the child's IEP Team determine that the conduct in question was the direct result of Charter School's



**Board of Trustees Policy - SP05**  
**DISCIPLINARY EXCLUSIONS OF SPECIAL EDUCATION STUDENTS**

failure to implement the IEP, the Charter School must take immediate action to remedy those deficiencies.

**6. Determination that behavior was a manifestation of the child's disability**

If the Charter School, the parent, and relevant members of the IEP Team determine that the conduct was a manifestation of the child's disability, the IEP Team must either:

- a. Conduct a functional behavioral assessment, unless the Charter School had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implement a behavioral intervention plan for the child; or
- b. If a behavioral intervention plan already has been developed, review the behavioral intervention plan, and modify it, as necessary, to address the behavior.

Except as described below under the sub-heading Special circumstances, the Charter School must return the child to the placement from which the child was removed, unless the parent and the Charter School agree to a change of placement as part of the modification of the behavioral intervention plan.

**7. Special circumstances**

Whether or not the behavior was a manifestation of the child's disability, school personnel may remove a student to an interim alternative educational setting (determined by the child's IEP Team) for up to 45 school days, if the child:

- a. Carries a weapon (see the Definitions below) to school or has a weapon at school, on school premises, or at a school function under the jurisdiction of the Charter School;
- b. Knowingly has or uses illegal drugs (see the Definitions below), or sells or solicits the sale of a controlled substance, (see the Definitions below), while at school, on school premises, or at a school function under the jurisdiction of the Charter School; or
- c. Has inflicted serious bodily injury (see the Definitions below) upon another person while at school, on school premises, or at a school function under the jurisdiction of the State Educational Agency or a charter school.



**Board of Trustees Policy - SP05**  
**DISCIPLINARY EXCLUSIONS OF SPECIAL EDUCATION STUDENTS**

**8. Definitions**

- a. *Controlled substance* means a drug or other substance identified under schedules I, II, III, IV, or V in section 202 (c) of the Controlled Substances Act (21 U.S.C. 812(c)).
- b. *Illegal drug* means a controlled substance; but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.
- c. *Serious bodily injury* has the meaning given the term "serious bodily injury" under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code.
- d. *Weapon* has the meaning given the term "dangerous weapon" under paragraph (2) of the first subsection (g) of section 930 of title 18, United States Code.

**9. Notification**

On the date it makes the decision to make a removal that is a change of placement of the child because of a violation of a code of student conduct, the Charter School must notify the parents of that decision, and provide the parents with a procedural safeguards notice.

**Change Of In Placement Because Of Disciplinary Removals**

A removal of a child with a disability from the child's current educational placement is a change of placement requiring a NOREP/prior written notice if:

1. The removal is for more than 10 consecutive school days; or
2. The removal is for 15 cumulative school days total in any one school year;
3. The child has been subjected to a series of removals that constitute a pattern because:
  - a. The series of removals total more than 10 school days in a school year;
  - b. The child's behavior is substantially similar to the child's behavior in previous incidents that resulted in a series of removals;





**Board of Trustees Policy - SP05**  
**DISCIPLINARY EXCLUSIONS OF SPECIAL EDUCATION STUDENTS**

- c. Of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another; and

Whether a pattern of removals constitutes a change of placement is determined on a case-by-case basis by the Charter School and, if challenged, is subject to review through due process and judicial proceedings.

**Determination of Setting**

The IEP team must determine the interim alternative educational setting for removals that are **changes of placement**, and removals under the headings *Additional authority* and *Special circumstances*, above.

**1. General**

The parent of a child with a disability may file a due process complaint (see above) to request a due process hearing if he or she disagrees with:

- a. Any decision regarding placement made under these discipline provisions; or
- b. The manifestation determination described above.

The Charter School may file a due process complaint (see above) to request a due process hearing if it believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

**2. Authority of hearing officer**

A hearing officer that meets the requirements described under the sub-heading **Impartial Hearing Officer** must conduct the due process hearing and make a decision.

The hearing officer may:

- a. Return the child with a disability to the placement from which the child was removed if the hearing officer determines that the removal was a violation of the requirements described under the heading **Authority of**



**Board of Trustees Policy – SP05**  
**DISCIPLINARY EXCLUSIONS OF SPECIAL EDUCATION STUDENTS**

School Personnel, or that the child's behavior was a manifestation of the child's disability; or

- b. Order a change of placement of the child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the child is substantially likely to result in injury to the child or to others.

These hearing procedures may be repeated, if the Charter School believes that returning the child to the original placement is substantially likely to result in injury to the child or to others.

Whenever a parent or charter school files a due process complaint to request such a hearing, a hearing must be held that meets the requirements described under the headings **Due Process Complaint Procedures, Hearings on Due Process Complaints**, except as follows:

1. The LEA must arrange for an expedited due process hearing, which must occur within 20 school days of the date the hearing is filed and must result in a determination within 10 school days after the hearing.
2. Unless the parents and the Charter School agree in writing to waive the meeting, or agree to use mediation, a resolution meeting must occur within 7 calendar days of receiving notice of the due process complaint. The hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 calendar days of receipt of the due process complaint.

A party may appeal the decision in an expedited due process hearing in the same way as they may for decisions in other due process hearings.

When, as described above, the parent or the Charter School has filed a due process complaint related to disciplinary matters, the child must (unless the parent and the State Educational Agency or the Charter School agree otherwise) remain in the interim alternative educational setting pending the decision of the hearing officer, or



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**DISCIPLINARY EXCLUSIONS OF SPECIAL EDUCATION STUDENTS**

until the expiration of the time period of removal as provided for and described under the heading **Authority of School Personnel**, whichever occurs first.

**Special Rules for Students with Mental Retardation**

The disciplinary removal of a child with mental retardation attending a charter school for any amount of time is considered a change in placement and requires a NOREP/prior written notice (if the disciplinary event does not involve drugs, weapons and/or serious bodily injury). A removal from school is not a change in placement for a child who is identified with mental retardation when the disciplinary event involves weapons, drugs, and/or serious bodily injury.

According to certain assurances the Commonwealth entered into related to the PARC consent decree, a charter school may suspend on a limited basis a student with mental retardation who presents a danger to himself or others upon application and approval by the Bureau of Special Education and only to the extent that a student with a disability other than mental retardation could be suspended.

**Protections For Children Not Yet Eligible For Special Education and Related Services**

**1. General**

If a child has not been determined eligible for special education and related services and violates a code of student conduct, but the Charter School had knowledge (as determined below) before the behavior that brought about the disciplinary action occurred, that the child was a child with a disability, then the child may assert any of the protections described in this notice.

**2. Basis of knowledge for disciplinary matters**

**A charter school must be deemed to have knowledge that a child is a child with a disability if, before the behavior that brought about the disciplinary action occurred:**

- a. The parent of the child expressed concern in writing that the child is in need of special education and related services to supervisory or administrative personnel, or a teacher of the child;
- b. The parent requested an evaluation related to eligibility for special education and related services under Part B of the IDEA; or



**Board of Trustees Policy - SP05**  
**DISCIPLINARY EXCLUSIONS OF SPECIAL EDUCATION STUDENTS**

- c. The child's teacher or other Charter School personnel expressed specific concerns about a pattern of behavior demonstrated by the child directly to the Charter School's director of special education or to other supervisory personnel of the Charter School.

**3. Exception**

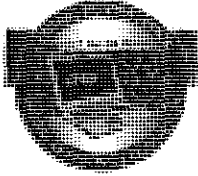
**A charter school would not be deemed to have such knowledge if:**

- a. The child's parent has not allowed an evaluation of the child or refused special education services; or
- b. The child has been evaluated and determined to not be a child with a disability under Part B of the IDEA.

**4. Conditions that apply if there is no basis of knowledge**

If prior to taking disciplinary measures against the child, a charter school does not have knowledge that a child is a child with a disability, as described above under the sub-headings **Basis of knowledge for disciplinary matters** and **Exception**, the child may be subjected to the disciplinary measures that are applied to children without disabilities who engaged in comparable behaviors. However, if a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner.

Until the evaluation is completed, the child remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services. If the child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by the Charter School, and information provided by the parents, the Charter School must provide special education and related services in accordance with Part B of the IDEA, including the disciplinary requirements described above.



**Board of Trustees Policy - SP05**  
**DISCIPLINARY EXCLUSIONS OF SPECIAL EDUCATION STUDENTS**

**B. REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES**

**1. The state and federal regulations do not:**

- a. Prohibit an agency from reporting a crime committed by a child with a disability to appropriate authorities; or
- b. Prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

Subsequent to a referral to law enforcement, an updated functional behavior assessment and positive behavior support plan are required.

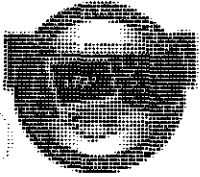
**2. Transmittal of records**

If a charter school reports a crime committed by a child with a disability, the charter school: must ensure that copies of the child's special education and disciplinary records are transmitted for consideration by the authorities to whom the agency reports the crime; and may transmit copies of the child's special education and disciplinary records only to the extent permitted by FERPA.

**NON-DISCRIMINATION**

The Charter School shall not discriminate in its discipline policies or practices on the basis of intellectual ability, status as a person with a disability, proficiency in the English language or any other basis that would be illegal under applicable state and/or federal laws.

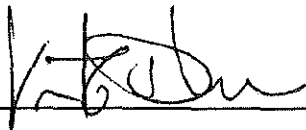
The Chief Executive Officer ("CEO") or his/her designee is directed to develop procedures and practices related to the use of positive behavioral interventions and supports, and procedural safeguards and to ensure that those policies and procedures are implemented.



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**DISCIPLINARY EXCLUSIONS OF SPECIAL EDUCATION STUDENTS**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this   14th   day of   April  , 2016

  
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President

  
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**Board of Trustees Policy – SP06**  
**POLICY FOR THE PREVENTION OF DISPROPORTIONATE  
REPRESENTATION OF RACIAL/ETHNIC GROUPS  
IN SPECIAL EDUCATION**

It is the policy of the Board of Trustees (“Board”) of the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) that there shall not be disproportionate representation of racial and/or ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. It is the policy of the Board to comply with Chapter 711.23 of Title 22 of the Pennsylvania Code regarding student screening and disproportionality.

The Board recognizes that failure to recognize and deal with disproportionality results in misclassification or inappropriate placement in special education programs, inappropriate removal from the regular education setting, the core curriculum, or both and therefore a result of students being more likely to encounter a limited curriculum and lower teacher expectations. These students often have more negative post-school outcomes due to lack of participation in post-secondary education and limited employment opportunities. And disproportionate representation of ethnic minority students in special education classes may also result in significant racial separation which could raise concerns of unlawful racial segregation in violation of Title VI.

It is the policy of the Charter School that there shall be no disproportionality in regard to any of the following areas per 34 CFR 300.646:

- (1) The identification of children as children with disabilities, including the identification of children as children with disabilities in accordance with a particular impairment described in section 602(3) of IDEA;
- (2) The placement in particular educational settings of these children; and
- (3) The incidence, duration, and type of disciplinary actions, including suspensions and expulsions.

The Charter School directs Administration to utilize such evaluative measures that mitigate against the potential for disproportionate representation as the result of inappropriate identification.



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**POLICY FOR THE PREVENTION OF DISPROPORTIONATE  
REPRESENTATION OF RACIAL/ETHNIC GROUPS  
IN SPECIAL EDUCATION**

The Charter School directs Administration to appropriately identify students for special education and related services by following evaluation and reevaluation procedures mandated by IDEA 2004 and its implementing regulations.

The Charter School directs Administration to appropriately identify students' disabilities by complying with the screening and child find requirements of Chapter 711 of Title 22 of the Pennsylvania Code and by conducting evaluations and reevaluations in accordance with applicable state and federal laws and regulations.

The Charter School directs Administration to ensure that no evaluation or reevaluation procedures, tests or reports are culturally and/or racially biased. Tests and instruments used to identify students shall not be racially or culturally biased.

In accordance with 34 CFR 300.646(b)(2) (relating to disproportionality), as established by the State Department of Education, each charter school and cyber charter school may develop a program of pre-referral intervention services. Such services would then 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 (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.
- (3) For students with behavioral concerns, a systematic observation of the student's behavior in the school environment where the student is displaying difficulty.
- (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), or both.





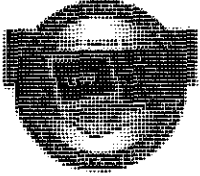
**Board of Trustees Policy – SP06**  
**POLICY FOR THE PREVENTION OF DISPROPORTIONATE  
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(5) Repeated assessments of achievement or behavior, or both, conducted at reasonable intervals, reflecting formal monitoring of student progress during the interventions.

(6) A determination as to whether the student's assessed difficulties are the result of a lack of instruction or limited English proficiency.

(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.


(8) Documentation that information about the student's progress as identified in paragraph (5) was periodically provided to the student's parents.



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**POLICY FOR THE PREVENTION OF DISPROPORTIONATE  
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**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED  
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AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS  
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ADOPTED this 14th day of April, 2016

  
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**Board of Trustees Policy – SP07**  
**DISPUTE RESOLUTION AND ALTERNATIVE**  
**DISPUTE RESOLUTION**

It is the policy of the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) to ensure that disputes between parents and Charter School regarding the identification, evaluation, programming and services available to eligible students are addressed effectively and in accordance with applicable state and federal laws.

Every effort should be made to address and resolve disputes at the IEP team level if possible. The Chief Executive Officer (“CEO”) or his/her designee is directed to be aware of alternative dispute resolution procedures and programs, including facilitated IEP team meetings and mediation, and utilize those programs when deemed appropriate.

Included in such resources for the CEO, the Charter School Team and Parents, is the PA Office of Dispute Resolution for information on the following:

**ConsultLine** at 800-879-2301 (Toll-free in Pennsylvania) or 717-901-2145, is a statewide toll-free help line:

- Serving families, advocates, and agencies that have questions about special education for students and young children with disabilities.
- Providing information about special education laws, parents’ rights, the formal complaint process, and other dispute resolution options to address concerns so that children with disabilities and students considered gifted receive a free and appropriate public education (FAPE).

**Individualized Education Program (IEP) Facilitation**

This is a voluntary option that is available when both a Charter School and Parent(s) agree to have a neutral person – the IEP Facilitator – at the IEP meeting to assist in discussing concerns regarding the development of the IEP.



**Board of Trustees Policy - SP07**  
**DISPUTE RESOLUTION AND ALTERNATIVE**  
**DISPUTE RESOLUTION**

**The IEP Facilitator:**

- Is not a member of the IEP team, but assists the IEP team to resolve conflicts and disagreements that arise during the meeting.
- Helps to maintain open communication among all IEP team members, maintains impartiality, and does not write the IEP.
- Builds and improves relationships among the IEP team members, and provides opportunities to resolve conflicts as they arise.

IEP Facilitation is more cost-efficient and less stressful than due process.

**Mediation**

If both parties agree to mediation, the Office for Dispute Resolution will arrange for a neutral, specially-trained mediator to meet with them at a mutually convenient location.

The following guidelines apply:

- ODR provides independently contracted mediators to families and school districts.
- The mediator will meet with both parties together (and separately if necessary) to listen to both points of view, in order to understand each side's position.
- Mediation can take place at any time before or during the due process cycle.
- Mediation is not a required process and may not delay or deny a parent the right to a due process hearing.

Neither school officials nor parents may include an attorney at the mediation session.

**Resolution Meeting Facilitation**

When a parent requests due process, the school and parents must hold a Resolution Meeting within 15 days unless both sides agree to waive the meeting or try mediation instead. If both parties agree to have a neutral person at the resolution meeting, ODR will send a facilitator to assist the parties in reaching agreement.



**Board of Trustees Policy – SP07**  
**DISPUTE RESOLUTION AND ALTERNATIVE  
DISPUTE RESOLUTION**

**Benefits of Resolution Meeting Facilitation:**

- Builds and improves relationships between parents and schools;
- Encourages parties to identify new options to address unresolved issues;
- Could be less stressful and less expensive than a due process hearing;
- If agreement is reached, the due process hearing might not be needed.

The CEO or his/her designee is responsible for ensuring that any agreements entered into as a result of a Mediation or Resolution Session are implemented in accordance with the state regulations and is directed to maintain evidence of implementation.

When alternative dispute resolution is not practical or otherwise appropriate, or when a due process complaint is filed, the CEO or his/her designee is directed to follow applicable state procedures regarding the filing and answering of a due process complaint, including requirements relating to dissemination of procedural safeguards.


The CEO or his/her designee is responsible for ensuring that due process decisions are implemented in accordance with the state regulations and is directed to maintain evidence of implementation.

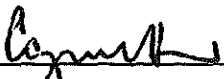


**Board of Trustees Policy - SP07**  
**DISPUTE RESOLUTION AND ALTERNATIVE**  
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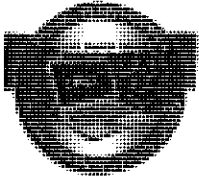
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**Board of Trustees Policy - SP08**  
**EDUCATIONAL BENEFIT REVIEW**

Pursuant to 34 CFR 300.320, an Individualized Education Program ("IEP") means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with 34 CFR §§300.320 – 300.324. The IEP must include a statement of measurable annual goals, including academic and functional goals designed to meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and meet each of the child's other educational needs that result from the child's disability.

The Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes and directs that in addition to the federal requirements incorporated by reference, the state regulations require that the IEP of each student with a disability must include when appropriate:

(1) A description of the type or types of support as defined in this paragraph that the student will receive, the determination of which may not be based on the categories of the child's disability alone. Students may receive more than one type of support as appropriate and as outlined in the IEP and in accordance with this chapter. Special education supports and services may be delivered in the regular classroom setting and other settings as determined by the IEP team. In determining the educational placement, the IEP team must first consider the regular classroom with the provision of supplementary aids and services before considering the provision of services in other settings.

(i) Autistic support. Services for students with the disability of autism who require services to address needs primarily in the areas of communication, social skills or behaviors consistent with those of autism spectrum disorders. The IEP for these students must address needs as identified by the team which may include, as appropriate, the verbal and nonverbal communication needs of the child; social interaction skills and proficiencies; the child's response to sensory experiences and changes in the environment, daily routine and schedules; and, the need for positive behavior supports or behavioral interventions.

(ii) Blind-visually impaired support. Services for students with the disability of visual impairment including blindness, who require services to address needs primarily in the areas of accessing print and other visually-presented materials, orientation and mobility, accessing public and private accommodations, or use of assistive technologies



**Board of Trustees Policy - SP08**  
**EDUCATIONAL BENEFIT REVIEW**

designed for individuals with visual impairments or blindness. For students who are blind or visually impaired, the IEP must include a description of the instruction in Braille and the use of Braille unless the IEP team determines, after the evaluation of the child's reading and writing needs, and appropriate reading and writing media, the extent to which Braille will be taught and used for the student's learning materials.

(iii) Deaf and hard of hearing support. Services for students with the disability of deafness or hearing impairment, who require services to address needs primarily in the area of reading, communication, accessing public and private accommodations or use of assistive technologies designed for individuals with deafness or hearing impairment. For these students, the IEP must include a communication plan to address the language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and assistive technology devices and services.

(iv) Emotional support. Services for students with a disability who require services primarily in the areas of social or emotional skills development or functional behavior.

(v) Learning support. Services for students with a disability who require services primarily in the areas of reading, writing, mathematics, or speaking or listening skills related to academic performance.

(vi) Life skills support. Services for students with a disability who require services primarily in the areas of academic, functional or vocational skills necessary for independent living.

(vii) Multiple disabilities support. Services for students with more than one disability the result of which is severe impairment requiring services primarily in the areas of academic, functional or vocational skills necessary for independent living.

(viii) Physical support. Services for students with a physical disability who require services primarily in the areas of functional motor skill development, including adaptive physical education or use of assistive technologies designed to provide or facilitate the development of functional motor capacity or skills.





**Board of Trustees Policy – SP08**  
**EDUCATIONAL BENEFIT REVIEW**

(ix) Speech and language support. Services for students with speech and language impairments who require services primarily in the areas of communication or use of assistive technologies designed to provide or facilitate the development of communication capacity or skills.

(2) Supplementary aids and services

(3) A description of the type or types of personnel support.

(4) The location where the student attends school and whether this is the school the student would attend if the student did not have an IEP.

(5) For students who are 14 years of age or older, a transition plan that includes appropriate measurable postsecondary goals related to training, education, employment and, when appropriate, independent living skills.

(6) The IEP of each student shall be implemented as soon as possible, but no later than 10 school days after its completion.

(7) Every student receiving special education and related services provided for in an IEP shall receive the special education and related services under that IEP, subject to the terms, limitations and conditions set forth in law.

The Charter School ensures that IEP Team review the IEP periodically, but not less than annually, to determine whether the annual goals of the child are being achieved; and revise the IEP, as appropriate, to address any lack of expected progress toward the annual goals and in the general education curriculum, if appropriate. In addition to the requirements incorporated by reference with regard to development, review, and revision of IEP, the Charter School shall designate persons responsible to coordinate transition activities.

The CEO or designee is directed to implement all procedures in accordance with this policy.



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**EDUCATIONAL BENEFIT REVIEW**

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ADOPTED this   14th   day of   April  , 2016

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**Central PA Digital Learning Foundation  
580 Foot of Ten Road  
Duncansville, PA 16635**

**Board of Trustees Policy**

**ENGLISH AS A SECOND LANGUAGE/BILINGUAL PROGRAM POLICY**

**Purpose:**

In accordance with the Board of Trustee's ("Board") philosophy to provide a quality educational program to all students, the Central PA Digital Learning Foundation ("Charter School") shall provide an appropriately planned instructional program for identified students whose dominant language is not English. When Every Student Succeeds Act (ESSA) was signed on December 10, 2015, reauthorizing the Elementary and Secondary Education Act of 1965 (which was amended by the No Child Left Behind Act of 2001), it changed the terminology to identify such students as English Learners (ELs). English Learners ("ELs") are the students who require English as a Second Language ("ESL") service by the Charter School.

The purpose of the program shall be to increase the English language proficiency of ELs so they can attain the state academic standards within the ESL program setting as well as within the regular classroom environment, to provide equal opportunities for ELs to participate in extra-curricular activities, and to provide the cultural, social and emotional supports for ELs to adapt to this new cultural setting.

**Authority**

The Board declares it their policy to provide an equal opportunity for all students, including ELs, to achieve their maximum potential through the curriculum, instruction, and programs offered in the Charter School. At no time shall the Charter School, including the Board, permit, condone, encourage or facilitate discrimination against students during the course of recruitment, admissions and enrollment, instruction, counseling and daily interactions with Charter School faculty and staff. Equal Education Opportunity Act, 20 U.S.C.A. § 1703; Title VI, Civil Rights Act of 1964, 42 U.S.C.A. § 2000d, et seq.

**Definition:**

ESSA defines an “English learner” as an individual who, among other things, has difficulties in speaking, reading, writing, or understanding the English language to the extent that it may be sufficient to deny the individual the ability to meet challenging state academic standards. The term “English learner,” when used with respect to an individual, means an individual — (A) who is aged 3 through 21; (B) who is enrolled or preparing to enroll in an elementary school or secondary school; (C)(i) who was not born in the United States or whose native language is a language other than English; (ii)(I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and (II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and (D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual — (i) the ability to meet the challenging State academic standards; (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or (iii) the opportunity to participate fully in society. (ESEA Section 8101(20)).

ELs are from diverse linguistic and cultural backgrounds. The Charter School must equip them with the skills to function, compete, and prosper in American society. EL students must develop academic skills along with their general program peers while also learning English. As EL students are in transition from their native language to English, the emphasis must be on developing academic skills that comply with Pennsylvania State Standards.

**Responsibility:**

The Charter School shall adopt an instructional program for each EL student for the purpose of facilitating the student’s achievement of English proficiency and academic standards (“ESL Program”). 22 Pa. Code. § 4.26. All students who may be ELs must be assessed within the first thirty (30) days of enrollment at the Charter School, or within fourteen (14) days of mid-year transfer. The CEO and the director of the ESL Program (“ESL Director”) shall implement and supervise an ESL Program that meets the legal requirements for ESL Program compliance under federal and Pennsylvania law, especially:

1. Based on an educational theory recognized as sound by some experts in the field or considered by experts as a legitimate experimental strategy;

2. Reasonably calculated, including provisions for resources and personnel, to implement the theory effectively; and
3. Evaluated and adjusted where needed to ensure language barriers are actually being overcome.

20 U.S.C.A. § 6812. The ESL program will come under the direction of the ESL Director. The ESL Director will be responsible for the assurance of the implementation of the program and that proper Charter School policies and procedures are being followed. The CEO and the ESL Director will be responsible for informing Charter School staff with instructional strategies and cultural needs of students who will receive ESL instruction. ESL teaching resource materials will be obtained by the ESL Director and kept in his/her office for reference for both program and non-program teachers.

All teachers instructing within the ESL Program shall hold the requisite certification and endorsements required by Pennsylvania law. Bilingual teachers must demonstrate academic language proficiency both in English and in the language of instruction. 22 Pa. Code §403; 20 U.S.C.A. §6826.

Language Instruction Educational Programs ("LIEPs") Title III of the ESEA replaces the expectation in the ESEA, as amended by NCLB, that LIEPs be "scientifically based" with a new expectation – that LIEPs be "effective." A LEA must:

- Use Title III funds for effective approaches and methodologies for teaching ELs (ESEA Section 3115(a));
- Increase the English proficiency of ELs by providing effective language instruction educational programs that meet the needs of ELs and demonstrate success in increasing (A) English language proficiency; and (B) student academic achievement (ESEA Section 3115(c)(1));
- Use Title III funds in ways that build its capacity to continue to offer effective language instruction educational programs that assist English learners in meeting challenging State academic standards (ESEA Section 3113(b)(3)(E)); and
- Include in its local plans for a Title III subgrant a description of the effective programs and activities that will be provided, including language instruction educational programs (ESEA Section 3116(b)(1)).

### **ESL Program:**

The goals of the Charter School's ESL Program are to assist the EL students in using English, per 20 U.S.C.A. §6812:

1. To communicate in social settings;

2. To achieve academically in all content areas; and
3. In socially and culturally appropriate ways.

The CEO and the ESL Director shall implement and supervise the ESL Program, and further ensure that the ESL Program meets the legal requirements for ESL program compliance. The CEO and the ESL Director, in conjunction with appropriate certified ESL teachers, shall develop and disseminate written procedures regarding the ESL Program. The procedures shall include, but will not be limited to, the following:

1. Detailed program goals;
2. Student enrollment/transfer procedures (i.e., Home Language Survey);
3. Assessment procedures within 30 days of enrollment/transfer for program entrance, measuring progress in gaining English proficiency, and program exiting;
4. Accommodations for EL students in the general education classroom;
5. Grading policies; and
6. List of resources, including support agencies and interpreters.

20 U.S.C.A. § 6826. The ESL Program shall include daily instruction for EL students, supporting the ESL Program's goals, and will receive curriculum aligned with Pennsylvania standards. 22 Pa. Code. § 4.26. Language instruction shall correspond to each EL student's English proficiency level, which shall include both direct language instruction and adaptation of instruction in all content classes. The exact hours of direct language instruction will be determined based on each EL student's needs. All ESL instruction shall be part of each EL student's daily schedule, and will not interfere with or prohibit each EL student's instruction in all grade level content classes.

All EL students will be placed in appropriate grade level content classes. Each EL student will receive instruction in all content areas, as other students in the class. Each EL student will receive additional supplemental support and instruction from ESL teachers periodically for Language Arts class and for necessary content area classes. An ESL teacher will assist the classroom teacher in identifying and implementing teaching strategies that will help each EL student achieve academic success in the classroom comparable to their non-EL peers. During the initial period of language acquisition and development, the Charter School may grade the EL student on a pass/fail basis comparable to their non-EL peers if necessary.

The WIDA Consortium's English Language Development (ELD) Standards help educators determine students' English language proficiency levels and how to appropriately challenge them in reaching higher levels.

WIDA will also assist teachers by giving Model Performance Indicators, which include:

- a. The language function, or how students will use language to demonstrate proficiency (e.g. Depth of Knowledge, Bloom's Taxonomy),
- b. The grade level content or standards that students will learn or meet, and
- c. The supports or instructional strategies / scaffold to assist students in accessing the content.

The Pennsylvania English Language Proficiency Standards shall be incorporated in both ESL instruction and grade level content classes.

### **Program Goals and Objectives:**

The Charter School has developed the following goals and objectives for the ESL Program, based on WIDA English Language Proficiency Standards of each student:

Goal 1: To use English to communicate in social settings.

Objective: By the end of the school year, EL students will improve and increase their ability to use English to participate in social interactions. This will be evidenced by observation of EL students in cooperative learning activities, playground interactions and personal conversation.

Objective: By the end of the school year, EL students will improve and increase their ability to interact, through and with spoken and written English for personal expression and enjoyment. This will be evidenced by personal writing journals and book choice with reading log.

Goal 2: To use English to achieve academically in all content areas.

Objective: By the end of the school year, EL students will improve and increase their ability to use English to interact in the classroom, evidenced by conversations with ESL teachers, observations of students in cooperative group settings, and observations of students in social interactions, report cards and test results.

Objective: By the end of the school year, EL students will improve and increase their ability to use English to obtain, construct and

provide subject matter information in spoken and written form. This will be evidenced by an increase in standardized testing content area scores, a portfolio of EL student work, and ESL teachers' observations of the EL students' ability to pose questions and have discussions in content area classes.

Goal 3: To use English in socially and culturally appropriate ways.

Objective: By the end of the school year, EL students will improve and increase their ability to use the appropriate language variety, register, and genre according to the audience, purpose and setting. This will be evidenced by EL student academic presentations, observations of EL students' social conversations with peers, and conversations with ESL teachers.

Objective: By the end of the school year, EL students will improve and increase their ability to use nonverbal communication appropriate to audience, purpose and setting. This will be evidenced by observations of EL students by ESL teachers.

The success of the ESL program will be measured by: EL students increasing scores within their level of the program; EL students testing to the next level of the program; and EL students testing out of the program as evidenced by yearly WIDA English Language Proficiency Standards testing. Success will also be measured by an increase in academic scores on a content area standardized test. 22 Pa. Code § 403; 20 U.S.C.A. § 6841. The ESL Director will also look at student portfolios and ESL teacher narratives to demonstrate progress of each EL student.

Attendance policies will be the same for EL students as for English-speaking students.

The Student Handbook will clearly state the Charter School's policy and expectations regarding the ESL Program.

#### **Enrollment of EL Students:**

EL students and families shall be provided translation and interpretation services to the extent needed to assist with the enrollment process. All students seeking first time enrollment in the Charter School shall be given a Home Language Survey in accordance with requirements of the U.S. Department of Education's Office for Civil Rights. Enrollment of a student may not be delayed in order to administer the Home Language Survey. The completed survey shall be filed in each student's permanent record folder through graduation. 22 Pa. Code § 11.11(e).



Based on the Home Language Survey responses, each student shall be assessed for potential placement in an ESL Program within 30 days of school or within 14 days of enrollment if a student enrolls after the first day of school.

## **Identification & Placement of EL Students:**

### Entry Criteria

The Charter School will use the WIDA-ACCESS Placement Test (W-APT) to assess newly enrolled students for placement in the ESL program. The W-APT results will be one indicator for placement in the ESL program. Additional criteria for placement in the ESL program include: educational and cultural backgrounds, interviews with families, and native language literacy. Other indicators shall include current or previous grades, performance on state assessments, and Charter School-based formative or summative assessments. This ESL-Program eligibility criterion is aligned with requirements established by the Pennsylvania Department of Education.

Student placement in the ESL Program and designated instruction time (WIDA levels of English language proficiency: 1. Entering, 2. Beginning, 3. Developing, 4. Expanding, 5. Bridging and 6. Reaching) will comply with program guidelines and will be based upon the instructional need of each ESL student. Instructional placement will be age and grade appropriate.

Parents may request an EL student to be excused from the ESL Program if the instruction conflicts with the family's religious beliefs, or for any reason and must be made clear to the EL's Parents. 22 Pa. Code § 4.4(d)(3).

All EL students shall have access to and should be encouraged to participate in all Charter School educational programs, opportunities, and extracurricular activities available. Equal Education Opportunity Act, 20 U.S.C.A. § 1703; Title VI, Civil Rights Act of 1964, 42 U.S.C.A. § 2000d, et seq.

### **Required Exit Criteria (see Reclassification Guidance):**

- 1) 4.5 or higher on ACCESS for ELs Composite (overall) Score.
- 2) At least one (1) ESL teacher recommendation for reclassification (exit) and one (1) content teacher. In the absence of an ESL teacher, two (2) recommendations for reclassification (exit) from two (2) different content teachers will be accepted.

Once an EL student exits the ESL Program, he/she will be monitored for four years. The law requires the Charter School to maintain a description of the progress made by children in meeting challenging State academic content and student academic achievement standards for each of the four years after such children are no longer receiving services. Such monitoring of students shall begin as soon as the student exits

an ESL/Bilingual program. For students who exit a program at the end of the school year, monitoring will begin the following school year. The progress of the exited EL student will be monitored at quarterly intervals throughout the academic year, utilizing collaborative conversations regarding progress monitoring of the exited EL students between content and ESL teacher. A review of the following items can provide evidence of a student's academic progress:

- Report card grades
- Predictive test progress
- Standardized test scores
- Classroom work samples
- Writing samples

During the four-year monitoring period, any student encountering academic difficulty that is determined to be because of English language proficiency skills may be re-designated and returned to an ESL/Bilingual education program. However, such re-designation should only occur after collaboration between the ESL teacher and content teachers has ensured that effective and appropriate core curriculum instruction, including differentiation and interventions has been implemented. Content and ESL teacher input is critical in determining whether re-designation is the appropriate support to enable the former EL to succeed.

#### **Notifications to Parent(s)/Guardian(s) of ELs:**

Title I requires that every LEA that uses funds under either Title I or Title III for services to ELs must provide a parent with notification that outlines their child's identification as an EL and placement in an LIEP. (ESEA Section 1112(e)(3)).

Initial notification should include:

- 1) Detailed description of the LIEP as outlined in the BEC, including a description of its intended benefits for children and an explanation of its effectiveness (this description should include information on screening, identification, and placement of ELs)
- 2) Description of the EL identification process and the reason that their child was identified as an EL
- 3) Their child's current English proficiency level and a description of what that means
- 4) Information explaining their right to refuse enrollment of their child in the LIEP

Annual notification should include:

- 1) Notification of their child's continued participation in the LIEP
- 2) Description of the LIEP including its intended benefits for their children and an explanation of its effectiveness
- 3) Notification of their right to refuse services as outlined in the BEC
- 4) Description of any Title III supplemental services being offered (if applicable)
- 5) Notification of their right to refuse Title III supplemental services (if applicable)

The initial notification must be provided no later than 30 calendar days after the beginning of the school year or within the first two weeks of placement in an LIEP for students who enroll after the start of the school year. (ESEA Section 1112(e)(3)(A), 1112(e)(3)(B)). The notice and information provided must be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand. (ESEA Section 1112(e)(4)).

#### **Assessment of ESL Students:**

In accordance with Pennsylvania academic standards and Charter School academic standards, the Charter School will monitor the progress of EL students and will provide appropriate accommodations within the content areas to ensure achievement of the academic standards and curricular goals. 22 Pa. Code § 403; 20 U.S.C.A. § 6842. The ESL Director will oversee the review, both annual and periodic, of EL students.

Pennsylvania's assessments shall be administered to all EL students annually to measure progress and determine each EL student's English language proficiency for each language domain (Reading, Writing, Speaking and Listening/Understanding). Each designated ESL teacher will complete the annual grading and evaluation process for EL students (English, Reading and Language Arts). Other considerations will include EL student portfolios and teacher narratives regarding observations of each EL student. Students with immigrant status who have lived in the United States for less than one year are exempt from participating in the PSSA and local assessments.

Throughout the course of the year, individual student progress will be evaluated on a continuous basis with each ESL teacher and the classroom teacher. Each teacher will modify EL students' learning plans to ensure academic success for each EL student.

A standardized form will be kept in each EL student's permanent record folder through graduation. The form shall identify the date, level, and English proficiency score upon entering the ESL Program; report(s) of progress toward ESL Program goals; and academic standardized test scores. A narrative from the designated ESL teacher, regarding each EL student's progress toward satisfying the ESL Program objectives, will also be part of the data collection and review process.

An EL student may not be retained in a grade level based solely on his/her lack of English language proficiency. Before an EL student is retained in a grade, the ESL Director must demonstrate that all appropriate modifications were made to instruction and assessment in order to allow the EL student's meaningful access to the grade level content curriculum as well as to promote ESL instruction.

### **EL Students with Disabilities**

All EL students shall be eligible for special education services. All procedures for the screening, evaluation, IEP, and the provision of services and/or instruction for EL students must be in compliance with governing state and federal laws and regulations. However, the Charter School, as LEA, must ensure that their program is effective before referring the child for evaluation. The questions should be asked to determine if a Student should be evaluated for IDEA disability or a Section 504 Plan:

- Is ESL instruction sufficient in quantity and quality?
- Is the core ESL instructional program effective and aligned to the proficiency level of the student, and the English Language Proficiency Standards?
- Is planned instruction in the content areas delivered according to the English language proficiency level of the student and the English Language Proficiency Standards, and are appropriate ESL-related adaptations/modifications are provided by content teachers?
- Collaboration exists between the ESL and content teachers?
- Instruction and home-school communication is culturally responsive?

A current practice with many LEAs is to hire a bilingual psychologist to implement an IQ test of a student. The problem arises when the results are used as the only criteria to make identification and placement decisions without having a complete profile of the child, e.g.:

- Has the student received any instruction in the native language?
- What is the student's dominant language?
- How many years of instruction has the student had in English?
- How is the student progressing in ESL instruction? How is the student progressing in comparison to other ELs (like peers)...not compared to native speakers of English.
- Was a translator/interpreter used during assessment? If yes, was the test developed for the use of a translator/interpreter?
- Was the student born in the US?

- Was the student transient? What amount of time were they in school (in and outside the US)?
- What is the level of acculturation?
- Has the assessor acknowledged the impact of cultural and linguistic diversity on assessment performance? e.g., increased processing time, cultural bias, gaps in vocabulary and prior knowledge, false cognates, etc.

The IEP team for an EL student shall include either the ESL Director or an appropriately certified ESL teacher, or at a minimum, the IEP team shall receive input from either the ESL Director or the appropriate ESL teacher when appropriate. In Pennsylvania, the ESL Program Specialist (PK-12) is the add-on certificate for teachers who provide English as a Second Language instruction. The ESL teacher has the training, expertise, and experience to:

- Analyze and interpret English language proficiency assessment results of Focusing on English language proficiency levels and calculating language proficiency growth using the scaled scores;
- Identify the student's language strengths and needs;
- Provide essential guidance related to the process of second language acquisition, communication with families, cultural responsiveness, and reduction of language barriers;
- Provide information concerning the ecology of the student (e.g., first language literacy, cultural and educational background, length of time in the U.S., interrupted education, mobility, acculturation stages, socio-economic status).

The IEP team for an EL student shall consider the need for ESL instruction as it addresses the EL student's needs related to the provision of a Free and Appropriate Public Education. In determining an EL student's needs, the IEP team shall consider both special education services and ESL instruction simultaneously. Special education services do not replace ESL instruction. LEAs must not identify or determine that ELs are students with disabilities because of their limited English language proficiency.

For special education students, the term ESL Program refers to:

- Planned instruction by a qualified ESL Education teacher;
- Adaptations/modifications in the delivery of content instruction by all teachers, based on the student's English language proficiency levels and the Pennsylvania English Language Development Standards (PA ELDS) for ELs, as well as the Pennsylvania Core Standards.

LEAs must ensure that their program is sufficient in quantity and quality before referring the student for an evaluation, demonstrating evidence that:

- ESL instruction is daily, rigorous, and research-based;
- The core ESL instructional program is aligned to the English language proficiency levels of the student, and the PA English Language Development Standards;
- Grade-level planned instruction in the content areas is delivered according to the English language proficiency levels of the student and the PA English Language Development Standards, and appropriate adaptations/modifications are provided by content teachers to allow meaningful access to core curriculum;
- Collaboration is ongoing between the ESL and content teachers;
- Instruction and home-school communication are culturally and linguistically responsive.

ELs with IEPs may receive both ESL instruction and special education services simultaneously. The IEP must be developed by the IEP Team, which should include the ESL teacher as a member, or at a minimum, information provided by the ESL teacher to the IEP team.

EL students receiving special education services must submit to Pennsylvania's annual assessments. Each EL student may participate in assessments through the use of one or more state-approved accommodations appropriate to his/her disability. The IEP team may make decisions regarding assessment accommodations for EL students with disabilities, considering the following:

1. Accommodations must not invalidate the results of the assessment;
2. Accommodations may be used for the entire assessment or only for part/parts of the assessment;
3. Determinations of any accommodation must be:
  - Based on a student's disability;
  - Made by the student's entire IEP team;
  - Properly documented in the student's IEP; and
  - Properly coded on the assessment.

#### **Exit of ELs with IEPs:**

Monitoring of the EL status is required for four years after a student exits a language instruction educational program and appropriate records of student progress must be maintained. ESSA Section 3121(a)(5). Monitoring may include any or all of the following:

- Periodic review of grades
- Local assessments
- Required state assessments
- Teacher observation
- Teachers may implement appropriate interventions to assist students who are not meeting benchmarks in core content areas.
- Monitoring is not an extension of the language instruction educational program. Students who are monitored cannot be counted as ELs in any state or federal data collection systems for the purpose of acquiring state or federal funding.
- For accountability purposes, an LEA must report on the academic achievement of an EL for each year of the four years after such student has achieved English language proficiency and no longer receives ESL services. These data must include results on content assessments for reading/language arts, mathematics, and science.

### **Communications with EL Parents/Guardians**

Communications with EL parents and/or guardians must be in the parents'/guardians' preferred language and mode of communication. The Charter School will provide interpretation services (written and/or oral, depending on the preferred mode of communication). 20 U.S.C.A. § 7012.

The Elementary and Secondary Education Act ("ESEA") does not define the term "families." Families may include relatives involved in the social, emotional, and academic support of the student and expand beyond parents and guardians to include siblings, grandparents, aunts, uncles, cousins and others. As such, States, LEAs, and schools looking to involve and support families should be responsive to their students' diverse family structures. For an EL or immigrant student, extended family members may have a powerful impact on the student's academic success. In many cultures, grandparents in particular play a pivotal role in guiding and shaping household values. Providing outreach to those relatives, including through information about school programs and student progress, as well as opportunities for meaningful involvement, such as participation in school functions like family literacy nights and other such events, can have a positive impact on student learning. It is also important to consider



the family situation of foster youth, unaccompanied children, and others whose "family" network may extend beyond biological relatives.

### **Requirements for pre-service and in-service professional development for teachers**

The ESSA made several important changes pertaining to preparation and professional development for teachers of ELs. First, instead of describing these programs and activities as "high-quality," as under NCLB, the statute has strengthened these provisions by clarifying that such programs and activities supported by Title III funds must be "effective."

LEAs must use Title III funds to provide effective professional development for teachers and principals of ELs that is:

- Designed to improve the instruction and assessment of ELs;
- Designed to enhance the ability of teachers and principals to understand and implement curricula, assessment measures and practices, and instructional strategies for ELs;
- Effective in increasing children's English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of teachers of ELs; and
- Of sufficient intensity and duration to have a positive and lasting impact on the teachers' performance in the classroom. This does not include one-day or short term events, unless as part of a teacher's comprehensive professional development plan that is based on a needs assessment. (ESEA Section 3115(c)(2)).

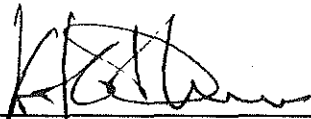
Second, the use of Title III State-level funds for professional development was previously limited to assisting personnel in meeting certification and licensing requirements for teaching ELs. States may now also provide professional development to improve teaching skills to meet the diverse needs of ELs, including how to implement effective programs and curricula to teach ELs. (ESEA Section 3111(b)(2)(B)). The professional development provided by either the State or an LEA need not be limited to teachers who teach exclusively ELs, but may be provided to all teachers who have ELs in their classrooms, to enable them to teach those ELs more effectively.


**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

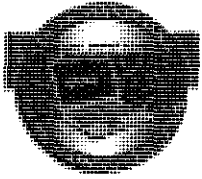
ADOPTED this day 10<sup>th</sup> of May, 2018

Approved 8/10/2017  
Revised 5/10/2018  
English as a Second Language Policy  
2018

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Latsha Davis & McKenna, P.C.  
Attorney Client Privilege

  
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President

  
\_\_\_\_\_  
Secretary



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The Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") must not deny enrollment or otherwise discriminate in admission practices on the basis of a child's need for special education or supplementary aids or services.

The Charter School shall comply with the Board of Trustees' approved Student Admissions Policy. The Charter School is further directed to make the Student Admissions Policy available for inspection by auditors from the Pennsylvania Department of Education during any special education cyclical monitoring audit.

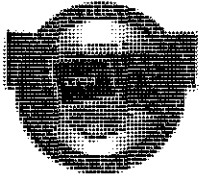
The Charter School shall comply with Section 24 P.S. 17-1723-A of the Charter School Law regarding enrollment and shall not discriminate in its admission policies or practices on the basis of intellectual ability (except to the extent specifically allowed by law), or athletic ability, measures of achievement or aptitude, status as a person with a disability, proficiency in the English language or immigration status or any other basis that would be illegal under applicable state and/or federal laws or regulations.

**Entitlement to Education**

Every child of school age who is a resident of a Pennsylvania school district is entitled to a public school education. Resident students include those residing with their parent(s) and non-resident students living with a Pennsylvania school district resident who is supporting the child gratis and seeking enrollment. Once the required enrollment documentation described below is provided, the Charter School must enroll non-resident children and permit them to attend school. A child should be permitted to attend school on the next school day after the day on which the child is presented for enrollment, and in all cases within five (5) business days of the Charter School's receipt of the required documents, if a space exists pursuant to the Charter School's Admission/Lottery Policy.

**Required Enrollment Documentation**

Except when a child is homeless, whenever a child of school age is presented for enrollment by a parent(s), a Pennsylvania school district resident, or any other person having charge or care of the child, the Charter School shall require that the following information be documented before enrolling the child and allowing the child to attend school:



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**1. Proof of the child's age**

Any one of the following constitutes acceptable documentation: birth certificate; notarized copy of birth certificate; baptismal certificate; copy of the record of baptism – notarized or duly certified and showing the date of birth; notarized statement from the parents or another relative indicating the date of birth; a valid passport; a prior school record indicating the date of birth.

**2. Immunizations required by law**

Acceptable documentation includes: either the child's immunization record, a written statement from the former school district or from a medical office that the required immunizations have been administered, or that a required series is in progress, or verbal assurances from the former school district or a medical office that the required immunizations have been completed, with records to follow.

**3. Proof of residency**

Acceptable documentation includes: a deed, a lease, current utility bill, current credit card bill, property tax bill, vehicle registration, driver's license, or Department of Transportation identification card. While more than one form of residency confirmation may be required, the Charter School should be flexible in verifying residency, and should consider what information is reasonable in light of the family's situation. See the paragraph on Homeless Students for guidance in that situation. (Also see attached Residency Affidavit.)

**4. Parent Registration Statement**

A sworn statement attesting to whether the student has been or is suspended or expelled for offenses involving drugs, alcohol, weapons, infliction of injury or violence on school property must be provided for a student to be admitted to any school entity. The Charter School may not deny or delay a child's school enrollment based on the information contained in a disciplinary record or sworn statement. However, the Charter School may wait to enroll a student until a current period of expulsion has expired.

**5. Home Language Survey**

All students seeking first time enrollment in a school shall be given a home language survey in according with requirements of the U.S. Department of Education's Office for



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Civil Rights. Enrollment of the student may not be delayed in order to administer the Home Language Survey.

Documents which May be Requested but Not as a Condition of Enrollment - Items which May be Requested

Although the Charter School may ask for any of the information below, the Charter School may not require it as a condition of enrolling or admitting a child and a child's enrollment or attendance may not be delayed until these documents are provided. Among the documents that the Charter School may request are: picture identification, health or physical examination records, academic records, attendance records, Individualized Education Program, and other special education records. In addition, the Charter School may not require that a physical examination be conducted as a condition of enrollment.

**Registration Form**

A registration form, filled out by families for student enrollment, may include the following: name, address, telephone number, name of parent(s) or guardian(s) or resident adult(s) with whom the student is living, emergency contact information, former school information, and other locally required information. Failure to complete this form will not be made a condition of the student's enrollment.

**Documentation Required From Other Sources**

The Charter School is also entitled by law to receive information on an enrolling student from the previous school, public, charter, nonpublic or private, which the student attended. However, the provision of this information rests with the educational entity and not the family, and so, the Charter School, as the receiving local educational agency, will not require this information as a precondition to enrollment and will not delay a student's admission for lack of this information.

**Student Education Records**

Upon enrollment, the Charter School contacts the student's former school for a copy of the student's education records. The former school district or charter school, if within this Commonwealth, is required to respond by forwarding the records within 10 business days of the date upon which a student's records are requested by the Charter



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School. The Charter School shall enroll students within 5 business days regardless of receipt of records from the previous districts.

**Disciplinary Records**

Whenever a pupil transfers to another Pennsylvania school entity or nonpublic school, a certified copy of the student's disciplinary record shall be transmitted to the school entity or nonpublic school to which the pupil has transferred. The school entity or nonpublic school to which the student has transferred should request the record. The sending school entity or nonpublic school shall have 10 days from receipt of the request to supply a certified copy of the student's disciplinary record. Failure to receive the student's discipline record cannot be used to deny or delay the student's enrollment or school attendance. A school district may not deny or delay a child's school enrollment based on the information contained in a disciplinary record or sworn statement.

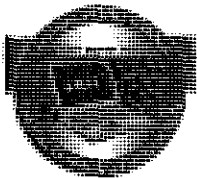
**Prohibited Requests - Items Which May Not Be Requested**

For both enrollment and also for residency determinations, the Charter School will not request or require any of the following: a social security number; the reason for a child's placement if not living with natural parents; a child's or parent's visa; agency records; or, except in the limited circumstances described in the next section, a court order or records relating to a dependency proceeding. A child's right to be admitted to school may not be conditioned on the child's immigration status. The Charter School will not inquire as to the immigration status of a student as part of the admissions process.

**Student Classifications for Education Entitlement**

**Resident Students and Court Orders or Custody Agreements**

The Charter School may require a parent/guardian to provide a custody or dependency order when the child is being enrolled at the Charter School pursuant to parent relying on court order or custody agreement as the basis for enrollment. The Charter School will not require a custody order or agreement as a condition of enrollment in any circumstances other than the circumstance specified above. (See attached Affidavit of Custody).



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**Students Living With a Resident Adult other than a Parent**

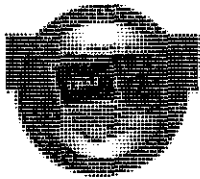
When a child is living with an adult other than a parent, who is supporting the child without personal compensation, (gratis) the child may attend the public schools of that adult's school district, provided that resident makes application and supplies the required enrollment information noted in the section entitled Required Enrollment Documentation. In addition, before accepting the child as a student, the Charter School shall require the resident to file only one of the following:

1. A sworn and notarized statement from the resident of the school district indicating that the signer is a resident of the school district, is supporting the child without receiving personal compensation, that the child is living with the resident continuously and not just for the school year, and that the resident will accept all responsibilities relating to the child's schooling (See Attachment B for a model statement), or
2. Appropriate legal documentation to show dependency or guardianship, which may include a custody order. The Charter School may require other information to be submitted by the resident to substantiate the sworn statement. The natural parent(s) or former guardian(s) of the student may not be required to provide information. Once the requested information is provided, the Charter School will enroll the child and permit him or her to begin to attend school without delay, but in no case more than 5 days. (See attached Affidavit of Support), if a space exists pursuant to the school's Admission/Lottery Policy.

A resident's receipt of payments, such as Supplemental Security Income (SSI), Transitional Assistance for Needy Families (TANF), pre-adoptive or adoptive support, maintenance on public or private health insurance, support from the military or military personnel or other payments for or on account of the child such as child support, shall not be deemed to be personal compensation or gain.

**Foster Children**

While the Public School Code provisions governing nonresident children placed in foster care are not applicable to charter schools pursuant to the Pennsylvania Charter School Law, the Charter School will use such Public School Code provisions for



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guidance in such situations in conjunction with consultation with the Charter School's legal counsel.

**Nonresident Children Living in Facilities or Institutions**

A child living in a district in which there is located a licensed shelter, group home, maternity home, residence, facility, orphanage or other institution for the care or training of children or adolescents, shall be admitted to that district's schools if living at or assigned to the facility or institution. If the school district or residence of a child living at or assigned to a facility or institution cannot be determined, but the child is determined to be a resident of the Commonwealth, the child shall be permitted to attend the public schools of the district. This includes a child placed by the child's resident parents or guardians at a facility or institution and subsequently abandoned or deserted.

**Emancipated Minors**

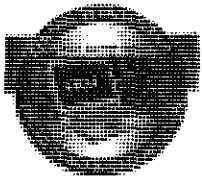
An emancipated minor is a student under the age of 21 who has established a domicile apart from the continued control and support of parents or guardians or who is living with a spouse. The school district in which this student is living is his or her resident school district and the student may enroll at the Charter School without any additional assistance from an adult.

**Homeless Students**

the Charter School will ensure that each child of a homeless individual and each homeless youth have equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youth. Homeless students may reside in shelters, hotels, motels, cars, tents or be temporarily doubled-up with a resident family because of lack of housing. In the case of homeless students, traditional concepts of "residence" and "domicile" do not apply. Homeless children and youth lack a fixed, regular, and adequate nighttime residence. Included within the definition of homeless children and youth are those who are "awaiting foster care placement" and "unaccompanied homeless youth."

Unaccompanied homeless youth may enroll without documents and without the help of an adult. Unaccompanied homeless youth includes any child who is "not in the physical custody of a parent or guardian." Falling within this definition are students





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who have run away from home, been thrown out of their home, or been abandoned or separated from their parents or guardians.

Youth awaiting foster care placement include those who are placed in emergency, interim or respite foster care; kinship care; evaluation or diagnostic centers or placements for the sole purpose of evaluation. When necessary, Charter School administration will consult with the respective county children and youth agencies to determine if a child meets the definition of "awaiting foster care placement", including, on a case-by-case basis, whether a child who does not clearly fall into one of these categories is nevertheless a child "awaiting foster care placement."

Homeless youth are entitled to immediate enrollments, if a space exists pursuant to the Admissions/Lottery Policy and their families are not required to prove residency regarding school enrollment. These students are considered residents of the district where they are presently residing, or continue their education in the district of prior attendance.

**Pre-Adoptive and Adoptive Students**

The Federal Adoption Assistance Program, among other things, provides for adoption assistance payments to encourage the placement of certain hard-to-place children with adoptive parents. Pennsylvania has adopted companion legislation, known as the Adoption Opportunities Act. Children living with pre-adoptive parents who are receiving adoption assistance subsidies, pre-adoptive foster payments, or other payments such as Supplemental Security Income (SSI) or Transitional Assistance for Needy Families (TANF), are entitled to attend school in the school district in which the pre-adoptive parents reside. Notwithstanding receipt of any of the above payments, children living in pre-adoptive situations are considered residents of the school district in which their pre-adoptive parents reside. Children living with adoptive parents are entitled to all free school privileges accorded to resident school children of the respective school district.

**School-Age Children of Military Personnel**

When Pennsylvania residents who are military personnel are deployed and their school age children are living with relatives or family friends in a school district for that period of time, the students are entitled to attend school in the school district in which they are residing.



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**SPECIAL EDUCATION STUDENT ENROLLMENT**

**Other Issues Related To Enrollment**

**Address Confidentiality Program ( ACP )**

Some families may enroll a student using an ACP card which lists a post office box as their address. This is their legal address and the Charter School will not require additional information about their residence. School records from the student's former school will be forwarded through the ACP.

**Age**

Children are considered school age from the time they are admitted to the public school educational program until graduation from high school or the age of 21 if identified pursuant to the Individuals with Disabilities Education Act of 2004. The Charter School will not refuse admission to a child who meets the age requirement. Students who turn 21 during the school term are entitled to finish that school term. If a student is under age 21 and has a Graduation Equivalency Diploma ("GED"), the student can enroll in school and work towards a diploma. For subsidy purposes, students who reach age 21 after the school term begins are eligible to be counted for the entire school term. The Department of Education will accept requests to allow students to be counted in membership for subsidy purposes for an extended school program beyond age 21 if the request includes a hearing officer decision or court order.

**Children and Families with Limited English Proficiency**

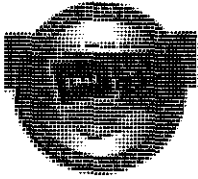
Children and families with limited English proficiency will be provided translation and interpretation services to the extent needed to help the family understand the enrollment process and enroll the student in school promptly per applicable federal law.

**Twins and Multiple Siblings**

While the Public School Code provision governing twins and multiple siblings is not applicable to charter schools pursuant to the Pennsylvania Charter School Law, the Charter School will use the Public School Code provision for guidance in such situations in conjunction with consultation with the Charter School's legal counsel.

**Submitting Enrollment Complaints to the Department Of Education**

When a dispute arises regarding enrollment of a student, the person attempting to enroll the child or the Charter School may bring the dispute to the attention of the



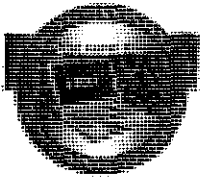
**Board of Trustees Policy - SP10**  
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Department's School Services Unit. A complaint may be filed by mail, email or by phone with written follow up. After receipt of a complaint, a Department representative will contact the Charter School, family or other involved parties to determine the facts, whether the child is entitled to enrollment at the Charter School and to try to resolve the problem. These contacts, whenever possible, will occur within five (5) days of receipt of the complaint. If the complaint is not amicably resolved, a written determination will be made and sent to the Charter School and the individual who filed the complaint.

If the Charter School does not enroll the student within five (5) school days after receiving the written determination and space exists pursuant to the school's Admissions/Lottery Policy, the Department will issue a letter to the Charter School requesting its position on the situation. The Charter School will have five (5) school days to respond to the request. If the Charter School refuses to enroll the student or does not respond, the matter will be forwarded to the Department's Office of Chief Counsel (OCC). The OCC and the Deputy Secretary for Elementary/Secondary Education will determine if the Charter School's response is valid to deny enrollment. If not, the Deputy Secretary will determine what additional measures may be necessary to assure enrollment.

**Written Policies**

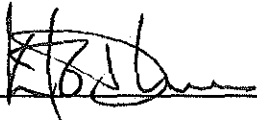
The Charter School's written policy on student admission is a public record and will be posted to the school's website.

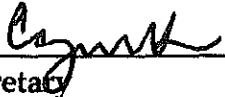


**Board of Trustees Policy - SP10**  
**SPECIAL EDUCATION STUDENT ENROLLMENT**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED  
TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE  
AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS  
AND/OR CHARTER CONTROL.**

ADOPTED this 14th day of April, 2016

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

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**Board of Trustees Policy - SP11**  
**EVALUATION AND REEVALUATION**

In accordance with applicable state and federal regulations, the Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes that in order to properly identify a student as eligible, the Charter School must have a process and procedures in place and therefore, directs as follows:

That the Charter School adopts this policy which sets forth procedural requirements for Evaluations and Reevaluations which are necessary to identify specific learning disabilities in accordance with its application for charter. To determine that a child has a specific learning disability, the Charter School shall address whether the child does not achieve adequately for the child's age or meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and scientifically based instruction appropriate for the child's age or State-approved grade-level standards:

- (i) Oral expression.
  - (ii) Listening comprehension.
  - (iii) Written expression.
  - (iv) Basic reading skill.
  - (v) Reading fluency skills.
  - (vi) Reading comprehension.
  - (vii) Mathematics calculation.
  - (viii) Mathematics problem solving.
- (2) Use one of the following procedures:
- (i) A process based on the child's response to scientific, research-based intervention, which includes documentation that:
    - (A) The student received high quality instruction in the general education setting.



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**EVALUATION AND REEVALUATION**

(B) Research-based interventions were provided to the student.

(C) Student progress was regularly monitored.

(ii) A process that examines whether a child exhibits a pattern of strengths and weaknesses, relative to intellectual ability as defined by a severe discrepancy between intellectual ability and achievement, or relative to age or grade.

(3) Have determined that its findings under this section are not primarily the result of:

(i) A visual, hearing or orthopedic disability.

(ii) Mental retardation.

(iii) Emotional disturbance.

(iv) Cultural factors.

(v) Environmental or economic disadvantage.

(vi) Limited English proficiency.

(4) Ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or mathematics by considering documentation that:

(i) Prior to, or as a part of, the referral process, the child was provided scientifically-based instruction in regular education settings, delivered by qualified personnel, as indicated by observations of routine classroom instruction.

(ii) Repeated assessments of achievement were conducted at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.



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**EVALUATION AND REEVALUATION**

The IEP Team, which consists of a group of qualified professionals and the student's parents, reviews the evaluation materials to determine whether the child is a child with a disability. The IEP Team shall include a certified school psychologist when evaluating a child for autism, emotional disturbance, mental retardation, multiple disabilities, other health impairments, specific learning disability or traumatic brain injury. Other professionals include hearing or visual specialists, a medical doctor, and occupational, physical or speech therapists. The evaluation must include information from the child's teacher(s), such as the results of informal tests and narrative statements describing the student's strengths and needs and also verbal and written input from the parent(s) as to the student's medical, social and academic history and observations from the home.

The initial evaluation shall be completed and a copy of the evaluation report presented to the parents no later than 60-calendar days after the agency receives written parental consent for evaluation, except that the calendar days from the day after the last day of the spring school term up to and including the day before the first day of the subsequent fall school term will not be counted. The evaluator shall prepare and sign the full report of the evaluation containing information such as: a clear explanation of the testing and assessment results; a complete summary of all test scores, including, for all standardized testing administered, all applicable full scale or battery scores, domain or composite scores, and subtest scores reported in standard, scaled, or T-score format; a complete summary of all information obtain or reviewed from sources other than testing conducted by the evaluator; and specified recommendations for educational programming and/or placement, if necessary.

Parents may request an evaluation at any time, and the request must be in writing. The Charter School shall make the Permission to Evaluate Form readily available for that purpose. If a request is made orally to any professional employee or administrator of the Charter School, that individual shall provide a copy of the Permission to Evaluate Form to the parents within 10-calendar days of the oral request.

Copies of the Evaluation Report shall be disseminated to the parents at least 10 school days prior to the meeting of the IEP Team, unless this requirement is waived by a parent in writing.



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**EVALUATION AND REEVALUATION**

**Reevaluations**

Once the child has been identified as being eligible for special education, the child must be reevaluated to determine whether the child's needs have changed. A Reevaluation must be conducted every three years. An exception to this is if a child has mental retardation. For students who have been determined to have mental retardation, reevaluations must occur every two years.

The Reevaluation process begins with a review of existing evaluation data by the IEP Team, which once more includes the parents. The IEP Team shall also include a certified school psychologist when evaluating a child for autism, emotional disturbance, mental retardation, multiple disabilities, other health impairment, specific learning disability and traumatic brain injury.

The information the IEP Team must review includes, but is not limited to, existing evaluation data, evaluations and information provided by the parents, current classroom-based assessments and observations, observations by teachers and services providers, and whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals in the IEP and to participate as appropriate in the general curriculum.

At the end of the review, the IEP Team concludes either that no additional data are needed to determine continued eligibility for special education and related services, or that there is a need for additional data.

When additional data is needed to complete a Reevaluation to determine whether the child continues to be a child with a disability and still in need of special education, Charter School officials must also obtain written permission through a formal Permission to Re-Evaluate form. However, if the Charter School has made "reasonable attempts" to get permission and has failed to get a response, it may proceed with the Reevaluation.





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**EVALUATION AND REEVALUATION**

Reasonable attempts must consist of:

- Documented Telephone calls
- Registered (return receipt required) and First Class Mail letters to the parents
- Visits to the home or parents' place of business

The reevaluation time line will be 60-calendar days, except that the calendar days from the day after the last day of the spring school term up to and including the day before the first day of the subsequent fall school term will not be counted.

Copies of the reevaluation report shall be disseminated to the parents at least 10 school days prior to the meeting of the IEP team, unless this requirement is waived by a parent in writing.

All evaluations (whether an initial evaluation or a reevaluation) needed to determine a child's eligibility for special education services must be provided by the Charter School at no charge to the parents. If a child needs special education, the special programs and related services as determined by the IEP Team will be provided free by the Charter School.

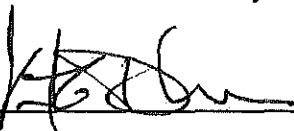
The Chief Executive Officer ("CEO") or his/her designee is directed to implement all procedures in accordance with this policy.

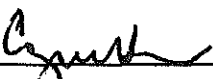


**Board of Trustees Policy - SP11**  
**EVALUATION AND REEVALUATION**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

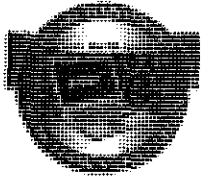
ADOPTED this   14th   day of   April  , 2016

  
\_\_\_\_\_  
President

  
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Secretary

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**Board of Trustees Policy – SP12**  
**EXCEPTIONAL STUDENT RECORDS CONFIDENTIALITY**

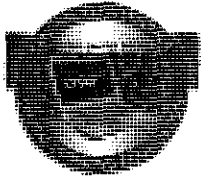
The Board of Trustees at the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes the need to protect the privacy rights of Charter School's exceptional students and their parents. The classification, collection, use, maintenance and dissemination of any information about a student or his or her family raises issues regarding the privacy of that information. Thus, the Charter School shall adhere to the provisions of federal and state laws pertaining to those privacy rights, including but not limited to the Family Educational Rights and Privacy Act of 1974 ("FERPA"), as amended, and its accompanying regulations; the applicable provisions of the Individuals with Disabilities Education Improvement Act (2004) ("IDEA"), as amended, and its implementing regulations; the applicable provisions of the Pennsylvania Public School Code of 1949, and the applicable provisions of Chapters 12 and 711 of the Pennsylvania Administrative Code containing the regulations of the Pennsylvania State Board of Education and other provisions applicable to charter schools. The Chief Executive Officer ("CEO") or his/her designee is designated as the administrator responsible for the maintenance, access, use and release of exceptional student records. This policy is to be used in combination with the Charter School's Student Records Policy.

The CEO or his/her designee shall be responsible for the implementation of this policy.

**CONSENT FOR DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION**  
**(34 CFR §300.622)**

Unless the information is contained in education records, and the disclosure is authorized without parental/legal guardian consent under FERPA, the student's parent's/legal guardian's consent (or student's consent if the student has reached the age of majority and is otherwise eligible to have record rights transferred to him or her) must be obtained before personally identifiable information about that student is disclosed to parties other than officials of the Charter School. Except under the circumstances specified below, parental consent is not required before personally identifiable information is released to officials of the Charter School for purposes of meeting a requirement of Part B of IDEA 2004.

A parent's (legal guardian's) consent, or consent of an eligible child who has reached the age of majority under State law, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.



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**ACCESS TO CONFIDENTIAL INFORMATION RELATED TO STUDENT (34 CFR §300.611)**

1. **Related to the confidentiality of information, the following definitions apply:**
  - a. *Destruction* means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.
  - b. *Education records* means the type of records covered under the definition of "education records" in 34 CFR Part 99 (the regulations implementing the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. §1232g (FERPA)).
  - c. *Participating agency* means any charter school, agency or institution that collects, maintains, or uses personally identifiable information, or from which information is obtained, under Part B of the IDEA.
  - d. *Personally identifiable (34 CFR §300.32)* means information that has:
    - 1) A child's name, a parent's name, or the name of another family member;
    - 2) A child's address;
    - 3) A personal identifier, such as a child's social security number or student number; or
    - 4) A list of personal characteristics or other information that would make it possible to identify a child with reasonable certainty.

**2. Access Rights (34 CFR §300.613)**

**a. Parent Access**

The Charter School must permit a parent to inspect and review any education records relating to the parent's child that are collected, maintained, or used by the charter school under Part B of the IDEA. The Charter School must comply with a parent's request to inspect and review any education records on the parent's child without unnecessary delay or before any meeting regarding an IEP, or any impartial due process hearing (including a resolution meeting or a hearing regarding discipline), and in no case more than 45 calendar days after the parent has made a request.



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A Parent's right to inspect and review education records includes:

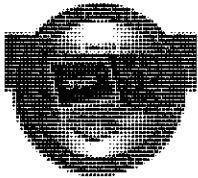
- 1) A parent's right to a response from the Charter School to reasonable requests for explanations and interpretations of the records;
- 2) A parent's right to request that the Charter School provide copies of the records if the parent cannot effectively inspect and review the records unless the parent receives those copies; **and**
- 3) A parent's right to have a representative inspect and review the records.
  - a) The Charter School may presume that a parent has authority to inspect and review records relating to the parent's child unless advised that the parent does not have the authority under applicable State law governing such matters as guardianship, or separation and divorce.
  - b) If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information.
  - c) On request, each charter school must provide the parent with a list of the types and locations of education records collected, maintained, or used by the Charter School.

**b. Other Authorized Access (34 CFR §300.614)**

the Charter School must keep a record of parties obtaining access to education records collected, maintained, or used under Part B of the IDEA 2004 (except access by parents and authorized employees of the participating agency), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

**3. Fees**

The Charter School may charge a fee for copies of records (34 CFR §300.617) that are made for a parent under Part B of the IDEA, if the fee does not effectively prevent the parent from exercising the right to inspect and review those records.



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**EXCEPTIONAL STUDENT RECORDS CONFIDENTIALITY**

The Charter School may not charge a fee to search for or to retrieve information under Part B of IDEA 2004.

**4. Amendment of Records at Parent's Request (34 CFR §300.618)**

If a parent believes that information in the education records regarding the parent's child collected, maintained, or used under Part B of IDEA 2004 is inaccurate, misleading, or violates the privacy or other rights of the child, the parent may request the charter school that maintains the information to change the information.

The Charter School must decide whether to change the information in accordance with the parent's request within a reasonable period of time of receipt of the parent's request.

If the Charter School refuses to change the information in accordance with the parent's request, it must inform the parent of the refusal and advise the parent of the right to a hearing for this purpose.

**5. Opportunity for a Records Hearing (34 CFR §300.619)**

The Charter School must, on request, provide the parent an opportunity for a hearing to challenge information in education records regarding the parent's child to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

**b. Hearing Procedures (34 CFR §300.621)**

A hearing to challenge information in education records must be conducted according to the following procedures for such hearings under the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. Section 1233g (FERPA):

- 1) The educational agency or institution shall hold the hearing within a reasonable time after it has received the request for the hearing from the parent or eligible student.
- 2) The educational agency or institution shall give the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing.



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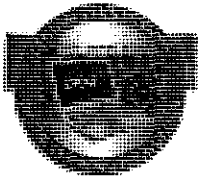
- 3) The hearing may be conducted by any individual, including an official of the educational agency or institution who does not have a direct interest in the outcome of the hearing.
- 4) The educational agency or institution shall give the parent or eligible student a full and fair opportunity to present evidence to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy rights of the student. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
- 5) The educational agency or institution shall make its decision in writing within a reasonable period of time after the hearing.
- 6) The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

**c. Result of Hearing (34 CFR §300.620)**

If, as a result of the hearing, the Charter School decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it must change the information accordingly and inform the parent in writing. If, as a result of the hearing, the Charter School decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the parent's child, the parent may place in the records that it maintains on the parent's child a statement commenting on the information or providing any reasons the parent disagrees with the decision of the participating agency.

Such an explanation placed in the records of the parent's child must:

1. Be maintained by the Charter School as part of the records of the child as long as the record or contested portion is maintained by the Charter School; **and**
2. If the Charter School discloses the records of the child or the challenged portion to any party, the explanation must also be disclosed to that party.



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**d. Safeguards (34 CFR §300.623)**

**Each charter school must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.**

The CEO or his/her designee must assume responsibility for ensuring the confidentiality of any personally identifiable information.

All persons collecting or using personally identifiable information must receive training or instruction regarding Pennsylvania's policies and procedures regarding confidentiality under Part B of IDEA 2004 and FERPA.

Each charter school must maintain, for public inspection, a current listing of the names and positions of those employees within the agency who have access to personally identifiable information.

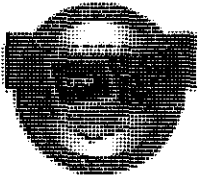
Persons who have access to personally identifiable information at the Charter School will include members of the child's IEP team, the Charter School's records custodian and the CEO or his/her designee. Any individual accessing a student's personally identifiable information must sign a sheet evidencing review of the records. The sheet will be maintained with the student records.

**6. Destruction of Information (34 CFR §300.624)**

The Charter School must inform the parent when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to the parent's child, and the information must be destroyed at the parent's request.

However, a permanent record of the child's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.





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The Charter School must comply with record maintenance requirements in accordance with FERPA and Chapters 711 and 12 of Title 22 of the Pennsylvania Code, together with directives of PDE with regard to record maintenance. Special Education records must also be maintained in accordance with PDE 6-year cyclical monitoring period guidelines established by PDE.

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**TRANSFER OF RECORDS BETWEEN SCHOOLS**

When the education records for a child with a disability are transferred from a public agency, private school, approved private school or private agency, to a charter school, the public agency, private school, approved private school or private agency from which the child transferred shall forward all of the child's educational records, including the most recent IEP, within 10 days after the public agency, private school, approved private school or private agency is notified in writing that the child is enrolled in a charter school.

When the educational records for a child with a disability are transferred to a public agency, private school approved private school or private agency from a charter school, the charter school shall forward the child's educational records, including the most recent IEP, within 10 school days after the charter school is notified in writing that the child is enrolled at another public agency, private school, approved private school or private agency.

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**REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND  
JUDICIAL AUTHORITIES AND RECORD TRANSMITTAL**

The Charter School reporting a crime committed by a child with a disability must ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the crime is reported. A charter school reporting a



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crime may transmit copies of the child's special education and disciplinary records only to the extent that the transmission is permitted by FERPA.

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**ELECTRONIC TRANSMISSIONS**

The Charter School will ensure that any records kept or transmitted electronically are subject to high standards of electronic security. The Charter School uses electronic firewalls and encryption systems, and monitors and tests the system regularly to ensure its stability and integrity. All the Charter School electronic mail correspondence shall include the following:

**CONFIDENTIALITY NOTICE**

The information in this transmission is intended only for the individual or entity named above. It may be legally privileged and confidential. If you have received this information in error, notify us immediately by calling the Charter School at (412) 361-1008. Send the original transmission to us by mail. Return postage is guaranteed. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited.

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**ADMINISTRATIVE PROCEDURES:**

The CEO or his/her designee shall be responsible for ensuring that the education records, confidentiality policies and procedures established under IDEA 2004 (relating to confidentiality of education records of exceptional students) are enforced and administered. This official shall:



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Notify parents on an annual basis of the policies and procedures regarding exceptional student education records and the rights of parents under both Federal and State Law concerning the confidentiality of education records of exceptional students;

Develop a system of safeguards which will protect the confidentiality of personally identifiable information at the point of collection, storage, use, maintenance, release and destruction;

Provide training and instruction in the implementation of records policy requirements for all educational agency personnel who collect or use exceptional student personally identifiable information; and

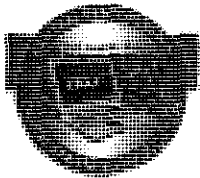
Maintain a current listing of the names and positions of those agents and employees of the Charter School who are authorized by the school to have access to personally identifiable information of exceptional students.

An education record shall not be destroyed by the Charter School if there is an outstanding request to inspect and review it by the parent or eligible student.

The Charter School will inform the parents of an exceptional student when personally identifiable information collected, maintained, or used in the records of the exceptional student is no longer needed to provide educational services to the exceptional student.

Upon request of the parents, information no longer relevant to and necessary for the provision of educational services to the exceptional student must be destroyed by the Charter School. However, a written record of an exceptional student's name, address, phone numbers, grades, attendance records, classes attended, grade level completed, and year completed will be maintained for 100 years.

Prior to the destruction of the information referred to in the above paragraph, the Charter School shall send written notification to the



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**EXCEPTIONAL STUDENT RECORDS CONFIDENTIALITY**


parents which shall inform the parents of their right to receive a copy of the material to be destroyed.

The Charter School shall not destroy education records containing information necessary for the education of an exceptional student who is enrolled or has been enrolled in an education program operated by the school.

Except as is stated in the above paragraph of this subsection, nothing in this section shall be construed to mean that the Charter School is required to destroy education records and the Charter School Administration is directed to implement any procedures necessary to maintain student records consistent with this policy and applicable state and federal laws and regulations.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this   14th   day of   April  , 2016

  
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President

  
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**Board of Trustees Policy - SP13**  
**EXTENDED SCHOOL YEAR SERVICES ("ESY ")**

The Board of Trustees directs that the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") comply with the requirements incorporated by reference in 34 CFR §300.106 (relating to extended school year services). The Charter School must ensure that ESY services are available as necessary to provide FAPE.

ESY Services means special education and related services that are provided to a child with a disability, beyond the normal school year, in accordance with the child's IEP, and at no cost to the parents of the child.

The Chief Executive Officer ("CEO") or his/her designee is directed to ensure that the Charter School uses the following standards for determining whether a student with disabilities requires ESY as part of the student's program:

(1) At each IEP meeting for a student with disabilities, the charter school shall determine whether the student is eligible for ESY services and if so, make subsequent determinations about the services to be provided.

(2) In considering whether a student is eligible for ESY services, the IEP team shall consider the following factors, however, no single factor will be considered determinative:

(i) Whether the student reverts to a lower level of functioning as evidenced by a measurable decrease in skills or behaviors which occurs as a result of an interruption in educational programming (Regression).

(ii) Whether the student has the capacity to recover the skills or behavior patterns in which regression occurred to a level demonstrated prior to the interruption of educational programming (Recoupment).

(iii) Whether the student's difficulties with regression and recoupment make it unlikely that the student will maintain the skills and behaviors relevant to IEP goals and objectives.



**Board of Trustees Policy - SP13**  
**EXTENDED SCHOOL YEAR SERVICES ("ESY")**

- (iv) The extent to which the student has mastered and consolidated an important skill or behavior at the point when educational programming would be interrupted.
- (v) The extent to which a skill or behavior is particularly crucial for the student to meet the IEP goals of self-sufficiency and independence from caretakers.
- (vi) The extent to which successive interruptions in educational programming result in a student's withdrawal from the learning process.
- (vii) Whether the student's disability is severe, such as autism/pervasive developmental disorder, serious emotional disturbance, severe mental retardation, degenerative impairments with mental involvement and severe multiple disabilities.

Reliable sources of information regarding a student's educational needs, propensity to progress, recoupment potential and year to year progress may include the following:

- (1) Progress on goals in consecutive IEPs.
- (2) Progress reports maintained by educators, therapists and others having direct contact with the student before and after interruptions in the education program.
- (3) Reports by parents of negative changes in adaptive behaviors or in other skill areas.
- (4) Medical or other agency reports indicating degenerative-type difficulties, which become exacerbated during breaks in educational services.
- (5) Observations and opinions by educators, parents and others.



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**EXTENDED SCHOOL YEAR SERVICES ("ESY ")**

(6) Results of tests, including criterion-referenced tests, curriculum-based assessments, ecological life skills assessments and other equivalent measures.

The Charter School will not limit ESY services to particular categories of disability or unilaterally limit the type, amount, or duration of those services.

The need for ESY services will not be based on any of the following:

- (1) The desire or need for day care or respite care services.
- (2) The desire or need for a summer recreation program.
- (3) The desire or need for other programs or services that while they may provide educational benefit, are not required to ensure the provision of a FAPE.

**Students with severe disabilities such as autism/pervasive developmental disorder, serious emotional disturbance; severe mental retardation; degenerative impairments with mental involvement; and severe multiple disabilities require expeditious determinations of eligibility for ESY services to be provided as follows:**

- (1) Parents of students with severe disabilities shall be notified by the Charter School of the annual review meeting to ensure their participation.
- (2) An IEP review meeting must occur no later than February 28 of each school year for students with severe disabilities.
- (3) The notice of recommended educational placement (NOREP) shall be issued to the parent no later than March 31 of the school year for students with severe disabilities.
- (4) If a student with a severe disability transfers into the Charter School after the dates in paragraphs (2) and (3), and the ESY eligibility decision



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**EXTENDED SCHOOL YEAR SERVICES ("ESY ")**

has not been made, the eligibility and program content must be determined at the IEP meeting.

The eligibility for ESY services of all students with disabilities shall be considered at the IEP meeting. ESY determinations for students other than those described above as having severe disabilities are not subject to the timelines for students with the severe disabilities described above. However, determinations for those other students shall still be made in a timely manner.

If the parents disagree with the Charter School's recommendation on ESY, the parents will be afforded an expedited due process hearing in accordance with applicable laws. Parents are to be provided with the required procedural safeguards notice.

ESY programs are to be individualized with regard to the amount of services and individually appropriate goals and related services.  
In cases where ESY is denied, evidence to support the denial is to be made part of the student's file.

The CEO or his/her designee is directed to develop procedures consistent with this policy and applicable laws.

**TIMELINES CONTAINED IN THIS POLICY MAY BE CHANGED BY THE PENNSYLVANIA DEPARTMENT OF EDUCATION AND WHICH THE SCHOOL MUST FOLLOW.**





**Board of Trustees Policy - SP13**  
**EXTENDED SCHOOL YEAR SERVICES ("ESY ")**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

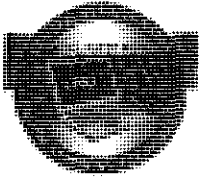
ADOPTED this 14th day of April, 2016

  
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President

  
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Secretary

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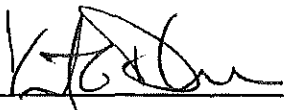
**Board of Trustees Policy - SP14**  
**FREE APPROPRIATE PUBLIC EDUCATION (FAPE)**

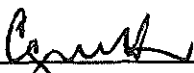
The Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") must ensure that FAPE is available to any individual child with a disability who needs special education and related services, even though the child has not failed or been retained in a course or grade, and is advancing from grade to grade.

The determination that a child described above is eligible, must be made on an individual basis by the group responsible within the Charter School for making eligibility determinations.

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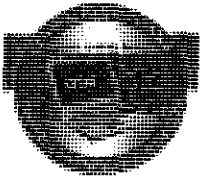
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**Board of Trustees Policy - SP15**  
**HOMELESS STUDENTS**

The No Child Left Behind Act of 2001 (Sec. 721(1)) states that it is the policy of Congress that indicates educational agencies shall ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, including a public preschool education as provided to other children and youths. Specifically, Section 722(g)(3)(A) of the Act indicates:

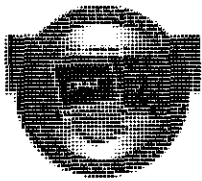
“the local educational agency serving each child or youth to be assisted [under this Act] shall according to the child’s best interest: (i) continue the child’s or youth’s education in the school of origin for the duration of homelessness, (I) in any case in which a family becomes homeless between academic years or during an academic year; or (II) for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or (ii) enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.”

The Board of Trustees (“Board”) of the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) recognizes its obligation to ensure that homeless students have access to the same educational programs and services provided to other Charter School students. The Board shall make reasonable efforts to identify homeless children, encourage their enrollment, and eliminate existing barriers to their attendance and education, in compliance with federal and state law regulations.

The Board may waive policies, procedures and administrative regulations that create barriers for enrollment, attendance, transportation, and success in Charter Schools of homeless students, based on the recommendation of the Chief Executive Officer (“CEO”).

According to the No Child Left Behind Act of 2001 the term “school of origin” means the school in which the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled. Sec. 722(g)(3)(G).

Homeless students are defined as individuals lacking a fixed, regular and night-time residence, which include the following conditions:



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**HOMELESS STUDENTS**

- a) Sharing the housing of other persons due to loss of housing or economic hardship.
- 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.
- d) Abandoned in hospitals.
- e) Awaiting foster care placement.
- f) Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings.
- g) Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations, or similar setting.
- h) Living as migratory children in conditions described in previous examples.
- i) Living as run-away children.
- j) Abandoned or forced out of homes by parents or caretakers.
- k) Living as school age unwed mothers in houses for unwed mothers if they have no other living accommodations.

The term "migratory children" means children who are, or whose parent or spouse are, migratory agricultural workers, including migratory dairy workers, or migratory fishermen, and who have moved from one school district to another in the preceding 36 months, in order to obtain or accompany such parent or spouse who seeks to obtain temporary or seasonal employment in agricultural or fishing work. See 20 U.S.C 6399(2).

The terms "enroll" and "enrollment" are defined to include attending classes and participating fully in school activities.



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**HOMELESS STUDENTS**

The Board designates the CEO or his/her designee to serve as the Charter School's Liaison for homeless students and families.

The Charter School's liaison shall coordinate with:

- a) Local service agencies that provide services to homeless children, youth and families.
- b) School districts on issues of records transfer, per pupil allocation, transportation and special education programs to ensure that homeless children who are in need of special education and related services are located, identified, and evaluated.
- c) State and local housing agencies responsible for comprehensive housing affordability strategies.

The Charter School Liaison has the following responsibilities:

- a) Identify homeless children and youth including preschool age children;
- b) Inform parents or guardians of educational rights and related opportunities available to their children, and provide them with meaningful opportunities to participate in the education of their children;
- c) Disseminate public notice of the educational rights of homeless students where children and youth receive services under the Act and forms to such places as schools, family shelters, and food pantries;
- d) Mediate enrollment disputes in accordance with the Enrollment Dispute section and ensure immediate enrollment pending resolution of disputes;
- e) Inform the parent/guardian of a homeless child or youth, and any unaccompanied youth, of all transportation options, including to the school of origin, and assist in accessing these transportation services;



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**HOMELESS STUDENTS**

- f) Assist children and youth who do not have immunizations, or immunization or medical records, to obtain necessary immunizations, or immunization or medical records;
- g) Understand the Pennsylvania Department of Education guidance issued for the education of homeless students in order to distribute information on the subject as well as to present workshops for school personnel, including office staff;

Students shall not be discriminated against, segregated nor stigmatized based on their status as homeless.

A. Enrollment/Placement

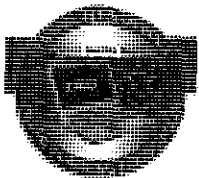
To the extent feasible, and in accordance with the student's best interest and parent/guardian's wishes, a homeless student shall continue to be enrolled in his/her school of origin while he/she remains homeless, or until the end of the academic year in which he/she obtains permanent housing.

Parents/guardians of a homeless student may request enrollment in the school in the attendance area where the student is actually living or other schools. If a student is unaccompanied by a parent/guardian, the Charter School Liaison will consider the views of the student in determining where he/she will be enrolled.

The Charter School shall immediately enroll the student and begin instruction, even if the student is unable to produce records normally required for enrollment pursuant to school policies. However, the Charter School may require a parent/guardian to submit contact information.

The Charter School liaison may contact the previous school for oral confirmation of immunizations, and the school shall request records from the previous district, pursuant to Board policy.

If the Charter School is unable to determine the student's grade level due to missing or incomplete records, the Charter School shall administer tests or utilize appropriate means to determine the student's placement.



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**HOMELESS STUDENTS**

If a dispute arises over the school selection or enrollment, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parents/guardians shall be provided with a written explanation of the Charter School's decision, their right to appeal, and the procedures to use for the appeal.

Appropriate school placement arrangements, based on the child's best interest, should be implemented through cooperative efforts of the respective chief school administrators of the Charter School, the chartering district, and any prior district of residence. Each case presents a unique set of circumstances and, therefore, requires an individualized response. In all cases, the Charter School shall comply, to the extent feasible, with the request made by a parent or guardian regarding school selection, shall attempt to minimize disruptions, and shall maintain the highest possible degree of continuity in programs for all homeless students. The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

In the case of an unaccompanied youth, the Charter School will ensure that the Charter School Liaison assists in placement or enrollment decisions, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.

The Charter School must immediately contact the last school attended to obtain relevant academic and other records.

The Board shall admit to the Charter School, upon application, those school age children who are living at or assigned to a facility or institution, and who are residents of the district or another district of this Commonwealth. These facilities or institutions are defined by the Public School Code and include: an agency, supervised or licensed shelter, group home, maternity home, residence, facility, orphanage, or other institution for care or training of children or adolescents.

Homeless students may reside in hotels, motels, cars, tents, or temporarily doubled-up with a resident family because of lack of housing. In determining residence and, in the case of homeless children, equating "residence" and "domicile" (home) does not apply. They are presently unable to establish "homes" on a permanent



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**HOMELESS STUDENTS**

basis. Homeless families are not required to prove residency regarding school enrollment.

B. Services

Homeless students shall be provided services comparable to those offered to other Charter School students including, but not limited to, transportation services, school nutrition programs, vocational programs and technical education, preschool programs, programs for students with limited English proficiency, and educational services for which students meet eligibility criteria, such as programs for disadvantaged students, students with disabilities, and gifted and talented students.

C. Transportation

The Charter School shall coordinate transportation for homeless students with the chartering school district of residence or any previous district of residence. The district of origin, the Charter School, and the chartering school district shall agree upon a method to apportion the responsibility and costs of the transportation.

D. The National School Lunch and Breakfast Program: Documentation and Procedures for Migrant, Homeless, and Runaway Children

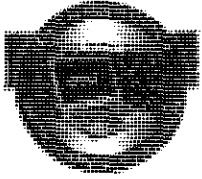
Homeless, runaway or migratory children are automatically certified as eligible for free meal benefits and can begin receiving free meal benefits upon proper documentation for meals. Migrant Education or Homeless staff are responsible for providing proper documentation of a child's status to the Food Service Directors in each school district.

**SCHOOL/HEALTH RECORDS**

The Charter School should immediately enroll and begin to provide instruction. The Charter School may contact the district of origin for oral confirmation that the child has been immunized. Oral confirmation between professionals is a sufficient basis to verify immunization with written confirmation to follow within 30 days. The instructional program should begin as soon as possible after the enrollment process is initiated and should not be delayed until the procedure is completed.

According to the No Child Left Behind Act of 2001, if the child or youth needs to obtain





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**HOMELESS STUDENTS**

immunizations or medical records, the enrolling school shall immediately refer the parent or guardian of the child or youth to the liaison who shall assist in obtaining necessary immunizations or medical records.

**TITLE I**

Title I of the Elementary and Secondary Education Act I (Reauthorized January 2002) mandates that funds be reserved to serve homeless children. Section 1113(C)(3) of the Title I statute states, "A local educational agency shall reserve such funds as are necessary . . .to provide services comparable to those provided to children in schools funded under this part to serve -- "(A) homeless children who do not attend participating schools, including providing educationally related support services to children in shelters and other locations where children may live. ..." Section 1115 also indicates that homeless children are eligible for services if they are attending schools served by an LEA.

**FISCAL RESPONSIBILITIES**

Fiscal responsibilities apply to all homeless students, whether in regular or special education classes.

The Charter School should apply the following criteria when determining fiscal responsibility:

- A. The procedures outlined below will be followed in cases when the education of the child is provided by the district where the homeless student is temporarily living (doubled up, motel, shelter). The procedures shall also apply in cases when the district of prior attendance, where that is not the district the child attended when permanently housed, will educate the child.
  - 1. Homeless individuals not in facilities (shelters) or institutions, as well as homeless individuals living in hotels, motels, cars, tents, or doubled-up with a resident family, shall be reported and reimbursed as resident students;



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**HOMELESS STUDENTS**

2. For homeless individuals in temporary shelters, the educating school district will send a PDE-4605 Determination of District of Residence for Student in Facilities or Institutions in Accordance with Section 1306 of School Code to the presumed district of residence;
  3. If PDE-4605 is acknowledged by the resident district, the educating district will enter the child on its rolls as a nonresident student from the acknowledging resident school district. The educating district will bill the resident district for tuition, and will report membership data according to PDE child accounting procedures; and,
  4. If PDE-4605 is disclaimed and a district of residence cannot be determined, the child will be considered a ward of the state. The educating district will enter the child on its rolls as a nonresident ward of the state, and will report membership according to PDE child accounting procedures. The Department of Education will pay tuition to the educating district based on membership reported to Child Accounting.
- B. In cases when the education of the child is provided by the Charter School, that district of residence when the child was permanently housed will continue to be responsible for the per pupil allocation for a homeless student for the period of temporary displacement and should maintain the homeless student on its rolls as a resident student.
- C. In cases when the student becomes permanently housed during the academic year and continues in the school of origin, which is not in the district of new residence, the Charter School will continue to educate the formerly homeless student, if requested by the student's parent or guardian, until the end of the academic year and should maintain the homeless student on its rolls as a non-resident student.

The charter school should advise the new district of residence of its financial responsibility for this student and send a tuition bill.



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**ENROLLMENT DISPUTE PROCEDURE**

If a dispute arises over school selection or enrollment, the child or youth must be immediately admitted to the school in which he/she is seeking enrollment, pending resolution of the dispute.

The parent or guardian must be provided with a written explanation of the school's decision on the dispute, including the right to appeal.

The parent, guardian, child or youth must be referred to the Charter School Liaison, who will carry out the state's grievance procedure as expeditiously as possible after receiving notice of the dispute.

In the case of an unaccompanied youth, the Charter School Liaison shall ensure that the child or youth is immediately enrolled in school pending resolution of the dispute.

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ADOPTED this 14th day of April, 2016

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**Board of Trustees Policy - SP17**  
**INCLUSION**

In accordance with applicable state and federal regulations regarding students with disabilities, the Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes and directs as follows:

To the maximum extent appropriate, children with disabilities, are educated with children who are nondisabled; and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

A continuum of alternative placements must be available to meet the needs of children with disabilities for special education and related services. The continuum must include alternative placements (including, but not limited to: instruction in, regular classes, supplementary aids and services, instruction in special classes, instruction in alternative schools, home instruction, and instruction in hospitals and institutions to the extent required by applicable laws and regulations).

Administration is further directed to make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement to the extent required by law and to inform the Board when supplementary aids and services must be procured and/or approved by the Board.

In determining the educational placement of a child with a disability, Administration is directed to ensure that the placement decision is made by a group of persons, including the parents, and other persons knowledgeable about: the child, the meaning of the evaluation data, and the placement options. Such decision must be made in conformity with the LRE provisions of the federal regulations.

The child's placement must be determined at least annually; be based on the child's IEP; and must be as close as possible to the child's home to the extent required by applicable law. Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled.

In selecting the LRE, Administration is directed to give consideration to any potential harmful effect on the child or on the quality of services that he or she needs.



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**INCLUSION**

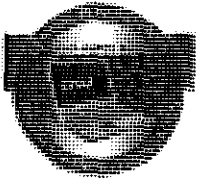
A child with a disability is not to be removed from education in age appropriate regular classrooms solely because of needed modifications in the general education curriculum.

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in the applicable state and federal regulations, Administration is directed to ensure that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child.

Charter School administration is directed to ensure that each child with a disability has the supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings.

Charter School Administration shall ensure that the IEP team making educational placement decisions understands and adheres to the following guiding principles from the Pennsylvania Department of Education to the extent that they are consistent with applicable federal and state regulations:

1. A Free and Appropriate Public Education (FAPE) must be provided to every student with an IEP; moreover, FAPE must be delivered in the LRE as per the IEP Team.
2. Students will not be removed from regular education classrooms merely because of the severity of their disabilities;
3. When students with disabilities, including students with significant cognitive disabilities, need specially designed instruction or other supplementary aids and services to benefit from participating in regular education classrooms, as required in their IEP, the IEP Team is obliged to ensure that those services are Provided to the extent required by applicable state and federal regulations and laws;
4. IEP Teams must determine whether the goals in the student's IEP can be implemented in regular education classrooms with supplementary aids and services before considering removal from the regular education classroom;



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**INCLUSION**

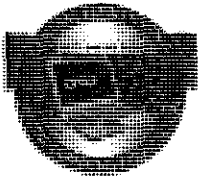
5. The IEP Team will consider the full range of supplementary aids and services in regular education classrooms, based on peer-reviewed research to the extent practicable, including modification of curriculum content, before contemplating placement in a more restrictive setting.

To determine whether a child with disabilities can be educated satisfactorily in a regular education classroom with supplementary aids and services, the following factors provided by the Pennsylvania Department of Education shall be considered and addressed:

1. What efforts have been made to accommodate the child in the regular classroom and with what outcome(s);
2. What additional efforts (i.e. supplementary aids and services) in the regular classroom are possible;
3. What are the educational benefits available to the child in the regular classroom, with the use of appropriate supplementary aids and services; and
4. Are there possible significant and negative effects of the child's inclusion on the other students in the class?

Per the Pennsylvania Department of Education, the presumption is that IEP Teams begin placement discussions with a consideration of the regular education classroom and the supplementary aids and services that are needed to enable a student with a disability to benefit from educational services. Benefit from educational services is measured by progress toward the goals and objectives of the student's IEP, not by mastery of the general education curriculum, and is not limited to academic progress alone; therefore, Administration is directed to ensure that special education placement in a more restrictive environment is not justified solely on the basis that the child might make greater academic progress outside the regular education environment.

The law and the Pennsylvania Department of Education policy favor education with non-disabled peers; however, inclusion or education with non-disabled peers is not a



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**INCLUSION**

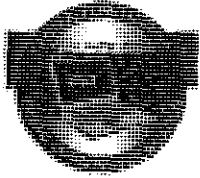
foregone conclusion; such a decision remains exclusively with the IEP Team as they consider FAPE. An IEP Team may choose a more specialized setting if:

1. The student will receive greater benefit from education in a specialized setting than in a regular class.
2. He or she is so disruptive as to significantly impair the education of other students in the class; or
3. The cost of implementing a given student's IEP in the regular classroom will significantly affect other children in the LEA.

If, after considering these factors, an IEP Team determines that the student needs to be educated in a more specialized setting, the school is required to include the child in school programs with non-disabled children to the maximum extent appropriate. These may include but are not limited to extra curricular activities, assembly programs, recess, lunch, homeroom, etc. Note that a student is not required to "try out" each level of LRE and "fail" before the student moves to a more specialized setting.

Administration is further directed to provide opportunities for teachers to participate in professional development and to become aware of peer-reviewed and research-based practices that can be used to support students in regular classroom settings. In consideration of Pennsylvania Department of Education guidance, Administration is directed to ensure that:

- a) Program and placement decisions are based on student strengths, and needs;
- b) IEP Teams consider the regular classroom with supplementary aids and services before considering a more restrictive environment;
- c) Staff is aware of this policy on inclusion;
- d) Supportive team structures are in place to enable general education teachers to effectively educate students with IEPs in their regular classroom as appropriate;
- e) IEP Teams use the most current IEP format;



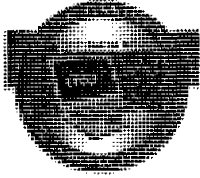
**Board of Trustees Policy - SP17**  
**INCLUSION**

- f) Educational placement decisions are made in the proper IEP sequence, which is:
1. Initial eligibility decision;
  2. Determine FAPE and design the program (i.e. IEP);
  3. Determine whether FAPE can be delivered in the regular classroom with the use of supplementary aids and services;
  4. If the answer to step #3 is "no," then, move to the next step along the continuum of placement options to determine where FAPE can be delivered; and
  5. Correct LRE data is entered.

Administration, teachers and Staff shall be required to adhere to the following:

- a) Be familiar with a wide array of supplementary aids and services.
- b) Know the proper IEP decision making sequence.
- c) Consider the whole range of supplementary aids and services when making placement decisions.
- d) Understand that modifications to the regular curriculum may be an appropriate means of delivering educational benefit within the regular classroom.
- e) Address services needed for a student in a single plan.
- f) Be clear about the supports you need in order to implement any given student's IEP within your regular classroom.
- g) Be familiar with the continuum of placement options.





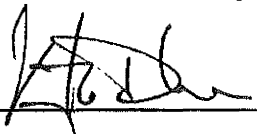
**Board of Trustees Policy - SP17**  
**INCLUSION**

Additionally, pursuant to 22 Pa. Code §4.51, relating to the State Assessment System:

“Children with disabilities and children with limited English proficiency shall be included in the State assessment system as required by Federal law, with appropriate accommodations when necessary. As appropriate, the Commonwealth will develop guidelines for the participation of children with disabilities in alternate assessments for those children who cannot participate in the PSSA or Keystone Exams as determined by each child’s individualized education program team under the Individuals with Disabilities Education Act and this part.”

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE  
CONSTRUED TO CONFLICT WITH THE SCHOOL’S CHARTER OR  
APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE  
AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this 14th day of April, 2016

  
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President

  
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**Board of Trustees Policy - SP18**  
**INDEPENDENT EDUCATIONAL EVALUATIONS**

The Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") School recognizes that in accordance with applicable state and federal laws, including Chapter 711 of Title 22 of the Pennsylvania Code, a parent has the right to obtain an independent educational evaluation ("IEE") of his or her child if the parent disagrees with an evaluation by ("Charter School") to the extent permitted by law, including the right of Charter School, to file a due process complaint to show that its evaluation is appropriate and to contest the need for an independent evaluation.

If a parent requests an IEE, the Chief Executive Officer ("CEO") or his/her designee is directed to provide the parent with information about where the parent may obtain an IEE and about Charter School's criteria that apply to IEEs. As this policy contains information about Charter School's criteria, this policy should be provided to parents upon request.

An Independent Educational Evaluation or IEE is defined under applicable requirements as an evaluation conducted by a qualified examiner who is not employed by Charter School.

Public expense is defined as follows: Charter School either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent, consistent with the provisions of Part B of IDEA 2004.

A parent has the right to an IEE of his or her child at public expense if the parent disagrees with an evaluation of the child obtained by Charter School, SUBJECT TO THE FOLLOWING CONDITIONS:

If a parent requests an IEE at public expense, the Charter School must, without unnecessary delay, either: (1) File a due process complaint to request a hearing to show that its evaluation of the child is appropriate; or (2) Provide an IEE at public expense, unless the Charter School demonstrates in a hearing that the evaluation obtained did not meet the Charter School's criteria.

The CEO or his/her designee is directed to notify parents when declining the parent's request for an IEE at public expense and the reason for denial of the IEE via a written PWN/NOREP accompanied by a Procedural Safeguards Notice.



**Board of Trustees Policy - SP18**  
**INDEPENDENT EDUCATIONAL EVALUATIONS**

The CEO or his/her designee must not unreasonably delay either providing the IEE at public expense or initiating due process to defend the Charter School's Evaluation Report.

The CEO or his/her designee is directed to maintain a list of qualified independent evaluators in each of the various disciplines commonly relied upon to provide education-related evaluations and assessments and shall make that list reasonably available to any parent who requests it.

If the Charter School initiates a due process hearing and the final decision is that the Charter School's evaluation is appropriate, the parent still has the right to an independent evaluation, but not at public expense and therefore the Charter School is not responsible for the cost nor any other public source.

If a parent requests an evaluation at public expense, the Charter School shall ask in writing for the parent's reason why he or she objects to the public evaluation. However, it must be made clear that the explanation by the parent may not be required and the School may not unreasonably delay either providing the independent evaluation at public expense or initiating a hearing to defend its evaluation.

A parent is entitled to only one independent educational evaluation at public expense each time the public agency conducts an evaluation with which the parent disagrees.

If a parent obtains an independent evaluation at private expense the results of the evaluation must be considered by the Charter School Team, if it meets the Charter School's criteria, in any decision made with respect to a determination of eligibility, and/or bases of eligibility pursuant to IDEA and Chapter 711 and the provision of FAPE to the child. The IEE Report may be presented as evidence at a hearing relating to the child.

If an independent evaluation is at public expense, the criteria under which the evaluation is obtained including the location of the evaluation and qualifications of the examiner must be the same as the criteria that the Charter School uses when it initiates an evaluation to the extent that those criteria are consistent with the parents' right to an independent evaluation. This criteria must be made known to the parent.



**Board of Trustees Policy - SP18**  
**INDEPENDENT EDUCATIONAL EVALUATIONS**

The Charter School may not impose conditions or timelines related to obtaining an evaluation at public expense.

All evaluations performed must take into account the child's English language skills and ethnicity to ensure that the testing and evaluation will not be unfair or discriminatory. Tests must be given in the child's native language or mode of communication (such as Braille or sign language) of the child, unless it is clearly not feasible to do so.

Evaluations must also take into account the child's disability to be sure the test measures what it is supposed to measure.

The specific tests used in the evaluation process depend upon the problems the child is experiencing.

In most cases, the child will be given several tests to help find strengths and needs.

The Charter School teacher(s) and other School IEP team member input must be considered.

Information that parents provide must also be included in the evaluation.

Evaluators must be properly certified and qualified to administer the tests, assessments and evaluation techniques used. Such certification and qualification requirements must meet those mandated in Pennsylvania.

Evaluation techniques must be consistent with the most up to date techniques commonly practiced in the evaluator's field.

Evaluations must not be racially, culturally or otherwise biased or discriminatory.

Recommendations must be based upon the child and must not be generalized.

A complete copy of the independent evaluation report must be made available to the IEP team.



**Board of Trustees Policy - SP18**  
**INDEPENDENT EDUCATIONAL EVALUATIONS**


Parents are to be given a release of records so that information from the Charter School (including records, observations and other information gathered regarding the child) about the child may be disclosed to the independent evaluator.

The Charter School will comply with and monitor changes in all state and federal time lines, procedures and due process requirements throughout the entire independent evaluation process. In the event that there are changes in state or federal law with regard to any part of this policy, the Charter School will comply with state and federal law.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this   14th   day of   April  , 2016

  
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## **INDEPENDENT EDUCATION EVALUATIONS (IEE) ADMINISTRATIVE PROCEDURES**

A parent who disagrees with an evaluation performed or obtained by the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") may request an independent educational evaluation (IEE) at public expense to the extent allowed by applicable state and federal regulations. If the request is received verbally, the staff member who receives the IEE request shall inform the parent that the staff member is forwarding the request to the Chief Executive Officer ("CEO"). The staff member is to forward the request to the CEO without delay.

The CEO or his/her designee shall take the following steps to the extent that they remain consistent with applicable state and federal regulations regarding IEEs:

The CEO may, upon receipt of the request for an IEE, request that the parent state her reasons for disagreement with the evaluation conducted or proposed by the Charter School. The CEO shall not require the parents to do so, however, and shall not delay the process for providing or disputing an IEE.

Within ten school days of receipt of a request for an IEE in writing from a parent, the CEO of the Charter School shall issue a NOREP and Procedural Safeguards Notice to the Parent in which the CEO either approves or denies the request for the IEE.

If the parent refuses to consent to the decision not to provide an IEE, the CEO or his/her designee must file a Due Process Hearing Request with the Office for Dispute Resolution and notify the parent in writing that the Charter School has done so. The parent must be copied on the Due Process Hearing Request in the same manner as it is sent to the Office for Dispute Resolution. The parent must be provided with a copy of the Procedural Safeguards Notice upon filing of a Due Process Hearing Request.

If the CEO consents to provide an IEE, the parent must receive written documentation from the CEO with a Permission to Re-evaluate which should state what the Charter School is proposing by way of testing to serve as prior written notice to Parent of the Charter School's intent, and also a Procedural Safeguards Notice. If the situation is one where, in addition to the request for an IEE, Parent has already disagreed with a NOREP as to all or part of the proposed programming by the Charter School, then another NOREP should also be issued to establish that Student's IEP programming will continue, in accordance with the prior IEP, if Parent has not filed for due process or with the currently recommended NOREP, if Parent has disagreed but not filed for due process. The written documentation must also include the following:

- (1) The Charter School will pay for an IEE provided the IEE meets all of the requirements of an appropriate evaluation as defined in the enclosed Charter School IEE policy. (The IEE policy will also be included with the written documentation).
- (2) The CEO shall provide a list of qualified independent evaluators to the parent in the discipline requested.
- (3) The Charter School will not pay for the IEE until the CEO receives from the evaluator a complete copy of a report of that evaluation and determines that the evaluation meets all of the requirements of the Charter School's policy.
- (4) A request that the parents consider accessing reimbursement for all or part of the evaluation from public or private sources of insurance or reimbursement, together with a clear assurance that the parent is not required to do so and that the Charter School would pay any cost not covered by such sources;
- (5) Directions that the parent is responsible for arranging for the IEE and for ensuring that the evaluator contacts the CEO to arrange for payment of the evaluation.
- (6) If the evaluation has already been conducted and paid for, the correspondence shall advise the parent that the Charter School will not reimburse the parent for the IEE until it receives a complete and unredacted copy of the report of the evaluation and determines that the evaluation meets all of the requirements of the Charter School IEE policy and documentation substantiating that the parent paid for or is responsible to pay for the costs of the evaluation requested to be reimbursed.
- (7) The IEE shall be reviewed by the student's IEP and/or MD team and considered with respect to the provision of FAPE to the student. Where necessary and/or warranted as required by law, a team meeting shall be convened to discuss the results of the IEE and any changes in the provision of FAPE proposed as a result of the IEE.



**Board of Trustees Policy - SP19**  
**INDIVIDUALIZED EDUCATION PROGRAM POLICY (IEP)**

The Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes and directs that in addition to the federal requirements incorporated by reference, the state regulations require that the IEP of each student with a disability must include when appropriate:

(1) A description of the type or types of support as defined in this paragraph that the student will receive, the determination of which may not be based on the categories of the child's disability alone. Students may receive more than one type of support as appropriate and as outlined in the IEP and in accordance with this chapter. Special education supports and services may be delivered in the regular classroom setting and other settings as determined by the IEP team. In determining the educational placement, the IEP team must first consider the regular classroom with the provision of supplementary aids and services before considering the provision of services in other settings.

(i) **Autistic support.** Services for students with the disability of autism who require services to address needs primarily in the areas of communication, social skills or behaviors consistent with those of autism spectrum disorders. The IEP for these students must address needs as identified by the team which may include, as appropriate, the verbal and nonverbal communication needs of the child; social interaction skills and proficiencies; the child's response to sensory experiences and changes in the environment, daily routine and schedules; and, the need for positive behavior supports or behavioral interventions.

(ii) **Blind-visually impaired support.** Services for students with the disability of visual impairment including blindness, who require services to address needs primarily in the areas of accessing print and other visually-presented materials, orientation and mobility, accessing public and private accommodations, or use of assistive technologies designed for individuals with visual impairments or blindness. For students who are blind or visually impaired, the IEP must include a description of the instruction in Braille and the use of Braille unless the IEP team determines, after the evaluation of the child's reading and writing needs, and appropriate reading and writing media, the extent to which Braille will be taught and used for the student's learning materials.





**Board of Trustees Policy – SP19**  
**INDIVIDUALIZED EDUCATION PROGRAM POLICY (IEP)**

(iii) Deaf and hard of hearing support. Services for students with the disability of deafness or hearing impairment, who require services to address needs primarily in the area of reading, communication, accessing public and private accommodations or use of assistive technologies designed for individuals with deafness or hearing impairment. For these students, the IEP must include a communication plan to address the language and communication needs, opportunities for direct communications with peers and professional personnel in the child’s language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child’s language and communication mode; and assistive technology devices and services.

(iv) Emotional support. Services for students with a disability who require services primarily in the areas of social or emotional skills development or functional behavior.

(v) Learning support. Services for students with a disability who require services primarily in the areas of reading, writing, mathematics, or speaking or listening skills related to academic performance.

(vi) Life skills support. Services for students with a disability who require services primarily in the areas of academic, functional or vocational skills necessary for independent living.

(vii) Multiple disabilities support. Services for students with more than one disability the result of which is severe impairment requiring services primarily in the areas of academic, functional or vocational skills necessary for independent living.

(viii) Physical support. Services for students with a physical disability who require services primarily in the areas of functional motor skill development, including adaptive physical education or use of assistive technologies designed to provide or facilitate the development of functional motor capacity or skills.

(ix) Speech and language support. Services for students with speech and language impairments who require services primarily in the areas of communication or use of assistive technologies designed to provide or facilitate the development of communication capacity or skills.

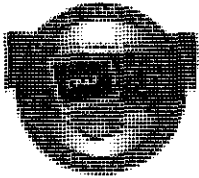


**Board of Trustees Policy - SP19**  
**INDIVIDUALIZED EDUCATION PROGRAM POLICY (IEP)**

- (2) Supplementary aids and services.
- (3) A description of the type or types of personnel support.
- (4) The location where the student attends school and whether this is the school the student would attend if the student did not have an IEP.
- (5) For students who are 14 years of age or older, a transition plan that includes appropriate measurable postsecondary goals related to training, education, employment and, when appropriate, independent living skills.
- (6) The IEP of each student shall be implemented as soon as possible, but no later than 10 school days after its completion.
- (7) Every student receiving special education and related services provided for in an IEP shall receive the special education and related services under that IEP, subject to the terms, limitations and conditions set forth in law.

The Charter School ensures that IEP Team review the IEP periodically, but not less than annually, to determine whether the annual goals of the child are being achieved; and revise the IEP, as appropriate, to address any lack of expected progress toward the annual goals and in the general education curriculum, if appropriate. In addition to the requirements incorporated by reference with regard to development, review, and revision of IEP, the Charter School shall designate persons responsible to coordinate transition activities.

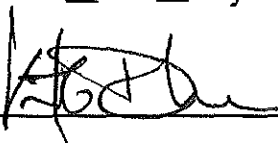
The Chief Executive Officer or his/her designee is directed to implement all procedures in accordance with this policy.




**Board of Trustees Policy - SP19**  
**INDIVIDUALIZED EDUCATION PROGRAM POLICY (IEP)**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this   14th   day of   April  , 2016

  
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**Board of Trustees Policy - SP20**  
**INSTRUCTION CONDUCTED IN THE HOME**

The Board of Trustees directs the Chief Executive Officer or his/her designee of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") to implement procedures needed to comply with applicable state and federal requirements, including the following as directed by the Pennsylvania Department of Education ("PDE"):

Instruction conducted in the home is included in the definition of special education in the federal regulations and is recognized as a placement option on the continuum of alternative placements for students with disabilities. It is highly restrictive and should only be considered when less restrictive placements are not appropriate in accordance with applicable state and federal laws.

The use of instruction conducted in the home is typically restricted to students whose needs require full-time special education services and programs outside the school setting for the entire day.

Although a student placed by his or her Individualized Education Program ("IEP") team on instruction conducted in the home does not receive his or her program in the school setting, he or she remains entitled to a free and appropriate public education equal to his or her non-disabled peers, unless this amount of instruction would jeopardize the child's health or welfare. In such cases, the IEP team can agree on fewer hours of instruction so long as the student still receives a free and appropriate public education pursuant to his/her IEP.

In all circumstances involving the placement of a student on instruction conducted in the home, the Charter School must file any report or other documentation promulgated by the PDE within 5 days of the placement or as required by PDE. The Charter School must supply the PDE with information about the student that is required (his or her disability, and the anticipated length and reason for the placement). In addition, The Charter School must provide information regarding the person in The Charter School whom PDE can contact to discuss the placement if necessary.

Instruction conducted in the home is not an appropriate option if the IEP team is experiencing difficulty in arranging the program or placement that a student requires. In such cases, the Charter School should continue to serve the student in accordance with his or her IEP while taking steps to promptly arrange for the services that the



**Board of Trustees Policy - SP20**  
**INSTRUCTION CONDUCTED IN THE HOME**

student requires. These steps may include seeking assistance from the PDE or from other agencies involved with the student. (See Intensive Interagency Support Policy for guidance, in circumstances involving the identification of children who are experiencing placement delays or who are at-risk for placement delays.

Although instruction conducted in the home is not ordinarily permitted when the student has no condition preventing him or her from leaving the home, there are occasional, exceptional cases in which the parents and school agree to instruction conducted in the home as a short-term option. In these cases, the school must immediately file a report with the PDE utilizing the form required by PDE. As indicated on the form, the Charter School is also responsible for informing the PDE when the short-term placement has concluded.

"Instruction conducted in the home," which is listed in the continuum of special education alternative placements in federal regulations, should not be confused with "homebound instruction," which describes the instruction a charter school may provide when a student has been excused from compulsory attendance under 22 Pa. Code §11.25, due to temporary mental or physical illness or other urgent reasons.

Even though homebound instruction is not a special education placement option for students with disabilities, there are occasions when a student with a disability may receive homebound instruction due to a temporary excusal from compulsory attendance in the same manner as the student's non-disabled peers. The Charter School must also report to the Department for students with disabilities for whom homebound instruction is approved and must also file a follow up report when the temporary placement has concluded and the student has returned to school. In addition, the Charter School must document the physician's recommendation for homebound instruction.

If the temporary condition that precipitated the excusal from attendance for a student with disabilities results in a change in the student's need for specially designed instruction, the Charter School may need to reevaluate the student. The Charter School may also need to reconvene the student's IEP team to determine whether it is necessary to revise the IEP and change the student's placement to instruction conducted in the home.



**Board of Trustees Policy - SP20**  
**INSTRUCTION CONDUCTED IN THE HOME**

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**Board of Trustees Policy - SP21**  
**INTENSIVE INTERAGENCY APPROACH**

The Chief Executive Officer ("CEO") or his/her designee shall ensure that the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") identifies, reports and provides a free and appropriate public education ("FAPE") for all students with disabilities including those students needing intensive interagency approaches. FAPE must also be available to all children, including children with disabilities who have been suspended or expelled from the Charter School.

Intensive interagency coordination to students with disabilities occurs when the Charter School has determined that the students cannot be appropriately educated in a public educational setting and have waited more than 30 days for the provision of an appropriate educational placement. This system is also aimed at providing assistance to students who are at substantial risk of waiting more than 30 days for an appropriate educational placement.

The system of intensive interagency coordination is not intended to replace the local interagency process. In the vast majority of situations requiring interagency efforts, local IEP and Interagency teams do not require additional assistance to assure the provision of appropriate educational programs and placements for the students they serve. Intensive interagency coordination is his/her designed for the rare situations when the local teams are not able to arrange for the placements of students in the public educational setting and the students have waited or are at risk of waiting more than 30 days for an appropriate educational placement.

Local educational agencies, such as charter schools, have a crucial role in identifying which students require intensive interagency coordination, since these are students whom the Charter School has determined cannot currently be served in the public educational setting.

The Charter School shall ensure that, to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and that special classes, separate schooling or other removal of children with disabilities from the regular education environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.



**Board of Trustees Policy – SP21**  
**INTENSIVE INTERAGENCY APPROACH**

If there is a dispute about the appropriateness of the student's program or placement, this dispute must be resolved through mediation and/or due process hearing procedures. Program and/or placement disputes cannot be resolved through intensive interagency coordination.

The Charter School must identify any students currently on instruction conducted in the home or students with disabilities on homebound instruction and comply with PA Department of Education reporting requirements so that the Department can determine whether these students require intensive interagency coordination.

The CEO or his/her designee shall have procedures to ensure that services are located for difficult to place students.

The CEO or his/her designee shall utilize the Regional Interagency Coordinators to assist in interagency planning and to mitigate and/or eliminate barriers to placement.

The CEO or his/her designee shall ensure that training is provided regarding interagency approaches.

Where appropriate, other child serving systems, such as mental health, mental retardation, child protective services, juvenile probation, and drug-alcohol treatment services will be consulted by the Charter School Team for difficult to place students.

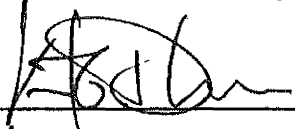




**Board of Trustees Policy - SP21**  
**INTENSIVE INTERAGENCY APPROACH**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

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**Board of Trustees Policy - SP22**  
**LEAST RESTRICTIVE ENVIRONMENT**

The Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") directs the Chief Executive Officer ("CEO") or his/her designee to ensure that, in accordance with applicable state and federal laws and regulations, to the maximum extent appropriate, children with disabilities are educated with children who are nondisabled and that special classes, separate schooling, or other removal of children with disabilities from the regular education environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Least Restrictive Environment ("LRE") means that, to the maximum extent appropriate, a charter school must educate students with disabilities in the regular classroom with appropriate aids and supports, referred to as "supplementary aids and services," along with their nondisabled peers in the school they would attend if not disabled, unless a student's IEP requires some other arrangement. This requires an individualized inquiry into the unique educational needs of each disabled student in determining the possible range of aids and supports that are needed to facilitate the student's placement in the regular educational environment before a more restrictive placement is considered.

The CEO or his/her designee is directed to ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services. The continuum of alternative placements may include but is not limited to: instruction in regular classes with or without supplementary aids and services, special classes, special schools, approved private schools, home instruction and instruction in hospitals and institutions to the extent the IEP team determines such placements are appropriate.

These options must be available to the extent necessary to implement the IEP of each disabled student. The placement team must select the option on the continuum in which it determines that the student's IEP can be implemented. Any alternative placement selected for the student outside of the regular educational environment must maximize opportunities for the student to interact with nondisabled peers, to the extent appropriate to the needs of the student. Pursuant to IDEA, parents must be given written prior notice by the Charter School that meets the requirements of the IDEA federal regulations at 34 C.F.R. §300.505, as to a reasonable time before a public agency implements a proposal or refusal to initiate or change the identification, evaluation, or



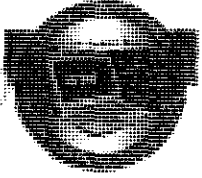
**Board of Trustees Policy - SP22**  
**LEAST RESTRICTIVE ENVIRONMENT**

educational placement of the child, or the provision of FAPE to the child. Consistent with this notice requirement, parents of disabled students must be informed that the public agency is required to have a full continuum of placement options, as well as about the placement options that were actually considered and the reasons why those options were rejected. 34 CFR §§300.504-300.505.

The CEO or his/her designee is directed to provide training opportunities for school personnel regarding inclusion.

The CEO or his/her designee is directed to make opportunities available for students to interact with nondisabled peers when they need to be removed for any amount of time from the regular education environment.

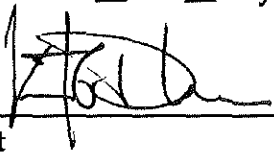
The CEO or his/her designee is directed to support participation of students with disabilities in nonacademic and extracurricular activities where appropriate (including transportation).



**Board of Trustees Policy - SP22**  
**LEAST RESTRICTIVE ENVIRONMENT**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED  
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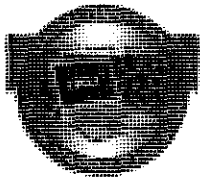
**Board of Trustees Policy - SP-23**  
**NONACADEMIC SERVICES AND SETTINGS**

In accordance with applicable state and federal regulations regarding students with disabilities, the Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes and directs as follows:

(a) The Charter School must take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child's IEP and/or Section 504 Team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities as their nondisabled peers. Children with disabilities shall participate with nondisabled children in those services and activities to the extent appropriate under applicable state and federal laws and regulations.

(b) Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the Charter School.

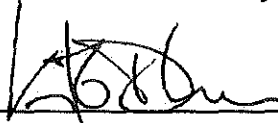
(c) The Charter School must ensure that each child with a disability has the supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings when same are required to afford a student with equal opportunity or are otherwise required under IDEA 2004 and/or Section 504.

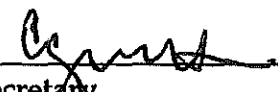


**Board of Trustees Policy - SP-23**  
**NONACADEMIC SERVICES AND SETTINGS**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this   14th   day of   April  , 2016

  
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**Board of Trustees Policy - SP24**  
**PARENT TRAINING**

The Board of Trustees ("Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") directs that the Chief Executive Officer ("CEO") or his/her designee ensure that the Charter School parents are afforded opportunities for training and information sharing in order to address the special knowledge, skills and abilities needed to serve the unique needs of children with disabilities.

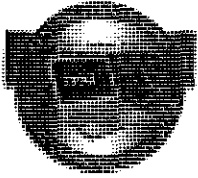
Parent training includes, but is not limited to:

- 1) Assisting parents in understanding the special needs of their child;
- 2) Providing parents with information about child development; and
- 3) Helping parents acquire the necessary skills that will allow them to support the implementation of their child's IEP.

Administration is further directed to make training opportunities available to parents or students who require same as part of any IEP and to the extent appropriate under applicable state and federal laws and regulations. Such parent training would be included in the student's IEP as a Related Service.

Parents must receive thorough and accurate training to ensure that they understand the special education process and their procedural safeguards. For example, parents need to be informed of the options they have if they disagree with a decision the Charter School has made. Additionally, the Charter School must provide information about community organizations that offer support and assistance to parents of students with disabilities. Access to this information assists parents with such topics as parental rights, successful transitioning of their young adult child from school to adult life, and networking opportunities, such as how to effectively work in partnership with the Office of Vocational Rehabilitation (OVR) and other community agencies designed to assist youth with transition and disability issues.

Parents need to know who to contact when they have questions about their children's academic, behavioral, and social/emotional progress or if they seek assistance with participating in the development of their children's IEP.



**Board of Trustees Policy - SP24**  
**PARENT TRAINING**

The Charter School may include the many resources that are available from the Pennsylvania Department of Education, Bureau of Special Education (BSE), the Pennsylvania Training and Technical Assistance Network (PaTTAN), ConsultLine, Pennsylvania's federally funded parent centers, Office of Developmental Programs (ODP), Office of Vocational Rehabilitation (OVR), and advocacy organizations. Moreover, unique to Pennsylvania is the State and Local Task Force system, which provides an ongoing parent/educator/provider committee structure to work on solving local special education issues. Such organizations may be able to distribute information in multiple media formats explaining to parents what services they provide and how parents may contact them.

The Charter School will be open to parent input regarding parent trainings offered and will organize training sessions during the academic school year.

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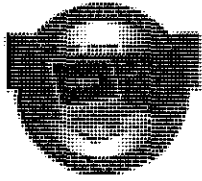
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**Board of Trustees Policy - SP25**  
**PARTICIPATION BY STUDENTS WITH DISABILITIES IN  
HIGH SCHOOL GRADUATION CEREMONIES**

The Board of Trustees ("Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes that each year, students' accomplishments are celebrated through graduation ceremonies at which high school diplomas are bestowed upon students who have completed their high school requirements. The opportunity for classmates with disabilities to celebrate their accomplishments together occurs only once, and the opportunity to celebrate the receipt of a diploma several years after one's classmates have graduated diminishes the experience for students whose like age peers have left high school several years earlier.

Therefore, in accordance with the Public School Code of 1949, the Charter School shall allow a student with a disability, whose individualized education program prescribes continued special education programs beyond the fourth year of high school, to participate in commencement ceremonies with the student's graduating class and receive a certificate of attendance, provided that the student has attended four (4) years of high school regardless of whether the student has completed the individualized education program.

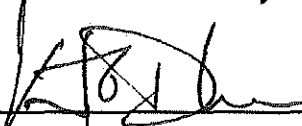
Nothing in this policy shall be construed to preclude a student with a disability from receiving a high school diploma when the student satisfactorily completes an individualized education program as required.



**Board of Trustees Policy - SP25**  
**PARTICIPATION BY STUDENTS WITH DISABILITIES IN  
HIGH SCHOOL GRADUATION CEREMONIES**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED  
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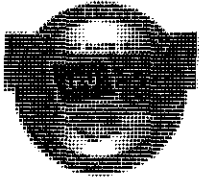
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**Board of Trustees Policy - SP26**  
**SPECIAL EDUCATION PERSONNEL TRAINING**

The Chief Executive Officer ("CEO") or his/her designee shall ensure that in-service training appropriately and adequately prepares and trains the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") personnel to address the special knowledge, skills and abilities to serve the unique needs of children with disabilities in the Charter School, including those with low incidence disabilities.

Personnel must be fully informed about their responsibilities for implementing applicable state and federal special education laws in the Charter School environment and are provided with technical assistance and training necessary to assist them in this effort.

Training must be a part of the Charter School's Professional Development Plan and Act 48 credits are to be made available to all applicable personnel.

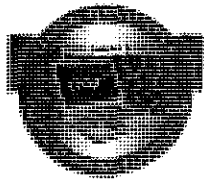
Trainings are to be administered in areas including but not limited to: positive behavior support, reading, free and appropriate public education in the Least Restrictive Environment, Transition, and At/Low Incidence disabilities, confidentiality, Functional Behavioral Assessments, Manifestation Determinations, de-escalation techniques and emergency responses.

Appropriate instructional changes must take place as a result of the trainings.

Personnel should be asked about their training needs on a regular basis.

Pursuant to 22 Pa Code §711.5, instructional paraprofessionals are to receive 20 hours of staff development activities related to their assignment each year. An instructional paraprofessional is a charter school or cyber charter school employee who works under the direction of a certificated staff member to support and assist in providing instructional programs and services to students with disabilities. This support and assistance includes one-on-one or group review of material taught by certificated staff, classroom management and implementation of positive behavior support plans. Services may be provided in a special education class, regular education class or other instructional setting as provided in the student's IEP.

Pursuant to 22 Pa Code §711.5, personal care assistants are to receive 20 hours of staff development activities related to their assignment each school year (the 20 hours of



**Board of Trustees Policy - SP26**  
**SPECIAL EDUCATION PERSONNEL TRAINING**

training may include training required by any school-based ACCESS program, if applicable). A personal care assistant provides one-to-one support and assistance to a student, including support and assistance in the use of medical equipment (for example, augmentative communication devices; activities of daily living; and monitoring health and behavior). A personal care assistant may provide support to more than one student, but not at the same time. Personal care assistants shall provide evidence of 20 hours of staff development activities related to their assignment each school year. The 20 hours of training may include training required by the school-based access program.

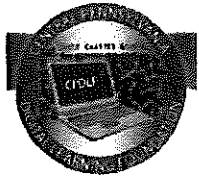
Pursuant to 22 Pa Code §711.5, educational interpreters are to receive 20 hours of staff development activities relating to interpreting or transliterating services annually. An educational interpreter is an individual who provides students who are deaf or hard of hearing with interpreting or transliterating services in an educational setting. To serve as an educational interpreter at a charter school or cyber charter school, consistent with the Sign Language Interpreter/Transliterating State Registration Act.

The CEO or her designee is directed to implement procedures necessary to ensure:

- (1) Personnel training needs are addressed;
- (2) General education and special education personnel receive training and professional development;
- (3) Personnel are to have the skills and knowledge necessary to meet the needs of students with disabilities.
- (4) Educational research, materials and technology are to be acquired and disseminated to teachers, administrators, and related services personnel as needed.

**Parent Training:** Administration is further directed to make training opportunities available to parents or students who require same as part of any IEP and to the extent appropriate under applicable state and federal laws and regulations. Such parent training would be included in the student's IEP as a Related Service.

Administration is directed to maintain appropriate documentation of trainings offered and attendance by all Charter School personnel.



**Board of Trustees Policy - SP26**  
**SPECIAL EDUCATION PERSONNEL TRAINING**

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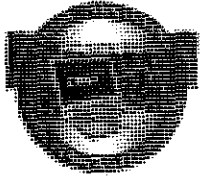
**Board of Trustees Policy - SP27**  
**PHYSICAL EDUCATION**

The Board of Trustees (the "Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes the need for physical education for its students. Physical education services, specially designed if necessary, must be made available to every child with a disability receiving FAPE, unless the Charter School enrolls children without disabilities and does not provide physical education to children without disabilities in the same grades to the extent allowed by applicable laws and regulations.

Each child with a disability must be afforded the opportunity to participate in the regular physical education program available to nondisabled children unless the child is enrolled full time in a separate facility; or the child needs specially designed physical education, as prescribed in the child's IEP.

If specially designed physical education is prescribed in a child's IEP, the Charter School must provide the services directly or make arrangements for those services to be provided through other public or private programs.

The child with a disability who is enrolled in a separate facility must receive appropriate physical education services.

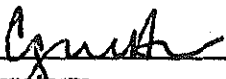


**Board of Trustees Policy - SP27**  
**PHYSICAL EDUCATION**

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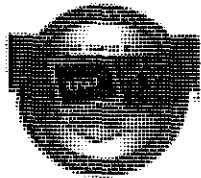
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**Board of Trustees Policy - SP28**  
**POSITIVE BEHAVIORAL SUPPORT POLICY AND PROCEDURES**

In accordance with applicable state regulations, including Title 22 Pa. Code Chapter 711.46, the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") Board of Trustees ("Board") has established this policy to effectuate a program of positive behavior support at the Charter School.

**DEFINITIONS:**

*Aversive techniques*--Deliberate activities designed to establish a negative association with a specific behavior.

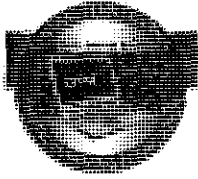
*Positive behavior support plan*--A plan for students with disabilities who require specific intervention to address behavior that interferes with learning. A positive behavior support plan shall be developed by the IEP team, be based on a functional behavior assessment and become part of the student's IEP. These plans include methods that utilize positive reinforcement and other positive techniques to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behavior to specific tangible rewards.

*Restraints* –

(i) The application of physical force, with or without the use of a device, for the purpose of restraining the free movement of a student's body. The term does not include briefly holding, without force, a student to calm or comfort him, guiding a student to an appropriate activity, or holding a student's hand to safely escort him from one area to another.

(ii) Excluded from this definition are hand-over-hand assistance with feeding or task completion and techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's parents and specified in the IEP. Devices used for physical or occupational therapy, seatbelts in wheel chairs or on toilets used for balance and safety, safety harnesses in buses, and functional positioning devices are examples of mechanical restraints which are excluded from this definition.





**Board of Trustees Policy - SP28**  
**POSITIVE BEHAVIORAL SUPPORT POLICY AND PROCEDURES**

**POSITIVE BEHAVIOR SUPPORT:**

**Positive rather than negative measures shall form the basis of positive behavior support programs to ensure that all of Charter School's students shall be free from demeaning treatment, the use of aversive techniques and the unreasonable use of restraints.**

Positive techniques required for the development, change and maintenance of behavior shall be the least intrusive necessary.

**RESEARCH-BASED PRACTICES:**

Behavior support programs must include research based practices and techniques to develop and maintain skills that will enhance an individual student's opportunity for learning and self-fulfillment.

**FUNCTIONAL BEHAVIOR ASSESSMENT:**

Behavior support programs and plans shall be based on a functional assessment of behavior ("FBA") and utilize positive behavior techniques. When an intervention is needed to address problem behavior, the types of intervention chosen for a particular student must be the least intrusive necessary.

**RESTRAINTS:**

The use of restraints is considered a measure of last resort, only to be used after other less restrictive measures, including de-escalation techniques.

Restraints to control acute or episodic aggressive or self-injurious behavior may be used only when the student is acting in a manner as to be a clear and present danger to himself, to other students or to employees, and only when less restrictive measures and techniques have proven to be or are less effective.

In the event that the need to use restraint cannot be reasonably anticipated for a particular student, or the parents/guardians refuse to provide consent therefore,



**Board of Trustees Policy - SP28**  
**POSITIVE BEHAVIORAL SUPPORT POLICY AND PROCEDURES**

appropriately trained staff may use such restraint when the student is acting in a manner that constitutes a clear and present danger to him/herself, to other students, or to employees.

**NOTIFICATION OF USE OF RESTRAINT AND PROCEDURES:**

The use of restraints to control the aggressive behavior of an individual student shall cause the Charter School to notify the parent of the use of restraint and shall cause a meeting of the IEP team within 10 school days of the inappropriate behavior causing the use of restraints in order to review the effectiveness and appropriateness of the current IEP, unless the parent, after written notice, agrees in writing to waive the meeting. At this meeting, the IEP team shall consider whether the student needs a functional behavioral assessment, reevaluation, a new or revised positive behavior support plan or a change of placement to address the inappropriate behavior.

**INCLUSION OF USE OF RESTRAINTS IN A STUDENT'S IEP:**

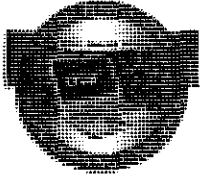
The use of restraints may only be included in a student's IEP when:

- (i) Utilized with specific component elements of positive behavior support.
- (ii) Used in conjunction with the teaching of socially acceptable alternative skills to replace problem behavior.
- (iii) Staff are authorized to use the procedure and have received the staff training required.
- (iv) There is a plan in place for eliminating the use of restraint through application of positive behavior support.

The use of restraints may not be included in the IEP for the convenience of staff, as a substitute for an educational program or employed as punishment.

**PROHIBITION AGAINST PRONE RESTRAINTS:**

The use of prone restraints is prohibited in educational programs. Prone restraints are those in which a student is held face down on the floor.



**Board of Trustees Policy - SP28**  
**POSITIVE BEHAVIORAL SUPPORT POLICY AND PROCEDURES**

**RESTRAINT REPORTING AND PROCEDURES:**

The Charter School shall maintain and report data on the use of restraints as prescribed by the Secretary of the Department of Education. The report is subject to review during cyclical compliance monitoring conducted by the Department.

**MECHANICAL RESTRAINTS:**

Mechanical restraints, which are used to control involuntary movement or lack of muscular control of students when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's parents. Mechanical restraints must prevent a student from injuring himself or others or promote normative body positioning and physical functioning. Charter School staff must be trained in use of mechanical restraints.

**PROHIBITION AGAINST AVERSIVE TECHNIQUES:**

The following aversive techniques of handling behavior are considered inappropriate and **shall not** be used in educational programs:

- (1) Corporal punishment.
- (2) Punishment for a manifestation of a student's disability.
- (3) Locked rooms, locked boxes or other locked structures or spaces from which the student cannot readily exit.
- (4) Noxious substances.
- (5) Deprivation of basic human rights, such as withholding meals, water or fresh air.
- (6) Suspensions constituting a pattern.
- (7) Treatment of a demeaning nature.
- (8) Electric shock.

**TRAINING OF PERSONNEL**



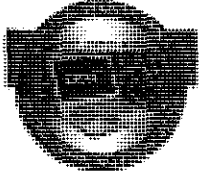
**Board of Trustees Policy - SP28**  
**POSITIVE BEHAVIORAL SUPPORT POLICY AND PROCEDURES**

The Board hereby directs that school personnel be trained each school year on the general use of positive behavior support, de-escalation techniques, and emergency responses.

In addition to general positive behavior support training, when students are identified as in need of these supports, individual teachers and teacher groups are notified and trained accordingly so that they can act in accordance with the student's specific Positive Behavior Support Plan and de-escalation techniques, and respond appropriately in emergencies.

Per guidance from the Pennsylvania Department of Education, the core training components the positive support plan and de-escalation (restraint reduction) staff trainings should include:

- The growing concern and potential legal issues surrounding physical restraints;
- How to create a commitment to the reduction of the use of physical restraints;
- Creating a safe environment where positive rather than negative measures form the basis of behavior management programs;
- How staff can avoid taking conflict personally; avoiding power struggles;
- Prevention of problem behaviors through a system of recognition of signs of anxiety and distress in students and staff;
- Identification of the phases of crisis events and matching behaviors to interventions;
- Demonstration and modeling of the de-escalation techniques and other alternatives to physical restraint;



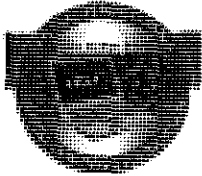
**Board of Trustees Policy - SP28**  
**POSITIVE BEHAVIORAL SUPPORT POLICY AND PROCEDURES**

- Effective positive behavior support plans that include methods of utilizing positive reinforcement and other positive techniques to shape replacement behavior(s);
- Research-based practices that develop and maintain replacement behaviors that enhance student learning and skills for life;
- Risks associated with the use of physical interventions including the signs of physical distress, positional asphyxiation, and the psychological effects of restraint;
- Safe techniques for the use of physical restraints (prone restraints prohibited);
- Documentation of the incident and compliance with notification procedures; and
- Post intervention debriefing with student and staff.

**REPORTING**

Administration is directed to write internal procedures that detail who is responsible for reporting restraints, who is responsible for notifying key administrators regarding the use of a restraint, and who is responsible for entering restraints in any PDE system to reporting on the use of restraints. Administration is further directed to comply with PDE guidelines regarding the reporting of the use of restraints.

Staff trained and/or certified in a program of positive behavioral supports and de-escalation techniques, and safe physical management techniques will be designated as the individuals to intervene in crisis management situations that might require restraint of a student. Physical interventions should only be undertaken by staff persons who have successfully completed a comprehensive crisis management course that covers: crisis definition and theory; the use of de-escalation techniques; crisis communication; anger management; passive physical intervention techniques; the legal, ethical, and policy aspects of physical intervention use; decision making related to physical interventions and debriefing strategies.



**Board of Trustees Policy - SP28**  
**POSITIVE BEHAVIORAL SUPPORT POLICY AND PROCEDURES**

Parental notification should occur within one school day of a restraint incident unless other procedures are written in the student's IEP.

Any restraint that results in an injury to a student and/or staff person must be reported to the Chief Executive Officer ("CEO") who will comply with any requirement to report the injury to the Bureau of Special Education.

**ADDITIONAL REQUIREMENTS AND ADMINISTRATIVE PROCEDURES**

The CEO or his/her designee is directed to ensure that behavior support programs administered at the Charter School are in accordance with Title 22 Pa. Code Chapter 711, including the training of personnel for the use of specific procedures, methods and techniques, and for having written procedures on the use of behavior support techniques and obtaining parental consent prior to the use of restrictive or intrusive procedures or restraints.

The CEO or his/her designee is further directed to make professional development opportunities provided by the Bureau of Special Education available to train staff regarding Positive Behavior Support.

The CEO or his/her designee is charged with using the most updated forms available through the Bureau of Special Education related to positive behavior support, including the use of any forms promulgated for functional behavior assessments and behavior support plans.

**REFERRALS TO LAW ENFORCEMENT**

Subsequent to a referral to law enforcement, for a student with a disability who has a positive behavior support plan, an updated functional behavior assessment and positive behavior support plan shall be required.

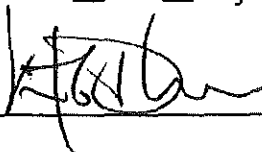
For a student with a disability who does not have a behavior support plan, subsequent to notification to law enforcement, the Charter School shall convene the student's IEP Team to consider whether a behavior support plan should be developed to address the student's behavior, in accordance with law, regulations and Board policy.



**Board of Trustees Policy - SP28**  
**POSITIVE BEHAVIORAL SUPPORT POLICY AND PROCEDURES**

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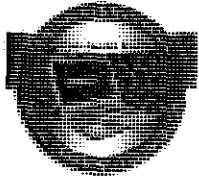
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**Board of Trustees Policy - SP29**  
**SUMMARY OF ACADEMIC ACHIEVEMENT AND  
FUNCTIONAL PERFORMANCE/PROCEDURAL  
SAFEGUARD REQUIREMENTS FOR GRADUATION**

The Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") requires an evaluation of a student with a disability in accordance with 34 CFR 300.304 through 34 CFR 300.311 before determining the student is no longer a student with a disability. For a student whose eligibility terminates based on graduation from high school, the Charter School must provide the student with a summary of the student's academic achievement and functional performance, including recommendations on how to assist the student in meeting the student's post-secondary goals. A transition plan, including the student's appropriate measurable post-secondary goals related to training, education, employment, and when appropriate, independent living skills should be addressed in the student's IEP.

Graduation from high school with a regular high school diploma constitutes a change in placement. Therefore, the Charter School must provide a Prior Written Notice/Notice of Recommended Educational Placement for student's graduation so as to provide student with procedural due process safeguard in the event that Parent(s) disagree with the Charter School IEP Team's recommendation.

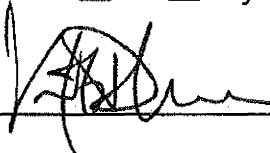




**Board of Trustees Policy - SP29**  
**SUMMARY OF ACADEMIC ACHIEVEMENT AND  
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**Board of Trustees Policy - SP30**  
**PSYCHOLOGICAL SERVICES**

The Board of Trustees ("Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") directs that the Chief Executive Officer ("CEO") or his/her designee ensure that psychological services be made available to eligible students in accordance with Chapter 711 of Title 22 of the Pennsylvania Code as follows:

Psychological services may include:

- (1) Administering psychological and educational testing, and other assessment procedures;
- (2) Interpreting assessment results;
- (3) Consulting with other staff members in planning school programs to meet the special educational needs of children as indicated by psychological tests, interviews, direct observation, and behavioral evaluations;
- (4) Planning and managing a program of psychological services, including psychological counseling for children and parents;
- (5) Obtaining, integrating and interpreting information about child behavior and conditions related to learning; and
- (6) Assisting in developing positive behavioral intervention strategies.

The CEO or his/her designee is directed to maintain a listing of what services are available both within the school setting and of school-funded services obtained from outside agencies.

Parents are not to be charged for psychological services that students require as a related service in accordance with applicable laws.

The CEO or his/her designee is directed to advise the Board regarding psychological service needs of the school's students as well as related service needs, such as transportation.

Administration is directed to ensure appropriate psychological services are obtained for students in accordance with applicable state and federal laws and regulations.



**Board of Trustees Policy - SP30**  
**PSYCHOLOGICAL SERVICES**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

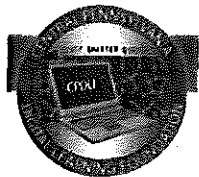
ADOPTED this 14th day of April, 2016

  
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President

  
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Secretary

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**Board of Trustees Policy – SP31**  
**RELATED SERVICES**

The Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes that charter schools must comply with Chapter 711 of Title 22 of the Pennsylvania Code regarding the provision of related services which incorporate the federal regulations at 34 C.F.R. §300.1 et. seq., which implement the Individuals with Disabilities Education Improvement Act 2004, ("IDEA").

It is the intent of the Board of Trustees to ensure that all students with disabilities have available to them a free and appropriate public education that emphasizes special education and related services designed to meet their unique needs and to prepare them for further education, employment, and independent living.

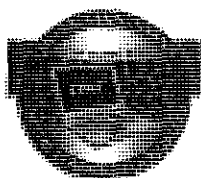
Pursuant to 34 CFR § 300.34, related services are transportation and those developmental, corrective and other supportive services that are required to assist a child with a disability to benefit from special education. Such services may include (depending upon the child's need and applicable state regulations):

- (1) speech-language pathology and audiology services,
- (2) interpreting services,
- (3) psychological services,
- (4) physical and occupational therapy,
- (5) recreation, including therapeutic recreation,
- (6) early identification and assessment of disabilities in children,
- (7) counseling services, including rehabilitation counseling,
- (8) orientation and mobility services, and
- (9) medical services for diagnostic or evaluation purposes.

Related services may also include school health services and school nurse services, social work services in schools, and parent counseling and training.

Related services do not include a medical device that is surgically implanted, the optimization of that device's functioning (e.g., mapping), maintenance of that device, or the replacement of that device. However, nothing:

- (i) Limits the right of a child with a surgically implanted device (e.g., cochlear implant) to receive related services that are determined by the IEP Team to be necessary for the child to receive FAPE.



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**RELATED SERVICES**

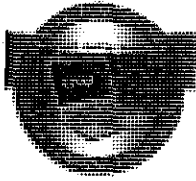
(ii) Limits the responsibility to appropriately monitor and maintain medical devices that are needed to maintain the health and safety of the child, including breathing, nutrition, or operation of other bodily functions, while the child is transported to and from school or is at school; or

(iii) Prevents the routine checking of an external component of a surgically implanted device to make sure it is functioning properly, as required in Sec. 300.113(b) of Title 34 CFR.

The Charter School will provide related services to include those services which the IEP team determines are necessary for a student after a comprehensive evaluation and the development of an IEP.

The types of services provided by the Charter School include, but are not limited to the following types of services:

- (1) Audiology includes:
  - (i) Identification of children with hearing loss;
  - (ii) Determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing;
  - (iii) Provision of rehabilitative activities, such as language habilitation, auditory training, speech reading (lip-reading), hearing evaluation, and speech conservation;
  - (iv) Creation and administration of programs for prevention of hearing loss;
  - (v) Counseling and guidance of children, parents, and teachers regarding hearing loss; and
  - (vi) Determination of children's needs for group and individual



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**RELATED SERVICES**

amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.

- (2) Counseling services mean services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.
- (3) Early identification and assessment of disabilities in children means the implementation of a formal plan for identifying a disability as early as possible in a child's life.
- (4) Interpreting services include –
  - (i) The following, when used with respect to children who are deaf or hard of hearing: Oral transliteration services, cued language transliteration services, sign language transliteration and interpreting services, and transcription services, such as communication access real-time translation (CART), C-Print, and TypeWell; and
  - (ii) Special interpreting services for children who are deaf-blind.
- (5) Medical services means services provided by a licensed physician to determine a child's medically related disability that results in the child's need for special education and related services.
- (6) Occupational therapy –
  - (i) Means services provided by a qualified occupational therapist; and
  - (ii) Includes –
    - (A) Improving, developing, or restoring functions impaired or lost through illness, injury, or deprivation;



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**RELATED SERVICES**

(B) Improving ability to perform tasks for independent functioning if functions are impaired or lost; and

(C) Preventing, through early intervention, initial or further impairment or loss of function.

(7) Orientation and mobility services –

(i) Means services provided to blind or visually impaired children by qualified personnel to enable those students to attain systematic orientation to and safe movement within their environments in school, home, and community; and

(ii) Includes teaching children the following, as appropriate:

(A) Spatial and environmental concepts and use of information received by the senses (such as sound, temperature and vibrations) to establish, maintain, or regain orientation and line of travel (e.g., using sound at a traffic light to cross the street);

(B) To use the long cane or a service animal to supplement visual travel skills or as a tool for safely negotiating the environment for children with no available travel vision;

(C) To understand and use remaining vision and distance low vision aids; and

(D) Other concepts, techniques, and tools.

(8) (i) Parent counseling and training means assisting parents in understanding the special needs of their child;

(ii) Providing parents with information about child development; and

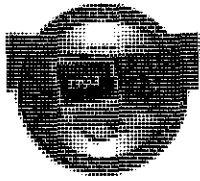
(iii) Helping parents to acquire the necessary skills that will allow them to support the implementation of their child's IEP or IFSP.



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**RELATED SERVICES**

- (9) Physical therapy means services provided by a qualified physical therapist.
- (10) Psychological services include –
- (i) Administering psychological and educational tests, and other assessment procedures;
  - (ii) Interpreting assessment results;
  - (iii) Obtaining, integrating, and interpreting information about child behavior and conditions relating to learning;
  - (iv) Consulting with other staff members in planning school programs to meet the special educational needs of children as indicated by psychological tests, interviews, direct observation, and behavioral evaluations;
  - (v) Planning and managing a program of psychological services, including psychological counseling for children and parents; and
  - (vi) Assisting in developing positive behavioral intervention strategies.
- (11) Recreation includes –
- (i) Assessment of leisure function;
  - (ii) Therapeutic recreation services;
  - (iii) Recreation programs in schools and community agencies; and
  - (iv) Leisure education.
- (12) Rehabilitation counseling services mean services provided by qualified personnel in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a student with a disability. The term also includes vocational rehabilitation

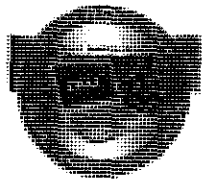




**Board of Trustees Policy - SP31**  
**RELATED SERVICES**

services provided to a student with a disability by vocational rehabilitation programs funded under the Rehabilitation Act.

- (13) School health services and school nurse services mean health services that are designed to enable a child with a disability to receive FAPE as described in the child's IEP. School nurse services are services provided by a qualified school nurse. School health services are services that may be provided by either a qualified school nurse or other qualified person.
- (14) Social work services in schools include—
- (i) Preparing a social or developmental history on a child with a disability;
  - (ii) Group and individual counseling with the child and family;
  - (iii) Working in partnership with parents and others on those problems in a child's living situation (home, school, and community) that affect the child's adjustment in school;
  - (iv) Mobilizing school and community resources to enable the child to learn as effectively as possible in his or her educational program; and
  - (v) Assisting in developing positive behavioral intervention strategies.
- (15) Speech-language pathology services include—
- (i) Identification of children with speech or language impairments;
  - (ii) Diagnosis and appraisal of specific speech or language impairments;
  - (ii) Referral for medical or other professional attention



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**RELATED SERVICES**

necessary for the habilitation of speech or language impairments;

(iv) Provision of speech and language services for the habilitation or prevention of communicative impairments; and

(v) Counseling and guidance of parents, children, and teachers regarding speech and language impairments.

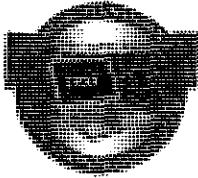
(16) Transportation includes –

(i) Travel to and from school and between schools;

(ii) Travel in and around school buildings; and

(iii) Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability.

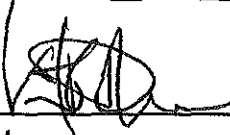
Related services are provided to students during normal school hours during the Charter School's regular school year as dictated by the student's IEP or during times and hours as otherwise agreed upon by the student's IEP team and written in the IEP. Related services are provided during the extended school year to the extent extended school year services are applicable for a particular student pursuant to state regulations and the student's IEP. The Charter School may provide related services in the home for students who require related services in the home as part of their IEP. When related services are not provided in the Charter School setting, the Charter School arranges transportation to and from the location of related services in accordance with applicable state and federal regulations.



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**RELATED SERVICES**

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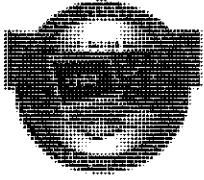
ADOPTED this   14th   day of   April  , 2016

  
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**Board of Trustees Policy - SP32**  
**SECONDARY TRANSITION SERVICES**

For students who are 14 years of age or older, the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") shall include a transition plan in the eligible student's Individual Education Plan ("IEP"), which shall include appropriate measurable postsecondary goals related to training, education, employment and, when appropriate, independent living skills.

If determined appropriate by the IEP team, transition planning may begin prior to 14 years of age.

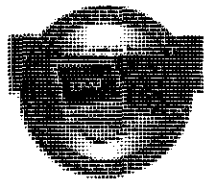
The student must be invited to the IEP team meeting where transition planning is being considered.

If the student does not attend the IEP meeting, the Charter School must take other steps to ensure that the student's preferences and interests are considered.

Transition services are a coordinated set of activities for a student with a disability designed to be within a results oriented process, that is focused on improving the academic and functional achievement of the student with a disability to facilitate the student's movement from school to post school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation that is based on the individual student's needs taking into account the student's strengths, preferences, and interests as well as the fact that the student has been educated in a school setting.

Based on age appropriate assessment, the student's IEP team is to define and project the appropriate measurable postsecondary goals that address education and training, employment, and as needed, independent living. Such postsecondary goals or goals covering education, training, employment or independent living, will be updated annually.

The services/activities and courses of study that support that goal are to be included in student IEPs. For each service/activity, the location, frequency, projected beginning date, anticipated duration, and person/agency responsible are also to be included.



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**SECONDARY TRANSITION SERVICES**

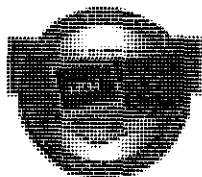
The specific courses of study, which facilitate the student's successful move from school to the student's expressed post-school goal, must be included in the IEP. If specific transition services are required, based upon the student's skill deficit area(s), to assist the student in realizing his/her goal(s), these must be set forth in the IEP. Each post-school goal should contain information as to the instruction, related service(s), community experience and if appropriate, acquisition of daily living skills that are necessary for meeting the post-school goal(s).

Overall, for each post-school goal, there must be at least one annual goal included in the IEP, which contains the student's name, clearly defined behavior and performance criteria. Lastly, there should be means by which to measure progress towards the post-school goal(s) and indication of adjustment to the transition plan if the progress monitoring data does not support achievement of the goal and/or positive movement towards achievement of same.

**Assistance in Obtaining Accommodations in College/University**

Charter School high school IEP Transition Teams should include in the Transition Plan goals and steps to assist students with how to request and secure postsecondary accommodations if they plan to attend college after high school graduation. This assistance includes:

· **Help students submit appropriate documentation:** Post-secondary institutions such as colleges and universities are not required to accept IEPs but are mandated to provide accommodations in accordance with American with Disabilities Act ("ADA"). Therefore, development of a Section 504 Plan for a student is one way that permits a student to educate the post-secondary institution about the accommodations student will require in this environment. If Student requires an IEP through to high school graduation, Guidance counselors and IEP School Transition Team members should advise students to send neuropsychological or psychoeducational tests instead of IEPs to the chosen colleges. Alternatively, for some disabilities, many colleges will request a signed letter from a doctor or neurologist. As part of the Transition Plan in the IEP, the School Team should help students to ensure these letters are written on the doctor's letterhead and include the doctor's license number and either a DSM-4 or DSM-5 diagnosis as well as the evaluator's or doctor's recommendations.



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**SECONDARY TRANSITION SERVICES**

The School Team should advise students to call the admissions office of colleges and ask whether they should submit their testing results together with the application or wait until after they have been accepted, as colleges vary.

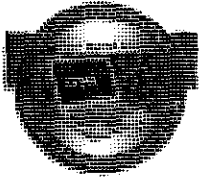
· **Provide up-to-date evaluations:** Neuropsychological and psychoeducational testing should be conducted no more than three to five years before the student applies to college and requests accommodations. If a student's tests are out of date, have the student check with the college to see if an update may be obtained, which is a scaled down version of the original test instead of a completely new battery.

· **Help students discern accommodations from modifications:** Accommodations are what happen in college while modifications *and* accommodations happen in K-12. Colleges are not required to grant modifications, such as altering the curriculum, assignments, or degree requirements, as these could lower students' production level or quality of work. Accommodations though must be provided to college students under the ADA if deemed reasonable which means that the requested accommodation will not be burdensome financially or resource-wise for the university.

Students should be made aware also that colleges do not have to provide the exact accommodations the student requests, but they do have to grant similar status. For example, if a student requests a personal scribe to help take notes, a college might opt to provide assistive technology, as it is a less burdensome option financially.

Students must also be advised that they must inform their professors of their accommodations, as the ADA officers cannot legally inform professors of accommodations on the students' behalf.

· **Support students' self-advocacy:** The School's Transition Team must start working with students to help them understand what their disability is, how it affects them in an academic setting, and what they need in order to be accommodated in that setting.



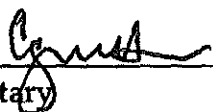
**Board of Trustees Policy - SP32**  
**SECONDARY TRANSITION SERVICES**

The Chief Executive Officer or his/her designee is directed to inform the Board of any new requirements regarding Transition Planning and any need to obtain additional services, training and/or assessment tools related to Transition Planning.

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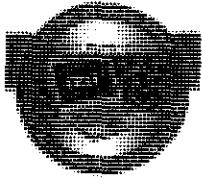
ADOPTED this 14th day of April, 2016

  
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**Board of Trustees Policy - SP33**  
**SECTION 504**

The Board of Trustees recognizes that all qualified persons with disabilities in the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") are entitled to a free and appropriate public education under Section 504 of the Rehabilitation Act of 1973 ("Section 504"). Section 504 is a civil rights statute that prohibits discrimination against individuals with disabilities. Section 504 is applicable to charter schools that receive Federal financial assistance from the U.S. Department of Education for programs and activities.

The Charter School is under an affirmative duty to locate all students who are eligible for Section 504 accommodations pursuant to its Child Find duties. (34 C.F.R. §104.32(a)).

The Section 504 regulations define a person with a disability as any person who (i) has a physical or mental impairment that substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment.

A "physical or mental impairment" may include, but is not limited to:

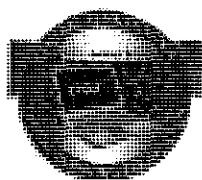
(A) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or

(B) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

An impairment in and of itself is not a disability. Per the U.S. Department of Education's Office for Civil Rights (OCR) guidance regarding "Protecting Students with Disabilities," the regulations "do not set forth an exhaustive list of specific diseases and conditions that may constitute physical or mental impairments."

"Major life activity" may include: functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. According to the OCR, this list is also not exhaustive.





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**SECTION 504**

A student is not “regarded as” an individual with a disability if the impairment is transitory and minor. A transitory impairment is an impairment with an actual or expected duration of 6 months or less. However, an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active. A student with such an impairment is entitled to a free appropriate public education under Section 504.

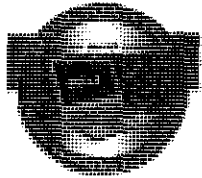
A qualified person with a disability is a person with a disability who is of an age during which it is mandatory under state law to provide such services to persons with disabilities; of an age during which persons without disabilities are provided such services; or a person for whom a state is required to provide a free appropriate public education under IDEA 2004.

All school-age children who are individuals with disabilities as defined by Section 504 are entitled to a free and appropriate public education (“FAPE”).

According to the OCR, an appropriate education includes: education services designed to meet the individual education needs of students with disabilities as adequately as the needs of nondisabled students are met; the education of each student with a disability with nondisabled students, to the maximum extent appropriate to the needs of the student with a disability; evaluation and placement procedures established to guard against misclassification or inappropriate placement of students, and a periodic reevaluation of students who have been provided special education or related services; and establishment of due process procedures that enable parents and guardians to receive required notices, review their child’s records, and challenge identification, evaluation and placement decisions, and that provide for an impartial hearing with the opportunity for participation by parents and representation by counsel, and a review procedure.

To be appropriate, education programs for students with disabilities must be designed to meet their individual needs to the same extent that the needs of nondisabled students are met. An appropriate education may include regular or special education and related aids and services to accommodate the needs of individuals with disabilities.

The quality of education services provided to students with disabilities must equal the



**Board of Trustees Policy - SP33**  
**SECTION 504**

quality of services provided to nondisabled students. Teachers of students with disabilities must be trained in the instruction of individuals with disabilities. Facilities and classrooms must be comparable, and appropriate materials and equipment must be available.

Students with disabilities may not be excluded from participating in nonacademic services and extracurricular activities on the basis of disability. Persons with disabilities must be provided an opportunity to participate in nonacademic services that is equal to that provided to persons without disabilities. These services may include physical education and recreational athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the school, and referrals to agencies that provide assistance to persons with disabilities and employment of students.

Students with disabilities and students without disabilities must be placed in the same setting, to the maximum extent appropriate to the education needs of students with disabilities.

A person with a disability must be placed in the regular education environment, unless it is demonstrated that the student's needs cannot be met satisfactorily with the use of supplementary aids and services. Students with disabilities must participate with nondisabled students in both academic and nonacademic services to the maximum extent appropriate to their individual needs.

As necessary, specific related aids and services must be provided for students with disabilities to ensure an appropriate education setting. Supplementary aids may include interpreters for students who are deaf, readers for students who are blind, and equipment to make physical accommodations for students with mobility impairments to the extent required in a cyber setting.

Section 504 requires the use of evaluation and placement procedures. A physician's medical diagnosis may be considered among other sources in evaluating a student but should not be the sole criteria for determination that Section 504 accommodations are needed. A physician's diagnosis alone, does not mean that a Student requires Section 504 accommodations.



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**SECTION 504**

An individual evaluation must be conducted before any action is taken with respect to the initial placement of a child who has a disability, or before any significant change in that placement.

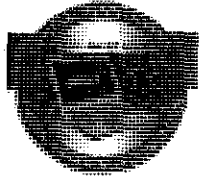
The Chief Executive Officer (“CEO”) shall appoint a Section 504 Coordinator (34 C.F.R. §300.104.7(a)), to establish standards and procedures for initial and continuing evaluations and placement decisions regarding persons who, because of a disability, need or are believed to need special education or related services. Procedures must ensure that tests and other evaluation materials: have been validated for the specific purpose for which they are used, and are administered by trained personnel in conformance with the instructions provided by their producer; are tailored to assess specific areas of education need and are not designed merely to provide a single general intelligence quotient; and are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student’s aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student’s impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

The 504 Coordinator is directed to draw upon a variety of sources in the evaluation and placement process so that the possibility of error is minimized. All significant factors related to the learning process must be considered. These sources and factors include aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, and adaptive behavior.

Information from all sources must be documented and considered by a group of knowledgeable persons, and procedures must ensure that the student is placed with nondisabled students to the greatest extent appropriate.

Periodic reevaluation is required.

The 504 Coordinator must have in effect procedural safeguards regarding the identification, evaluation, or educational placement of persons who, because of disability, need or are believed to need special instruction or related services. Parents must be told about these procedures. In addition, parents or guardians must be notified of any evaluation or placement actions, and must be allowed to examine the student’s



**Board of Trustees Policy – SP33**  
**SECTION 504**

records. The due process procedures must allow the parents or guardians of students to challenge evaluation and placement procedures and decisions.

If parents or guardians disagree with the school's decisions, they must be afforded an impartial hearing. A review procedure also must be available to parents or guardians who disagree with the hearing decision. Section 504 neither prohibits nor requires a charter school to initiate a due process hearing to override a parental refusal to consent with respect to the initial provision of special education and related services. Nonetheless, the Charter School should consider that IDEA no longer permits schools to initiate a due process hearing to override a parental refusal to consent to the initial provision of services.

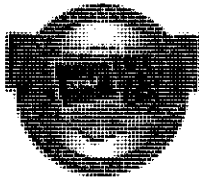
It is the policy of the Board to provide a free and appropriate public education to each qualified disabled student within the Charter School, regardless of the nature or severity of the disability. Consequently, it is the intent of the Board to ensure that students who are disabled within the definition of Section 504 are identified, evaluated and provided with appropriate educational services.

**PROCEDURES**

Students who are in need or are believed to be in need of services under Section 504 may be referred for evaluation by a parent/guardian, teacher, or other certified school employee. Requests should be directed to Charter School's 504 Coordinator at:

Central Pennsylvania Digital Learning Foundation Charter School  
721 North Juniata Street, Suite 3  
Hollidaysburg, PA 16648

The Charter School will consider the referral, and based upon a review of the student's records, including academic, social, testing, and behavioral records, determine whether an evaluation is appropriate. Any student, who, because of a disability, needs or is believed to need special services, will be referred for evaluation. If a request for evaluation is denied, Charter School will inform the parents or guardian of this decision and of their procedural rights. Section 504 requires informed parental permission for



**Board of Trustees Policy – SP33**  
**SECTION 504**

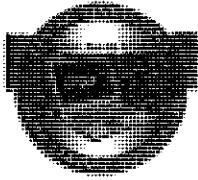
initial evaluations. If a parent refuses consent for an initial evaluation and the Charter School suspects a student has a disability, the IDEA and Section 504 provide that the Charter School may use due process hearing procedures to seek to override the parents' denial of consent.

**EVALUATION**

The purpose of a student evaluation shall be to determine eligibility for accommodations as a disabled person under Section 504. School districts may use the same process to evaluate the needs of students under Section 504 as they use to evaluate the needs of students under the IDEA.

The Charter School's multi-disciplinary committee should include persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. The committee members must determine if they have enough information to make a knowledgeable decision as to whether or not the student has a disability. The Charter School's Section 504 evaluation procedures must ensure that:

- Evaluation materials have been validated for the specific purpose for which they are used and are interpreted and/or administered by trained personnel in conformance with the instructions provided by their producer.
- Tests and the evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.
- The information obtained from all such sources must be documented and all significant factors related to the student's learning process must be considered. These sources and factors may include student records, aptitude and achievement tests, teacher recommendations/input, nurse and/or counselor input, physical condition, social and cultural background, and adaptive behavior. In evaluating a student suspected of having a disability, it is unacceptable to rely on presumptions and stereotypes regarding persons with disabilities or classes of such persons.



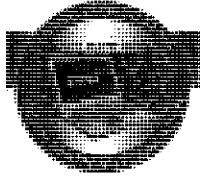
**Board of Trustees Policy - SP33**  
**SECTION 504**

Discussions as to eligibility and possible accommodations should:

- Determine if there are reasonable accommodations that can enable the student to participate in learning in the school environment.
- Do not provide different or separate aid unless it is necessary to make benefits or services as effective as those being provided to all other students in the class.
- Do not require the identical result or level of achievement as other students; rather, provide equal opportunity.
- If the education of a person, in a regular environment with the use of reasonable supplementary aids, cannot be achieved satisfactorily, then the implementation of an IEP may be considered.
- Other students' educational rights may not be significantly impaired by the accommodations.
- The accommodations must be reasonable, must not fundamentally alter the school program, or present undue burden to the school.
- The accommodations being considered are for the child's current placement only.

**FINALIZING/IMPLEMENTING SERVICE AGREEMENTS**

- No final determination of whether the student is a disabled individual within the meaning of Section 504 will be made without informing the Parent or Guardian of the student concerning the determination.
- It is advisable to discuss what will be in the Service Agreement with Parent/Guardian during the meeting to determine Section 504 eligibility.
- Whether done at a meeting or not, it is advisable to have Parent/Guardian sign a written Service Agreement before implementing it and the Agreement must contain:



**Board of Trustees Policy - SP33**  
**SECTION 504**

- Brief description of disability and resulting needs of Student;
- Specific related aids, services curriculum modifications or accommodations that are being proposed;
- Date services to begin and end or specific commitment to continue services for an indefinite period;
- If appropriate, procedures to follow in a medical emergency;
- It is advisable that the 504 Team, including Parent/Guardian, meet periodically, and no less than an annual basis, to review Student progress or to meet within the School year if Student not demonstrating progress per teacher observation/assessments;

Note: With regard to a student who is determined to be disabled under Section 504 of the Rehabilitation Act of 1973, but who is not determined to be disabled under IDEA, the Charter School shall periodically conduct a reevaluation of the student as required by law.

The CEO and/or Section 504 Coordinator is directed to develop procedures necessary to implement this policy in a school setting.

**Discipline:**

As part of the protections of not being subjected to discrimination or denied benefits of Charter School programs, the Student is afforded protections applicable to eligible special education students pertaining to exclusionary discipline. Such protections include holding a Manifestation Determination to decide if the misconduct is related to the disability, and Informal and Formal Hearings, with the latter having all due process protections pursuant to 22 Pa. Code §12.6.



**Board of Trustees Policy – SP33**  
**SECTION 504**

Students Eligible Under Section 504 But No Service Agreement Necessary

Such students do not require a 504 Service Agreement because:

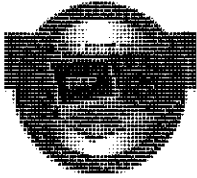
- No accommodations needed in classroom or by School Nurse; or
- As result of mitigation measures, do not require accommodations with such measures including, but not limited to:
  - Medication, medical equipment, hearing aids, low vision devices but NOT eyeglasses or contacts, Assistive Technology, auxiliary aids or services (interpreters, taped texts and other means of delivery of aural or visual material) or learned behavioral or adaptive neurological modifications.

Grievance Procedure:

If a Parent/Guardian believes that the school or any of its staff have inadequately applied the regulations of Section 504, he/she may initiate a grievance with the school's CEO, Section 504 Coordinator or person designated per School Complaint Policy or in Parent/Student Handbook. The grievance procedures must explicitly state and make clear to the individual(s) involved that a complaint can be made to the regional office of U. S. Department of Education's Office for Civil Rights (OCR) without going through the school's grievance procedures. However, the 504 Coordinator should attempt to resolve the matter initially through the Charter School in accordance with the Charter School's Parent/Student Complaint process and it is advisable for Charter School to convene a conference with Parent/Guardian within ten (10) days of receipt of complaint.

**PORTIONS OF THIS POLICY HAVE BEEN EXCERPTED FROM OCR'S WEB GUIDANCE ON SECTION 504 STUDENTS.**

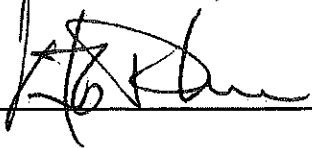


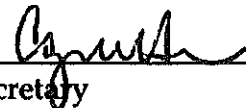


**Board of Trustees Policy - SP33**  
**SECTION 504**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

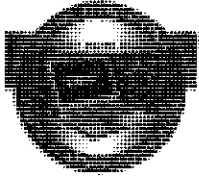
ADOPTED this 14th day of April, 2016

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

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**Board of Trustees Policy - SP34**  
**SERVICE ANIMALS IN SCHOOL**

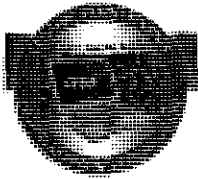
The Board of Trustees ("Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") adopts this Policy regarding Service Animals in School in accordance with applicable provisions of: Title II of the Americans with Disabilities Act (ADA), 42 U.S.C. § 12101, and its implementing regulations at Section 28 C.F.R. Part 35. Additionally, this Policy addresses requirements and considerations regarding service animals under applicable provisions and implementing regulations of Section 504 of the Rehabilitation Act (Section 504), 29 U.S.C. § 794; and applicable provisions and implementing regulations of the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), 20 U.S.C. § 1400.

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

**Service Animals Defined under the ADA:**

Pursuant to Section 28 C.F.R. § 35.104, a Service Animal is defined as: any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the handler's disability. Examples of work or tasks include, but are not limited to:

- assisting individuals who are blind or have low vision with navigation and other tasks,
- alerting individuals who are deaf or hard of hearing to the presence of people or sounds,
- providing non-violent protection or rescue work,
- pulling a wheelchair,
- assisting an individual during a seizure,
- alerting individuals to the presence of allergens,
- retrieving items such as medicine or the telephone,
- providing physical support and assistance with balance and stability to individuals with mobility disabilities, and



**Board of Trustees Policy - SP34**  
**SERVICE ANIMALS IN SCHOOL**

- helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

**Service Animals in School:**

Parents/Guardians of students with disabilities who believe the student needs to bring a service animal to school in order to receive a free and appropriate public education shall notify the Chief Executive Officer ("CEO") or his/her designee. The appropriate team shall evaluate the request to use the service animal in school, gather necessary information and determine whether the student requires the service animal during the school day or at school activities. This may include a request for parental permission to formally assess the student's education-based needs that might include alternative methods of accommodating needs. Any service animal accompanying a student with a disability to school or school activities shall be handled and cared for in a manner detailed in the student's IEP or Section 504 Service Agreement.

Pursuant to Section 28 C.F.R. § 35.106: a public entity shall make information regarding services, programs or activities applicable to applicants, participants, beneficiaries and other interested persons, in such a manner as to apprise such persons of the protections against discrimination assured them.

Generally, the Charter School will modify its policies, practices, or procedures to permit the use of a service animal by an individual with a disability. The term "disability" is defined under Section 28 C.F.R. § 35.104.

**Exceptions: The Charter School may ask an individual with a disability to remove a service animal from the premises if:**

**(i) The animal is out of control and the animal's handler does not take effective action to control it; or**



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**SERVICE ANIMALS IN SCHOOL**

**(ii) The animal is not housebroken.**

28 C.F.R. § 35.136(b).

If the Charter School properly excludes a service animal under § 35.136(b), the CEO shall give the individual with a disability the opportunity to obtain services and accommodations without having the service animal on the premises. 28 C.F.R. § 35.136(c).

A service animal **must** be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal **must be otherwise under the handler's control** (e.g., voice control, signals, or other effective means). 28 C.F.R. § 35.136(d).

**The Charter School is not responsible for the care or supervision of a service animal. 28 C.F.R. § 35.136(e).**

The Charter School shall not ask about the nature or extent of a person's disability, but may require the following information in order to determine whether an animal qualifies as a service animal and before a service animal shall be allowed in a Charter School building, or on Charter School property or vehicles. The owner or handler of the animal shall submit to the CEO or his/her designee a written request and the following documentation from a certified professional:

- (1) Verification of the need for a service animal. ~~and~~
- (2) What work or task the animal has been trained to perform in relation to the individual's disability.
- (3) Proof of current vaccinations and immunizations of the service animal.



**Board of Trustees Policy - SP34**  
**SERVICE ANIMALS IN SCHOOL**

*Generally*, the Charter School may not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability). 28 C.F.R. § 35.136(f).

**Direct and Immediate Threats:**

The Charter School reserves the right to exclude an individual if that individual presents a direct and immediate threat to others in the building or school. 28 C.F.R. § 35.139(a). To make this determination, the Charter School will make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk. 28 C.F.R. § 35.139(b). The Charter School will not rely solely on speculation, stereotypes or generalizations about individuals with disabilities. 28 C.F.R. § 35.130(h).

The Charter School may exclude a service animal from District buildings, property and vehicles under the following circumstances:

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



**Board of Trustees Policy - SP34**  
**SERVICE ANIMALS IN SCHOOL**

**Access to areas:**

Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of a place of public accommodation where members of the public, program participants, clients, customers, patrons, or invitees, as relevant, are allowed to go. 28 C.F.R. § 35.136(g).

The Charter School shall not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. If the Charter School normally charges individuals for the damage they cause, an individual with a disability may be charged for damage caused by his or her service animal. 28 C.F.R. § 35.136(h).

**Delegation of Responsibility**

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

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

**Miniature horses:**

The Charter School shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an



**Board of Trustees Policy - SP34**  
**SERVICE ANIMALS IN SCHOOL**

individual with a disability only if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability.

In determining whether reasonable modifications in policies, practices, or procedures can be made to allow a miniature horse into a specific facility, the Charter School shall consider--

(A) The type, size, and weight of the miniature horse and whether the facility can accommodate these features;

(B) Whether the handler has sufficient control of the miniature horse;

(C) Whether the miniature horse is housebroken; and

(D) Whether the miniature horse's presence in a specific facility compromises legitimate safety and/or health requirements that are necessary for safe operation.

Other requirements which apply to service animals pursuant to this policy and applicable federal regulations shall also apply to miniature horses. 28 C.F.R. § 35.136(i).

The CEO or his/her designee is directed to inform the Board of any new requirements regarding service animals and to develop and implement any procedures that may be necessary to effectuate this policy.

The CEO will seek and obtain any necessary or required trainings relative to effectuating this policy and that address issues with regard to service animals and safety including any training regarding the proper way to interact with service animal in the school setting.

**Students with Disabilities:**

In addition to the requirements and parameters regarding service animals above, the decision as to whether to allow an animal in school for a student with a disability under Section 504 or IDEA, even if that animal does not meet the definition of a "service



**Board of Trustees Policy - SP34**  
**SERVICE ANIMALS IN SCHOOL**

animal" shall be made on a case by case basis in accordance with applicable state and/or federal laws and regulations, including applicable sections of Section 504 and/or IDEA and ADA.

The parent or guardian of a student with a disability, who believes that an animal is necessary to ensure a free and appropriate public education to the student, is directed to notify the CEO or the Student's IEP team or Section 504 team in accordance with applicable state and federal laws and regulations and in accordance with this policy.

Such a request for an animal in school shall be evaluated and made in accordance with applicable state and federal laws and regulations, including: ADA, Section 504, IDEA and/or Chapter 711 of Title 22 of the Pennsylvania Code.

In an effort to fully understand the scope of the request and need, the Charter School reserves all rights applicable under Section 504 and/or IDEA to request documentation and/or relevant information regarding such requests, to the extent those rights are not specifically precluded by other applicable regulations.

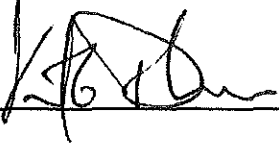


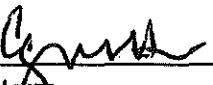


**Board of Trustees Policy - SP34**  
**SERVICE ANIMALS IN SCHOOL**

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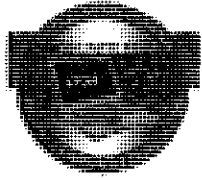
ADOPTED this   14th   day of   April  , 2016

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

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**Board of Trustees Policy - SP35**  
**SPECIAL EDUCATION**

The Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes that charter schools must comply with Chapter 711 of Title 22 of the Pennsylvania Code, Charter School Services and Programs for Children with Disabilities.

The Board of Trustees of Charter School also recognizes that charter schools are not exempt from federal special education laws or regulations which include, but are not limited to, enumerated provisions of the Individuals with Disabilities Education Improvement Act (2004) ("IDEA") and Section 504 of the Rehabilitation Act of 1973. Pursuant to 22 Pa. Code §711.3:

"Charter schools and cyber charter schools assume the duty to ensure that a [free and appropriate public education], FAPE, is available to a child with a disability in compliance with IDEA and its implementing regulations in 34 CFR Part 300 (relating to assistance to states for the education of children with disabilities) and section 504 and its implementing regulations in 34 CFR Part 104 (relating to nondiscrimination on the basis of handicap in programs and activities receiving federal financial assistance)."

The Charter School shall ensure that all children with disabilities enrolled in the Charter School, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services.

The Charter School must be able to document that children with disabilities, who are in need of special education programs and services, are identified and evaluated through published Child Find activities in accordance with 22 Pa. Code §711.21, a pertinent portion of which is set forth below:

Each charter school's or cyber charter school's written policy must include:

- (1) Public awareness activities sufficient to inform parents of children applying to or enrolled in the charter school or cyber charter school of available special education services and programs and how to request those services and



**Board of Trustees Policy - SP35**  
**SPECIAL EDUCATION**

programs. Written information shall be published in the charter school or cyber charter school handbook and web site.

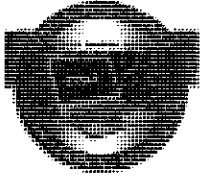
(2) Systematic screening activities that lead to the identification, location and evaluation of children with disabilities enrolled in the charter school or cyber charter school.

Basic screening procedures might include, but are not limited to, hearing and vision tests as well as grade level tests of academic performance.

The Charter School must also have a system to evaluate the overall success and effectiveness of public awareness and Child Find activities.

The Charter School recognizes that:

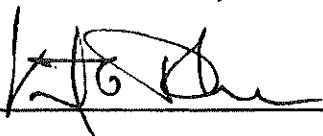
- Children with disabilities must be admitted on the same basis as children without disabilities.
- Upon admitting a child with a disability, the Charter School must provide services to address the child's specific needs.
- When a student with a disability transfers to the Charter School, the Charter School is responsible for ensuring that the student receives services that are described in an Individualized Education Program (IEP), either by adopting the old IEP or by developing a new IEP within the timelines set forth in 22 Pa. Code §711.41.
- The Charter School will use the most current and appropriate versions of Special Education Formats.
- To meet the requirements of federal law, the Charter School may provide the services itself, or contract with another entity, such as an intermediate unit or a private licensed entity or individual to provide the services, respecting the least restrictive environment requirements and all required criminal and child abuse clearance requirements.



**Board of Trustees Policy – SP35**  
**SPECIAL EDUCATION**

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ADOPTED this   14th   day of   April  , 2016

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

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## **CHILD FIND NOTICE**

### **Services for School-Age Students with Disabilities**

The Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") provides a free, appropriate, public education ("FAPE") to eligible students. To qualify as an eligible student, the child must be of school age, in need of specially-designed instruction, and meet eligibility criteria for one or more physical or mental disabilities as set forth in the federal Individuals with Disabilities Education Act ("IDEA") and Chapter 711 of the Pennsylvania State Regulations.

The Charter School uses identification procedures to determine eligibility of students and provide an appropriate educational program consisting of special education and related services, individualized to meet student needs at no cost to the parents. To identify students who may be eligible for special education, various screening activities are conducted on an on-going basis. These screening activities include: review of group-based data (cumulative records, enrollment records, health records, report cards, ability, and achievement test scores); hearing, vision, physical, and speech/language screening; and review of data by applicable Charter School Teams. When screening results suggest that the student may be eligible for special education services, the Charter School seeks written parental consent to conduct a multidisciplinary evaluation because the Charter School cannot conduct an evaluation or provide an initial provision of special education services without this written permission. For additional information related to consent, please refer the Procedural Safeguards Notice which can be found at the PaTTAN website, [www.Pattan.net](http://www.Pattan.net).

However, Parents who suspect that their child is eligible for special education services may request a multidisciplinary evaluation at any time through a written request to the Principal or Special Education Coordinator. If the parent disagrees with the Evaluation Report, the parent can request an independent education evaluation at public expense.

Once the evaluation process determines eligibility, an IEP Team of Charter School professionals and Parents meet to discuss and determine services to meet the needs of the student and include the annual development of an Individualized Education Program (IEP), bi-annual or tri-annual multidisciplinary re-evaluation, and a full continuum of services, which include Itinerant, Supplemental, or Full-Time Levels of Intervention. The extent of special education services and the location for the delivery of such services are determined by the IEP team and are based on the student's identified needs and abilities, chronological age, and the level of intensity of the specified intervention. The Charter School also provides related services, such as transportation, speech and language therapy, physical therapy, and occupational therapy, required for the student to benefit from the special education program.

### **Services for Protected Handicapped Students**

In compliance with the state and federal law, namely Section 504 of the Rehabilitation Act of 1973, the Charter School will provide to protected handicapped students services or accommodations that are needed to provide equal opportunity to participate in and obtain the benefits of the school program and extra-curricular activities to the maximum extent appropriate to the student's abilities. These related services or accommodations are provided without discrimination or cost to the student or family. In order to qualify as a protected handicapped student, the child must be of school age with a physical or mental disability, which substantially limits or prohibits participation in or access to an aspect of the school program. Services and safeguards for protected handicapped students are distinct from those applicable to exceptional students enrolled or seeking enrollment in special education programs.

### **Confidentiality of Student Records**

The Charter School protects the confidentiality of personally identifiable information for all students in accordance with the Family Educational Rights and Privacy Act ("FERPA"), state law and the Charter School's student records policy.

### **Contacts**

For additional information regarding any special education or Section 504 issues, please contact the Coordinator of Special Education or the Chief Executive Officer at:

Central Pennsylvania Digital Learning Foundation Charter School  
721 North Juniata Street, Suite 3  
Hollidaysburg, PA 16648

## **CHILD FIND NOTICE**

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### **Confidentiality of Student Records**

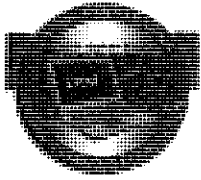
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### **Contacts**

For additional information regarding any special education or Section 504 issues, please contact the Coordinator of Special Education or the Chief Executive Officer at:

Central Pennsylvania Digital Learning Foundation Charter School  
580 Foot of Ten Road  
Duncansville, PA 16635





**Board of Trustees Policy - SP37**  
**SURROGATE PARENT**

The Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") must ensure that an individual is assigned to act as a surrogate of a child when no parent or person acting as the parent can be identified, or the Charter School, after reasonable efforts, cannot locate the parent, or the child is an unaccompanied homeless youth as defined in the McKinney-Vento Homeless Assistance Act, 42 U.S.C. Sec. 11434 a(6).

The Charter School must have a method of determining whether or not a child needs a surrogate parent, and for assigning a surrogate parent to the child as well as ensuring that surrogates are trained and have adequate knowledge to serve in this capacity.

The Charter School may select a surrogate parent in any way permitted under State law, but must ensure that a person selected as a surrogate is not an employee of the State Educational Agency ("SEA"), Charter School or any other agency that is involved in the education or care of the child, such as the child welfare agency, adoption agency, etc. This means that a "house parent," or other employee of a public child welfare agency or private child welfare provider agency, school district, charter school, state educational agency, or a facility where the child lives is not eligible. Whenever possible, a surrogate parent should be someone who already knows and has a trusting relationship with the youth and must have knowledge and skills that ensure that he or she will adequately represent the child.

For a child who is a ward of the State, a surrogate may be appointed by a judge overseeing the child's care or by the Charter School. The surrogate must have no personal or professional interest that conflicts with the interest of the child the surrogate parent represents. The surrogate parent must have knowledge and skills that ensure adequate representation of the child. The surrogate parent may represent the child in all matters relating to the identification, evaluation, educational placement and provisions of FAPE to the child.

For a homeless youth, not in the physical custody of the parent or guardian, the Charter School must appoint a surrogate.

If a child is or may be eligible for special education or early intervention services, the IDEA requires the child's school district, charter school, cyber charter school or early intervention agency to ensure that the child has an active birth or adoptive parent or



**Board of Trustees Policy - SP37**  
**SURROGATE PARENT**

other person authorized by the IDEA or a court to make decisions for him or her. The person who is designated to act as the "parent" under the IDEA is entitled to participate in all of the meetings and make all relevant decisions. If the Charter School cannot locate a biological or adoptive parent or other IDEA Parent from the list below, then it must appoint a "surrogate parent" within 30 calendar days. In some cases, a child may appear to have more than one IDEA parent from the list below and the Charter School will need to determine which person is the legally-authorized decision maker.

Under the IDEA, potential IDEA Parents include:

- A biological or adoptive parent;
- A foster parent;
- An individual who has the authority to act as the child's parent or who has the authority to make education decisions for the child (such as an EDM);
- A family member with whom the child lives who is acting as a parent (such as a grandparent or stepparent);
- A guardian who is legally responsible for the child's welfare (but not any employee of a child welfare agency); or
- A surrogate parent assigned by the local educational agency (such as the school district or charter school).

If a court has not limited the biological/adoptive parent's authority to make education decisions, the Charter School must recognize that parent as the person authorized to make education decisions for the child so long as he or she is "attempting to act as the parent." If the parent is not "attempting to act as the parent" (for example, is not responding to notices or attending meetings), and the child has a foster parent or one of the other potential "IDEA parents" listed above, the Charter School must then treat that person as the child's IDEA Parent and allow that person to participate in meetings, give or deny consent, and make early intervention or special education decisions for the child. The "IDEA Parent" can challenge the Charter School's proposals through the mediation and due process hearing procedures.



**Board of Trustees Policy – SP37**  
**SURROGATE PARENT**

If the child has a “parent” under the IDEA (see list above), the Charter School does not need to “appoint” that person as the child’s surrogate parent. Unlike a juvenile court judge, who can appoint another person as EDM to act in the best interest of the child even if the child has a parent, the Charter School cannot appoint another person to make decisions for the child if the child has a “parent.” Remember, however, that if a court has appointed an EDM, the EDM makes education decisions for the child regardless of whether the biological/adoptive parent wants to serve in that role or whether there are other potential “parents” under the IDEA who are ready to serve that role. *If a court has appointed an EDM, that person trumps all other potential “parents” under the IDEA.*

The Charter School must take steps to ensure that the child’s rights are protected if:

- 1) The Charter School does not know who the parent is;
- 2) The Charter School cannot locate the parent after making reasonable efforts to get in touch with them, such as calling and sending letters on multiple occasions;
- 3) The child has no “parent” under the IDEA (see above); or
- 4) The child is an “unaccompanied homeless youth” as defined by the federal McKinney-Vento Act and is eligible for special education.

NOTE: “unaccompanied homeless youth” are youth who are not in the physical custody of a parent or guardian and who do not have a fixed, regular, and adequate nighttime residence.

Once the Charter school has determined that an enrolled child needs a surrogate parent, it must assign a surrogate parent within 30 calendar days. To meet its 30-day obligation, a Charter School should try to maintain a pool of trained surrogate parents who are available for children in need. Charter Schools may enter into interagency agreements with its local child welfare agency to identify children in need of surrogate parents and potential candidates to fill this role.



**Board of Trustees Policy - SP37**  
**SURROGATE PARENT**

**Exceptions to General Rule Prohibiting Caseworker/Employee of Agency to be Surrogate:**

There are two exceptions to the general rule that an EDM or surrogate parent cannot be an employee of an agency involved in the care or education of the child for children aged 3 or older:

- 1) A caseworker or other agency employee can consent to an initial evaluation in very limited circumstances. Written consent of a parent is required before a child can first be evaluated to determine eligibility for special education services. However, the IDEA permits a school to start the initial evaluation without obtaining parent permission if the child is in the custody of the child welfare agency, is not living with the parent or with a foster parent, and one of the following applies:
  - The school documents that it has made repeated attempts but cannot locate the parents;
  - The parents' rights have been terminated; or
  - The birth parents' rights to make education decisions have been suspended by a judge and the judge has appointed an individual to consent to the initial evaluation.

NOTE: In this limited circumstance only, the judge can appoint a person to give this consent who is an employee of an agency involved in the education or care of the child, such as the county or a private provider child welfare agency. However, if the child is ultimately determined to be eligible, that person cannot consent to starting special education services. Therefore the Charter School or the court must immediately begin the process of appointing an EDM or surrogate parent who can consent to the provision of special education services while determining if the child is eligible.

- 2) A temporary surrogate parent can be appointed for an "unaccompanied homeless youth." These are youth who are not in the physical custody of a parent or guardian and who do not have a fixed, regular, and adequate nighttime residence. For such youth, the staff of an emergency shelter, transitional shelter, independent living program, or street outreach program may be appointed as a "temporary surrogate parent" (even if that person is an employee of an agency involved in the care or education of the youth) *until*



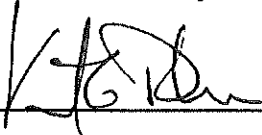
**Board of Trustees Policy - SP37**  
**SURROGATE PARENT**

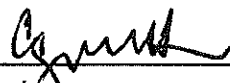
*such time as a surrogate parent who meets the usual requirements can be appointed.*

The Chief Executive Officer or his/her designee is directed to develop procedures that may be necessary to implement this policy.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

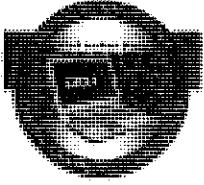
ADOPTED this 14th day of April, 2016

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

**Distribution:**

- Board Policy Binder
- Board Policy Shared Drive Folder
- Website



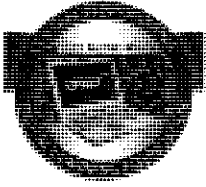
**Board of Trustees Policy - SP38**  
**TRANSITION FROM PRESCHOOL EARLY  
INTERVENTION PROGRAMS TO CHARTER SCHOOL  
KINDERGARTEN OR FIRST GRADE PROGRAMS**

The Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes that Act 212 of 1990, the Early Intervention Systems Act, established Early Intervention services in Pennsylvania for eligible children from age three to the "age of beginners." Age of beginners is defined as the minimum age established by each school district's board of directors for admission to the school district's first grade under 22 Pa. Code 14 §14.101. A transition, without interruption in program, and with appropriate procedural protections, is required under 20 U.S.C. §1419 (IDEA).

To assist in this transition process, the Pennsylvania Department of Education ("PDE") Bureau of Special Education ("BSE") and the Bureau of Early Intervention Services ("BEIS") have developed standardized procedures and forms to be utilized by the Preschool Early Intervention programs, school districts and charter schools throughout the process. If Parents choose to enroll their child in the Charter School or complete the Intent to Register and select the Charter School, then the Charter School must fulfill the following responsibilities for a successful transition for the new school year.

By February 1<sup>st</sup> of each year, preschool Early Intervention programs must identify the children in their programs who are approaching the age for kindergarten or first grade. During the transition meetings in February, if parents intend to register their child with the Charter School, the following options should be considered by parents and the Charter School team:

(1) Parents and the Charter School can agree to adopt and implement the child's preschool Early Intervention Individualized Education Program for the new school year and, if so, the Charter School would then issue the Notice of Recommended Educational Placement/Prior Written Notice ("NOREP/PWN"), indicating this recommendation. However, the NOREP/PWN should indicate that the IFSP, as adopted, will serve as interim supports for the student, for a period of time of a maximum of sixty (60) days, while the Charter School, as the new LEA, decides on whether to accept, in part or whole, the entire recommended special education program in the IFSP. The Charter School will then determine, through a review of Early Intervention records, if school-



**Board of Trustees Policy - SP38**  
**TRANSITION FROM PRESCHOOL EARLY  
INTERVENTION PROGRAMS TO CHARTER SCHOOL  
KINDERGARTEN OR FIRST GRADE PROGRAMS**

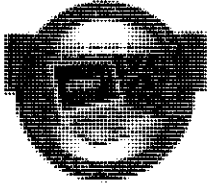
age instruments were used to develop the IFSP and if not, then issue a PTE to conduct an evaluation using necessary school-age instruments.

(2) Parents and the Charter School can decide to adopt the preschool Early Intervention Individualized Education Program with revisions. The Charter School and parents would discuss the proposed revisions. The Charter School would then issue the revised Individualized Education Program and Notice of Recommended Educational Placement/Prior Written Notice indicating this recommendation.

(3) Parents and the Charter School will decide if a reevaluation is necessary. The Charter School may conduct a reevaluation consisting of a review of existing data and information prior to the development of an Individualized Education Program. The Charter School is not required to issue the Prior Written Notice and Request for Consent for Reevaluate form to obtain parental consent prior to a reevaluation limited to a review of existing data. The Charter School will notify the parents in writing within a reasonable amount of time after receipt of the Intent to Register Form. Charter schools may conduct a reevaluation and develop Individualized Education Programs in accordance with the timelines mandated in 22 Pa. Code Chapter 711. The Charter School and the parents may agree to waive a required reevaluation that is allowed under 34 CFR §300. 303(b)(2), or may agree to implement the existing evaluation or Individualized Education Program.

(4) The Charter School may notify parents using a letter/notice developed by the Charter School. If the team is meeting to review existing evaluation data, the Invitation to Participate in the Individualized Education Program Team Meeting or Other Meeting notice can be used, noting that the meeting is to review data as part of a reevaluation. This review of existing data should commence within a reasonable amount of time after receipt of the Intent to Register.

The Reevaluation Report will summarize the data reviewed during reevaluation, the decision about whether additional evaluation data are needed, and a determination about the child's continued eligibility for special education services. If, through the review of existing evaluation data the Individualized Education Program team as



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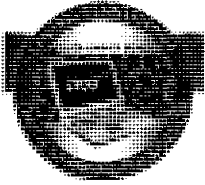
described above determines that additional data are needed, the Charter School will issue the Prior Written Notice and Request for Consent to Reevaluate Form to obtain parental consent to collect the additional data. Within 60 days of the date the Charter School receives parental consent (not including summer days) to collect additional data, the parents will receive a copy of the Reevaluation Report.

(5) Waiving the reevaluation is not part of the reevaluation process. Waiving the reevaluation is recommended by the Charter School, not the Individualized Education Program team. The parents must be in agreement with the determination to waive the reevaluation. Parent signature is required on the Agreement to Waive Reevaluation form.

Within a reasonable period of time from the receipt of the signed Intent to Register form but no later than April 15th, the Charter School will notify parents in writing and initiate one of the options as noted above. Regardless which option is chosen, an Individualized Education Program will be implemented no later than 10 school days after its completion, in order to ensure that the special education programs of young children with disabilities are not interrupted when they transition from preschool Early Intervention programs to school-age programs.

All children currently eligible for special education in preschool Early Intervention and registered with the Charter School will remain eligible for special education in the Charter School unless the Charter School or preschool Early Intervention program completes a reevaluation that determines the child is no longer eligible for special education. If no longer eligible for special education services, the Charter School or preschool Early Intervention program must issue a Notice of Recommended Educational Placement/Prior Written Notice. If parents disagree with the Individualized Education Program offered by the Charter School and initiate a due process hearing or both parties agree to mediation, children who will transition into kindergarten or school age programs must continue to receive the services described in their preschool Individualized Education Program (ensuring "status quo") pending completion of dispute resolution options of mediations or due process hearings.





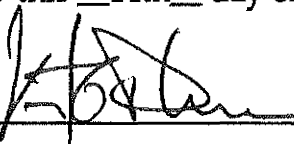
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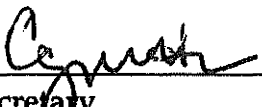
It is recommended that the records of children who will be transitioning to the Charter School be requested by the Charter School for transfer from the preschool Early Intervention program in time for the transition meeting. If a transition meeting is not held, the records will be transferred upon the child being registered with the Charter School or when the child is no longer receiving preschool Early Intervention services.

The Chief Executive Officer shall ensure that this transition process is carried out through the Director of Student Services/Special Education Coordinator and any questions should be directed to this latter person.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this   14th   day of   April  , 2016

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

**Distribution:**

- Board Policy Binder
- Board Policy Shared Drive Folder
- Website

## **Attachment 88**

**Policies – Students**

**Central Pennsylvania Digital Learning Foundation Charter School**  
**[www.cpdf.org](http://www.cpdf.org)**

**2016-2017 School Year - S02**

***Annual Notification of Rights under Family Educational Rights and Privacy Act  
(FERPA) for the 2016-2017 School Year/Notice to Parents and Guardians  
Regarding the Disclosure of Student "Directory Information"***

The Family Educational Rights and Privacy Act (FERPA), a federal law, affords parents, legally emancipated students, and students over eighteen (18) years of age ("eligible students") certain rights with respect to the student's educational records.

These rights are briefly summarized below and are explained more fully in the Board's Student Records Policy, which is on file at the School and is available upon request:

1. The right to inspect and review the student's educational records within forty-five (45) days of the day the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") receives a request for access. Parents or eligible students should submit to the Charter School's Chief Executive Officer ("CEO") a written request that identifies the record(s) they wish to inspect. The Charter School official will make arrangements for access and notify the parent or eligible student of the time and place where the record(s) may be inspected.
2. The right to request the amendment of the student's educational record(s) the parent or eligible student believes is inaccurate or misleading. Parents or eligible students may ask the Charter School to amend a record that they believe is inaccurate or misleading. Parents or eligible students should write to the Charter School's CEO or his/her designee, clearly identifying the part of the record(s) they want amended, and specify why the record(s) is inaccurate or misleading. If the Charter School decides not to amend the record(s) as requested by the parent or eligible student, the Charter School will notify the parent or eligible student of the decision in writing and advise of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's educational record(s) except to the extent that FERPA authorizes disclosure without consent, as discussed below.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Charter School to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

**Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue SW  
Washington, D.C. 20202-8520**

### *Release of Records Without Consent*

Generally, the Charter School must have written permission from parents or eligible students in order to release any information from a student's education records. However, FERPA allows the Charter School to disclose that information without consent, to the following parties or under the following conditions:

- School officials with legitimate educational interests. A School Official may include a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law unit personnel); a person serving on the Board; a person or company with whom the Charter School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); contractors, consultants, volunteers, and other outside service providers used by the Charter School; or a parent or student serving on official committee, such as a disciplinary or grievance committee, or assisting another Charter School official in performing his/her tasks. A School Official has a legitimate educational interest if the official needs to review an educational record(s) in order to fulfill his or her professional responsibility;
- Other schools, school systems, or institutions of postsecondary education to which a student is transferring;
- Authorized representatives of the U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education, or State and local educational authorities. Disclosures may be made in connection with an audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. The entities and officials identified here may re-disclose student information to outside entities and/or individuals that are designated as "authorized representatives" to conduct an audit or evaluation, or enforcement or compliance activity on their behalf. A designation of an "authorized representative," other than an employee, shall be memorialized in a written agreement. The same agreement shall contain

provisions intended to guard the privacy of student information. Student records for children seven (7) years or older is exempt from the use of authorized representatives for agencies running programs to improve social, emotional and physical development;

- Appropriate parties in connection with financial aid for which a student has applied or has received, if the information is necessary to determine eligibility for aid, determine the amount of aid, determine the conditions of aid, or enforce the terms and conditions of aid;
  - Organizations conducting certain studies for or on behalf of the school, to develop, validate or administer predictive tests; administer student aid programs; or improve instruction. The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education, or State and local educational authorities may re-disclose student information to organizations conducting studies identified here. Any re-disclosure of student information, whether by schools or the entities and officials identified here, requires a written agreement. The written agreement shall contain provisions intended to guard the privacy of student information;
  - Accrediting organizations;
  - To parents of dependent students for IRS tax purposes;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities within a juvenile justice system, pursuant to specific State law.
- The Uninterrupted Scholars Act (USA) (Public Law 112-278), which was signed into law on January 14, 2013, amends FERPA in the following two ways:

- 1) Educational agencies and institutions are permitted to disclose a student's education records, without parental consent, to a caseworker or other representative of a State or local child welfare agency or tribal organization authorized to access a student's case plan "when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student."
- 2) Educational agencies and institutions are permitted to disclose a student's education records pursuant to a judicial order without requiring additional notice to the Parent by the educational agency or institution in specified types of judicial proceedings in which a parent is involved. The theory behind this change is that the Parent has already been informed by being involved in the child abuse, neglect, or dependency proceeding

The child welfare agency can then disclose (or re-disclose) the records to “an individual or entity engaged in addressing the student’s education needs”. This individual or entity must be authorized to receive the records and the disclosure (or re-disclosure) must be consistent with State confidentiality law.

These changes to FERPA (and, consequently, to the confidentiality provisions applicable to Parts B and C of the IDEA), help in improving educational and developmental outcomes for children in foster care by providing those agencies that are legally responsible for such children access to specific information that is maintained by those agencies that provide early intervention or educational services to such children. More specifically, child welfare agency workers must develop a written case plan for each child in foster care, which includes the education records of the child, including the most recent information regarding:

- The names and addresses of the child’s education providers;
- The child’s grade level performance;
- The child’s school record;
- Any other relevant education information the child welfare agency determines to be appropriate.

As part of the Student’s Educational Stability Plan, which is revised when placing a child in foster care, or, when a child is changing foster care placements, the agency must consider the appropriateness of the child’s current school and the proximity of that school to the foster care placement; and coordinate with the local educational agency to ensure the child can stay enrolled in his or her school of origin despite the foster care placement. However, if the child welfare agency determines it isn’t in the child’s best interests to stay in the same school, the agency must ensure that the child is immediately enrolled in a new school, and all the child’s education records are provided to that new school.

Child welfare agencies must assure that each child receiving a Federal foster care payment is a full-time elementary or secondary school student (or is incapable of attending school due to a medical condition). Federal child welfare guidance encourages child welfare agencies to ensure that children are not only enrolled, but are actually attending school.

The Charter School must maintain records of each request for access and disclosure of information from a student’s education record(s), except for disclosures to school officials with legitimate educational interests, disclosures to parties with written consent from parents or eligible students, disclosures of Directory Information (discussed below), disclosures under select judicial orders or lawfully issued subpoenas, and disclosures to parents or eligible students. Parents and eligible students have a right to inspect and review the records of requests for access and disclosures.

### ***Release of Directory Information***

Directory Information includes information contained in the educational record(s) of a student, which is not considered harmful or an invasion of privacy if disclosed, so that it may be disclosed without prior parental consent, unless parents or eligible students have advised the Charter School to the contrary in accordance with Charter School procedures. The primary purpose of Directory Information is to allow the Charter School to include this type of information from the student's educational records in certain school-related publications or notices.

As part of the Charter School's annual notification under FERPA, Charter School designates for the 2015-2016 School Year the following types or categories of information as "Directory Information":

- Student Name
- Participation in officially recognized activities, clubs, and sports
- Naming of student to the Honor Roll, National Honor Society or as Valedictorian
- Address
- Telephone listing
- Weight and height of members of athletic teams
- Electronic Mail Address
- Photograph
- Degrees, honors, awards received
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- The most recent educational agency or institution attended

"Directory Information" for the 2015-2016 School Year also includes:

- Except for social security number, a student ID number, user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used with one or more factors, such as a personal identification number (PIN), password or other factor known or possessed only by the authorized user; and
- Except for social security number, a student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used with one or more factors, such as a PIN, password, or other factor known or possessed only by the authorized user.

Examples of how and where the Charter School may disclose Directory Information include:

- Newsletters
- A playbill showing student's role in a drama production
- The annual yearbook
- Honor Roll or other recognition lists
- Graduation programs
- Sports activity sheets, such as for wrestling: showing weight and height of team members
- Companies or outside organizations that manufacture class rings or yearbooks
- Newspapers or other news sources
- Class Lists
- Staff and/or Student Directories and/or listings
- Charter School Website
- Charter School Bulletin Boards
- Institutions of Higher Learning requesting Directory information

These examples are for illustration only and are not an exclusive list of the manner in which Directory Information may be disclosed. This Notice provides parents and eligible students with an opportunity to object in writing to any or all of those types of information that the Charter School has designated as Directory Information. Parents and eligible students have the right to refuse to permit the release by notifying the Charter School in writing that they do not want any or all of those types of information to be designated as Directory Information.

Please note that an opt out of Directory Information disclosures does not prevent the Charter School from identifying a student by name or from disclosing a student's name, identifier or institutional e-mail address in class in which the student is enrolled. The right to opt out of Directory Information disclosures does not include a right to remain anonymous in class, and may not be used to impede routine classroom communications and interactions, whether class is held in a specified physical location or on-line through electronic communications. Likewise, an opt out of Directory Information disclosures does not prevent the Charter School from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that the Charter School designated as "Directory Information" for the 2015-2016 School Year above.

**YOUR ACTION IS REQUIRED IF YOU WISH "DIRECTORY INFORMATION" NOT TO BE PUBLISHED.** Please submit any refusal with the types of information you wish removed from the list of Directory Information and mail your written objections on or before **September 1, 2016**, to the CEO of the Charter School at:

**Central Pennsylvania Digital Learning Foundation Charter School  
721 North Juniata Street, Suite 3  
Hollidaysburg, PA 16648**



If you have any questions regarding this Notice, please call or write the CEO at Charter School at: 721 North Juniata Street, Suite 3, Hollidaysburg, PA 16648 814-682-5258. **If you do not submit a written refusal on or before September 1, 2016 then the Charter School may disclose directory information without your prior consent.**

**THE CONTENT OF THIS NOTICE HAS BEEN WRITTEN IN STRAIGHTFORWARD, SIMPLE ENGLISH. IF A PERSON DOES NOT UNDERSTAND ANY OF THIS NOTICE, HE OR SHE SHOULD ASK THE CEO/PRINCIPAL OF CHARTER SCHOOL FOR AN EXPLANATION. THE CHARTER SCHOOL WILL ARRANGE FOR AN INTERPRETER FOR PARENTS WITH LIMITED ENGLISH PROFICIENCY. IF A PARENT IS DEAF OR BLIND OR HAS NO WRITTEN LANGUAGE, THE CHARTER SCHOOL WILL ARRANGE FOR COMMUNICATION OF THIS NOTICE IN THE MODE NORMALLY USED BY THE PARENT (E.G., SIGN LANGUAGE, BRAILLE, OR ORAL COMMUNICATION). IF A STUDENT HAS A DISABILITY, ADDITIONAL INFORMATION IS AVAILABLE IN THE CHARTER SCHOOL'S ANNUAL PUBLIC NOTICE OF SPECIAL EDUCATION SERVICES AND PROGRAMS AND RIGHTS FOR STUDENTS WITH DISABILITIES.**

**Central Pennsylvania Digital Learning Foundation Charter School**  
**www.cpdf.org**

**Board of Trustees Policy – S03**

**ANTI-SMOKING POLICY**

The Board of Trustees (“Board”) of the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) recognizes that the use of tobacco presents a health hazard which can have serious consequences both for the smoker and the nonsmoker and is, therefore, of concern to the Board.

For the purposes of this policy, “use of tobacco” shall mean all uses of tobacco and tobacco related products, including possession, including but not limited to the following: lighted or unlighted cigar, cigarette and pipe; other lighted or unlighted smoking product or material, smokeless tobacco in any form, electronic smoking products, as well as other controlled substances. “Electronic smoking products” mean electronic products designed to deliver nicotine, flavor and/or other potentially harmful chemicals. School jurisdiction shall include use of property owned or operated by the School or contracted transportation to and from school and extra-curricular activities and during extracurricular activities. The time shall include transportation on School or leased vehicles or public transit vehicles.

In order to protect students and staff from the safety hazards of smoking and from an environment noxious to nonsmokers, and because the Board cannot, even by indirection condone the use of tobacco by students, the Board prohibits the use of tobacco by students in school buildings, on school grounds, and on school buses.

Whenever such property shall be used as a public place or public meeting, the School employee in charge shall prohibit the use of tobacco by any attendees.

The Board prohibits tobacco use and possession by students at school-sponsored activities that are held off school property.

The Chief Executive Officer or his/her designee shall develop procedures to implement this policy, which include informing all students and staff members of the smoking regulations of this school; instructions on the potential hazards of the use of tobacco; the formation of a committee of students, staff members, parents, and community representatives to evaluate the effectiveness of the Board’s policy on smoking and to solicit community and parental support in the discouragement of the use of tobacco and the awareness of safety hazards that smoking in public buildings produce.

Students who violate the Board's policy on the use of tobacco are subject to the consequences as set forth in the School Code of Conduct.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

Adopted this 9 day of June, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**Central Pennsylvania Digital Learning Foundation Charter School**  
**www.cpdf.org**

**Board of Trustees Policy – S04**

**STUDENT ATTENDANCE AND PUNCTUALITY POLICY**

The Board of Trustees (“Board”) requires that students enrolled at the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) attend school daily and on time in accordance with the compulsory attendance laws of the Commonwealth of Pennsylvania.

Parents or guardians are required to ensure that their children attend school every day that school is in session through the procedures required by the Charter School.

The education program offered by the Charter School is based upon the presence of the student and requires continuity of instruction and classroom participation.

The Chief Executive Officer or his/her shall have the responsibility to develop procedures following the guidelines developed by the Board to assure that students attend school regularly and that said procedures comply with all Federal, State and local laws.

A component of the procedures shall be an early intervention process to assure that assistance is given to students who are experiencing problems in attending school.

Attendance and punctuality procedures will be delineated in the Student Handbook and distributed to every student.

Said attendance and punctuality guidelines are subject to periodic review by the entire Board of Trustees.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, AND/OR THE CHARTER APPLICATION OR ADOPTED CHARTER, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR THE CHARTER APPLICATION OR ADOPTED CHARTER CONTROL.

ADOPTED this 9 day of June, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**Central Pennsylvania Digital Learning Foundation Charter School**  
**www.cpdlf.org**

**Board of Trustees Policy – S05**

**CARE OF SCHOOL PROPERTY POLICY**

The Board of Trustees (“Board”) of the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) believes that the Charter School should help students learn to respect property and develop feelings of pride in community institutions. The Board also recognizes the relationship between effective use of property and the Charter School’s financial solvency.

The Board charges each student with responsibility for the proper care of Charter School property and the school textbooks, supplies, and equipment entrusted to his/her use.

Students are responsible for the care, maintenance and timely return of all textbooks, supplies, equipment and any other school property. The Charter School shall require students and/or parents to sign a compact acknowledging their responsibility for the care and prompt return of textbooks and any other materials or equipment lent to them by the Charter School.

Students and/or their parents will be assessed penalties for lost or damaged textbooks, equipment or school property. Imposition of one or more of the following penalties is permitted: a charge for replacement of the school property; requiring the student to perform a prescribed number of hours of school service; and/or loss of privileges such as participation in sports or other extra curricular activities, proms and other special events or graduation-related activities.

Students who willfully cause damage to school property shall be subject to disciplinary measures. Students and others who damage or deface school property may be prosecuted and punished under law. Parents and guardians shall be held accountable for student actions. The Chief Executive Officer (“CEO”) or his/her designee may report to the appropriate authorities any student whose damage of school property has been serious or chronic in nature.

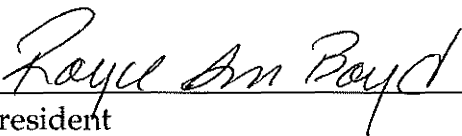
The CEO shall develop procedures to implement this policy which include rules for the safekeeping and accounting of property; preparation of a schedule of fines or repayment for lost or damaged property; and a report to the Board on the nature and

incidence of vandalism. This report shall include the number and kind of incident(s), the cost of vandalism to the school, and such related facts and comments as the CEO may wish to make.

These procedures shall include distribution of a printed statement of legal responsibility of parents and/or guardians.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.**

ADOPTED this day 6 of June, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**Central Pennsylvania Digital Learning Foundation Charter School**  
**www.cpdlf.org**

**Board of Trustees Policy**

**CHILDREN'S INTERNET PROTECTION ACT (CIPA) POLICY – S06**

According to the Pennsylvania Department of Education ("PDE"), the Federal Children's Internet Protection Act ("CIPA"), Pub. L. No. 106-554 and 47 USC 254(h), mandates that schools that receive federal technology funds must develop and implement measures and policies to prevent access to "visual depictions" that are determined to be "obscene", "child pornography", or "harmful to minors" as defined herein.

PDE has further stated that schools receiving certain E-rate discounts are also mandated by the Neighborhood Children's Internet Protection Act (N-CIPA) to adopt and enforce an Internet Safety Policy (ISP) that addresses harmful or inappropriate online activities. N-CIPA was passed as part of CIPA.

The Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") has adopted this Policy in order to establish specific standards to comply with CIPA and N-CIPA requirements.

This Policy is to be read in conjunction with the Charter School's Acceptable Use of Computer Resources Policy and shall supplement, not supplant, the Charter School's Acceptable Use of Computer Resources Policy.

The Chief Executive Officer ("CEO") or his/her designee is directed to include this Policy in the Parent and Student Handbook and the Employee Handbook. Failure to comply with this Policy and/or Internet safety requirements of Charter School shall result in consequences as set forth in the school's Parent and Student Handbook, Code of Conduct or Employee Handbook and/or as allowed by applicable law. Consequences may include, but are not limited to: denial of or restriction to access to technology, suspension, expulsion, notification of authorities, termination, commencement of civil and/or criminal proceedings and/or other consequences available under school policy and/or applicable state and/or federal laws.

This Policy has been adopted after reasonable public notice and at a meeting held open to the public to address this Policy.



Charter School uses computer resources to facilitate the education of students and to aid in matters related to the operations of Charter School. Charter School further places student Internet safety as a primary concern.

It is every computer user's duty to use computer resources, including the Internet, responsibly, professionally, ethically and lawfully. Access to these resources shall be designated a privilege, not a right.

This policy applies to aspects of both adult and student compliance with Internet safety at Charter School.

### **CIPA/N-CIPA Compliance/Internet Safety**

It is the policy of Charter School to:

(1) Prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, and all other forms of direct electronic communications;

(2) Prevent unauthorized access and other unlawful online activity;

(3) Prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and

(4) Comply with the Children's Internet Protection Act, Pub. L. No. 106-554 and 47 USC 254(h).

To the extent consistent with applicable state and federal laws and reasonably practical, technology protection measures (or "Internet filters") shall be used at Charter School to block or filter Internet, and other forms of electronic communications, and access to inappropriate information. The form and type of technology protection measures used during the 2015 -2016 school year include:

The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are:

(1) Obscene, as that term is defined in section 1460 of title 18, United States Code;

(2) Child Pornography, as that term is defined in section 2256 of Title 18, United States Code; or

(3) Harmful to minors. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

- a. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- b. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
- c. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

The terms "sexual act" and "sexual contact" have the meanings given such terms in section 2246 of title 18, United States Code.

As required by the Children's Internet Protection Act (CIPA), blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Technology protection measures shall only be disabled pursuant to the direction of the CEO or his /her designee to the extent allowed by applicable law and regulation, for bona fide research or other lawful purposes of an adult as determined by the CEO or his / her designee. The development of procedures for the disabling or otherwise modifying of any technology protection measures shall be the responsibility of the CEO of Charter School or his or her designee.

The CEO or his /her designee shall take reasonable steps to promote the safety and security of users of the online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

As required by the Children's Internet Protection Act, prevention of inappropriate network usage at Charter School shall include:

- (1) Unauthorized access, including so-called 'hacking,' and other unlawful activities; and
- (2) Unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

It shall be the responsibility of all members of the Charter School staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and applicable laws, including the Children's Internet Protection Act as

well as in accordance with any administrative procedures developed by the CEO in furtherance of this Policy.

In accordance with the "Protecting Children in the 21st Century Act" and its requirement to certify to the Schools and Library Division ("SLD") that the school's Internet Safety Policy includes educating minors about appropriate online behavior, students shall be educated about appropriate online behavior, including cyber-bullying awareness and response and interacting with other individuals on social networking sites and in chat rooms.

With regard to educating minors about appropriate online behavior, the CEO or his / her designee is directed to:

- (1) Make such educational opportunities available to students during the school year;
- (2) Notify students and their parents about these educational opportunities in advance; and
- (3) Maintain documentation of:
  - a. Educational programs offered;
  - b. The dates and locations of such opportunities;
  - c. How online safety was taught and what was covered in the programs offered; and
  - d. Those in attendance at the programs offered.

The CEO or his /her designee is directed to file and/or provide the appropriate certifications evidencing compliance with CIPA and N-CIPA as required by applicable state and/or federal laws and regulations.

The CEO or his /her designee is directed to maintain documentation of compliance with CIPA and N-CIPA certification requirements including the annual filing of FCC Form 486.

The CEO or his /her designee is directed to ensure that the Charter School employs necessary technology protection measures in accordance with this Policy and shall report to the Board when modifications are needed to technology protection measures at Charter School.

The online activities of students shall be monitored and minors' access to harmful materials shall be restricted to the extent required by applicable laws and regulations.

To the extent not inconsistent with applicable laws and regulations, the following disclaimers apply:

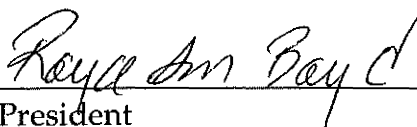
- (1) There shall be no expectation of privacy by users of Charter School's Computer Resources;
- (2) Charter School does not guarantee the effectiveness of technology protection measures or internet filtering; and
- (3) Charter School does not guarantee network functionality or accuracy of online information.

The CEO is directed to implement any procedures that may be necessary to implement this policy as well as to timely submit any forms and paperwork as required by CIPA and N-CIPA and/or applicable state and federal Internet safety laws and regulations.

You can find out more about CIPA or apply for E-rate funding by contacting the Universal Service Administrative Company's (USAC) Schools and Libraries Division (SLD) at [www.sl.universalservice.org](http://www.sl.universalservice.org). SLD also operates a client service bureau to answer questions at 1-888-203-8100 or via email through the SLD website.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.**

ADOPTED this day \_\_\_\_\_ of \_\_\_\_\_, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

# Central Pennsylvania Digital Learning Foundation Charter School

[www.cpdf.org](http://www.cpdf.org)

## Board of Trustees

### ENROLLMENT POLICY - S08

The Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes that its enrollment policy must reflect current requirements of the Pennsylvania Public School Code and 22 Pa. Code, Chapter 11, the Pennsylvania Charter School Law at 24 P.S. §17-1723-A, Pennsylvania Public School Code, and Pennsylvania Department of Education's ("PDE") Basic Education Circulars on Enrollment of Students and Charter School Law. Therefore, the Charter School, as a public charter school, complies with these enrollment procedures to ensure that both resident and eligible non-residents are promptly enrolled through the policy provisions set forth below.

Every child of school age who is a resident of a Pennsylvania school district is entitled to a public school education. Resident students include those residing with their parent(s) and non-resident students living with a Pennsylvania school district resident who is supporting the child gratis and seeking enrollment. Once the required enrollment documentation described below is provided, the Charter School must enroll non-resident children and permit them to attend school. A child should be permitted to attend school on the next school day after the day on which the child is presented for enrollment, and in all cases within five (5) business days of the Charter School's receipt of the required documents, if a space exists pursuant to the school's Admission/Lottery Policy.

Except when a child is homeless, whenever a child of school age is presented for enrollment by a parent(s), a Pennsylvania school district resident, or any other person having charge or care of the child, the Charter School shall require that the following information be documented before enrolling the child and allowing the child to attend school:

#### **1. Proof of the child's age**

Any one of the following constitutes acceptable documentation: birth certificate; notarized copy of birth certificate; baptismal certificate; copy of the record of baptism - notarized or duly certified and showing the date of birth; notarized statement from the parents or another relative indicating the date of birth; a valid passport; a prior school record indicating the date of birth.

**2. Immunizations required by law**

Acceptable documentation includes: either the child's immunization record, a written statement from the former school district or from a medical office that the required immunizations have been administered, or that a required series is in progress, or verbal assurances from the former school district or a medical office that the required immunizations have been completed, with records to follow.

**3. Proof of residency**

Acceptable documentation includes: a deed, a lease, current utility bill, current credit card bill, property tax bill, vehicle registration, driver's license, or Department of Transportation identification card. While more than one form of residency confirmation may be required, the Charter School should be flexible in verifying residency, and should consider what information is reasonable in light of the family's situation. See the paragraph on Homeless Students for guidance in that situation. (Also see attached Residency Affidavit.)

**4. Parent Registration Statement**

A sworn statement attesting to whether the student has been or is suspended or expelled for offenses involving drugs, alcohol, weapons, infliction of injury or violence on school property must be provided for a student to be admitted to any school entity. The Charter School may not deny or delay a child's school enrollment based on the information contained in a disciplinary record or sworn statement. However, the Charter School may wait to enroll a student until a current period of expulsion has expired.

**5. Home Language Survey**

All students seeking first time enrollment in a school shall be given a home language survey in according with requirements of the U.S. Department of Education's Office for Civil Rights. Enrollment of the student may not be delayed in order to administer the Home Language Survey.

**Documents Which May Be Requested But Not As a Condition of Enrollment - Items Which May Be Requested**

Although the Charter School may ask for any of the information below, the Charter School may not require it as a condition of enrolling or admitting a child and a child's enrollment or attendance may not be delayed until these documents are provided. Among the documents that the Charter School may request are: picture identification, health or physical examination records, academic records, attendance records, Individualized Education Program, and other special education records. In addition, a school district may not require that a physical examination be conducted as a condition of enrollment.

### **Registration Form**

A registration form, filled out by families for student enrollment, may include the following: name, address, telephone number, name of parent(s) or guardian(s) or resident adult(s) with whom the student is living, emergency contact information, former school information, and other locally required information. Failure to complete this form will not be made a condition of the student's enrollment.

### **Documentation Required From Other Sources**

The Charter School is also entitled by law to receive information on an enrolling student from the previous school, public, charter, nonpublic or private, which the student attended. However, the provision of this information rests with the educational entity and not the family, and so, the Charter School, as the receiving local educational agency, will not require this information as a precondition to enrollment and will not delay a student's admission for lack of this information.

### **Student Education Records**

Upon enrollment, the Charter School contacts the student's former school for a copy of the student's education records. The former school district or charter school, if within this Commonwealth, is required to respond by forwarding the records within 10 business days of the date upon which a student's records are requested by the Charter School. School districts shall enroll students within 5 business days regardless of receipt of records from the previous districts.

### **Disciplinary Records**

Whenever a pupil transfers to another Pennsylvania school entity or nonpublic school, a certified copy of the student's disciplinary record shall be transmitted to the school entity or nonpublic school to which the pupil has transferred. The school entity or nonpublic school to which the student has transferred should request the record. The sending school entity or nonpublic school shall have 10 days from receipt of the request to supply a certified copy of the student's disciplinary record. Failure to receive the student's discipline record cannot be used to deny or delay the student's enrollment or school attendance. A school district may not deny or delay a child's school enrollment based on the information contained in a disciplinary record or sworn statement.

However, pursuant to the PDE Basic Education Circulars cited to above, and as interpreted by the PDE PennLink Clarification of February 1, 2012, the Charter School is not required to accept a student on active period of expulsion:

"During the enrollment process and prior to admission to a charter school, the parent, guardian or person having control of a student shall provide a sworn statement stating whether the student was previously or is presently suspended or

expelled from any public or private school for any offense involving weapons, alcohol or drugs or for the willful infliction of injury to another person or for any act of violence committed on school property. The school from which the student was suspended or expelled and the dates of the suspension or expulsion must be provided. Any willful false statement shall be a misdemeanor of the third degree.

Charter schools should make certain they obtain this statement during the enrollment process. *If, (emphasis added),* a charter school accepts a suspended or expelled student, the student's school district of residence is not required to pay the charter school for that student's enrollment until the suspension or expulsion period has passed and the student has met all the conditions imposed during the suspension or expulsion. However, the suspending or expelling school and the charter school may enter into an agreement for providing an education for a student less than 17 years of age or older, up to age 21."

Specifically, the Penn Link Clarification states in part with regard to this issue:

"In addition, charter and cyber charter schools are not required to enroll a student who has been expelled by the resident school district unless the expelling school district expressly agrees in writing to pay the charter or cyber charter school for that student."

### **Prohibited Requests - Items Which May Not Be Requested**

For both enrollment and also for residency determinations, the Charter School will not request or require any of the following: a social security number; the reason for a child's placement if not living with natural parents; a child's or parent's visa; agency records; or, except in the limited circumstances described in the next section, a court order or records relating to a dependency proceeding. A child's right to be admitted to school may not be conditioned on the child's immigration status. The Charter School will not inquire as to the immigration status of a student as part of the admissions process.

### **Student Classifications for Education Entitlement**

- **Resident Students and Court Orders or Custody Agreements**

The Charter School may require a parent/guardian to provide a custody or dependency order when the child is being enrolled at the Charter School pursuant to parent relying on court order or custody agreement as the basis for enrollment. The Charter School will not require a custody order or agreement as a condition of enrollment in any circumstances other than the circumstance specified above. (See attached Affidavit of Custody).

- **Students Living With a Resident Adult other than a Parent**



When a child is living with an adult other than a parent, who is supporting the child without personal compensation, (gratis) the child may attend the public schools of that adult's school district, provided that resident makes application and supplies the required enrollment information noted in the section entitled Required Enrollment Documentation. In addition, before accepting the child as a student, the Charter School shall require the resident to file **only one** of the following:

1. **A sworn and notarized statement** from the resident of the school district indicating that the signer is a resident of the school district, is supporting the child without receiving personal compensation, that the child is living with the resident continuously and not just for the school year, and that the resident will accept all responsibilities relating to the child's schooling (See Attachment B for a model statement), or

2. **Appropriate legal documentation to show dependency or guardianship**, which may include a custody order. The Charter School may require other information to be submitted by the resident to substantiate the sworn statement. The natural parent(s) or former guardian(s) of the student may not be required to provide information. Once the requested information is provided, the Charter School will enroll the child and permit him or her to begin to attend school without delay, but in no case more than 5 days. (See attached Affidavit of Support), if a space exists pursuant to the school's Admission/Lottery Policy.

A resident's receipt of payments, such as Supplemental Security Income (SSI), Transitional Assistance for Needy Families (TANF), pre-adoptive or adoptive support, maintenance on public or private health insurance, support from the military or military personnel or other payments for or on account of the child such as child support, shall not be deemed to be personal compensation or gain.

- **Foster Children**

While the Public School Code provisions governing nonresident children placed in foster care are not applicable to charter schools pursuant to the Pennsylvania Charter School Law, the Charter School will use such Public School Code provisions for guidance in such situations in conjunction with consultation with the Charter School's legal counsel.

- **Nonresident Children Living in Facilities or Institutions**

A child living in a district in which there is located a licensed shelter, group home, maternity home, residence, facility, orphanage or other institution for the care or training of children or adolescents, shall be admitted to that district's schools if living at or assigned to the facility or institution. If the school district or residence of a child living at or assigned to a facility or institution cannot be determined, but the child is determined to be a resident of the Commonwealth, the child shall be permitted to

attend the public schools of the district. This includes a child placed by the child's resident parents or guardians at a facility or institution and subsequently abandoned or deserted.

- **Emancipated Minors**

An emancipated minor is a student under the age of 21 who has established a domicile apart from the continued control and support of parents or guardians or who is living with a spouse. The school district in which this student is living is his or her resident school district and the student may enroll at the Charter School without any additional assistance from an adult.

- **Homeless Students**

the Charter School will ensure that each child of a homeless individual and each homeless youth have equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youth. Homeless students may reside in shelters, hotels, motels, cars, tents or be temporarily doubled-up with a resident family because of lack of housing. In the case of homeless students, traditional concepts of "residence" and "domicile" do not apply. Homeless children and youth lack a fixed, regular, and adequate nighttime residence. Included within the definition of homeless children and youth are those who are "awaiting foster care placement" and "unaccompanied homeless youth."

Unaccompanied homeless youth may enroll without documents and without the help of an adult. Unaccompanied homeless youth includes any child who is "not in the physical custody of a parent or guardian." Falling within this definition are students who have run away from home, been thrown out of their home, or been abandoned or separated from their parents or guardians.

Youth awaiting foster care placement include those who are placed in emergency, interim or respite foster care; kinship care; evaluation or diagnostic centers or placements for the sole purpose of evaluation. When necessary, Charter School administration will consult with the respective county children and youth agencies to determine if a child meets the definition of "awaiting foster care placement", including, on a case-by-case basis, whether a child who does not clearly fall into one of these categories is nevertheless a child "awaiting foster care placement."

Homeless youth are entitled to immediate enrollments, if a space exists pursuant to the Admissions/Lottery Policy and their families are not required to prove residency regarding school enrollment. These students are considered residents of the district where they are presently residing, or continue their education in the district of prior attendance.

- **Pre-Adoptive and Adoptive Students**

The Federal Adoption Assistance Program, among other things, provides for adoption assistance payments to encourage the placement of certain hard-to-place children with adoptive parents. Pennsylvania has adopted companion legislation, known as the Adoption Opportunities Act. Children living with pre-adoptive parents who are receiving adoption assistance subsidies, pre-adoptive foster payments, or other payments such as Supplemental Security Income (SSI) or Transitional Assistance for Needy Families (TANF), are entitled to attend school in the school district in which the pre-adoptive parents reside. Notwithstanding receipt of any of the above payments, children living in pre-adoptive situations are considered residents of the school district in which their pre-adoptive parents reside. Children living with adoptive parents are entitled to all free school privileges accorded to resident school children of the respective school district.

- **School-Age Children of Military Personnel**

When Pennsylvania residents who are military personnel are deployed and their school age children are living with relatives or family friends in a school district for that period of time, the students are entitled to attend school in the school district in which they are residing.

#### **Other Issues Related To Enrollment**

- **Address Confidentiality Program ( ACP )**

Some families may enroll a student using an ACP card, which lists a post office box as their address. This is their legal address and the Charter School will not require additional information about their residence. School records from the student's former school will be forwarded through the ACP.

- **Age**

Children are considered school age from the time they are admitted to the public school educational program until graduation from high school or the age of 21 if identified pursuant to the Individuals with Disabilities Education Act of 2004. The Charter School will not refuse admission to a child who meets the age requirement. Students who turn 21 during the school term are entitled to finish that school term. If a student is under age 21 and has a Graduation Equivalency Diploma ("GED"), the student can enroll in school and work towards a diploma. For subsidy purposes, students who reach age 21 after the school term begins are eligible to be counted for the entire school term. The Department of Education will accept requests to allow students to be counted in membership for subsidy purposes for an extended school program beyond age 21 if the request includes a hearing officer decision or court order.

- **Children and Families with Limited English Proficiency**

Children and families with limited English proficiency will be provided translation and interpretation services to the extent needed to help the family understand the

enrollment process and enroll the student in school promptly per applicable federal law.

- **Twins and Multiple Siblings**

While the Public School Code provision governing twins and multiple siblings is not applicable to charter schools pursuant to the Pennsylvania Charter School Law, the Charter School will use the Public School Code provision for guidance in such situations in conjunction with consultation with the Charter School's legal counsel.

**Submitting Enrollment Complaints to the Department Of Education**

When a dispute arises regarding enrollment of a student, the person attempting to enroll the child or the Charter School may bring the dispute to the attention of the Department's School Services Unit . A complaint may be filed by mail, email or by phone with written follow up. After receipt of a complaint, a Department representative will contact the Charter School, family or other involved parties to determine the facts, whether the child is entitled to enrollment at the Charter School and to try to resolve the problem. These contacts, whenever possible, will occur within five (5) days of receipt of the complaint. If the complaint is not amicably resolved, a written determination will be made and sent to the Charter School and the individual who filed the complaint.

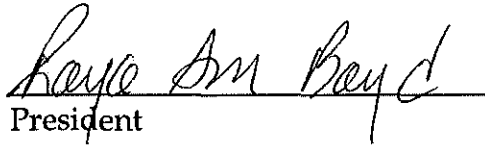
If the Charter School does not enroll the student within five (5) school days after receiving the written determination and space exists pursuant to the school's Admissions/Lottery Policy, the Department will issue a letter to the Charter School requesting its position on the situation. The Charter School will have five (5) school days to respond to the request. If the Charter School refuses to enroll the student or does not respond, the matter will be forwarded to the Department's Office of Chief Counsel (OCC). The OCC and the Deputy Secretary for Elementary/Secondary Education will determine if the Charter School's response is valid to deny enrollment. If not, the Deputy Secretary will determine what additional measures may be necessary to assure enrollment.

**Written Policies**

The Charter School's written policy on student admission is a public record and will be posted to the school's website.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

Adopted this 10 day of November, 2016

  
President

\_\_\_\_\_  
Secretary

**Distribution:**

- Board Policy Binder
- Board Policy Shared Drive Folder
- Website

**Central Pennsylvania Digital Learning Foundation Charter School**  
**[www.cpdf.org](http://www.cpdf.org)**

**Board of Trustees Policy – S10**

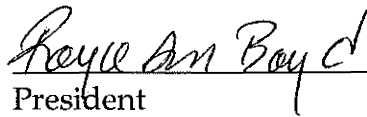
**GRADUATION AND DROPOUT RATES POLICY**

The Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) recognizes the problem of school dropouts and the resulting negative impact of school dropouts on students as well as the community and directs the CEO or his/her designee to implement policies and procedures aimed to:

- Ensure that attendance rates of students with disabilities are comparable to those of all students;
- Verify the accuracy of graduation and dropout data;
- Develop, maintain, implement and participate in effective dropout prevention programs;
- Ensure that highly mobile, migrant students receive comparable special education services, credit and partial credit for courses completed in other schools, in accordance with law;
- Use data collected and maintained to improve graduation rates and drop-out prevention efforts at the Charter School;
- Ensure that the dropout rate of the charter school’s students with disabilities is comparable to the state graduation rate;
- Ensure that the dropout rate of the Charter School’s students with disabilities is comparable to the state dropout rate;
- Have in effect established goals for the performance of children with disabilities that address graduation rates and dropout rates, as well as such other factors as the State may determine and are consistent, to the extent appropriate, with any other goals and academic standards for children established by the State;
- Report to the Board information regarding graduation and dropout rates and any programs that may be available to assist Administration in fulfilling Administration’s responsibilities under this policy and promoting effective graduation efforts.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this 9 day of June, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**Central Pennsylvania Digital Learning Foundation Charter School**  
**[www.cpdf.org](http://www.cpdf.org)**

**Board of Trustees Policy**

**Graduation Requirements Policy - S11**

1. Purpose

1.1 The Board of Trustees ("Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") wishes to acknowledge each student's successful completion of Charter School-approved instructional program by an award of a diploma or certificate at graduation ceremonies.

2. Delegation of Responsibility

2.1 The Chief Executive Officer ("CEO") shall develop procedures for implementing this policy which includes the careful recording of each student's progress and accumulation of graduation requirements; counseling of students to know what is expected of them for completion of their schooling; issuance of periodic warnings to students in danger of not fulfilling graduation requirements; preparation and submission to the Board for its approval of a list of all candidates for the award of a diploma or certificate; preparation of suitable diplomas and certificates; and the planning and execution of graduation ceremonies which fittingly mark this important achievement.

2.2 High School Graduation requirements and revisions to them shall be approved by the Charter School's Board of Trustees. The CEO shall develop procedures for publishing and distributing a copy of the requirements to students, parents, and guardians and made available on the Charter School's publicly accessible website immediately following approval by the Board of Trustees.



3. Guidelines

3.1 The Board of Trustees shall award a high school diploma to every student who meets the requirements for graduation. Such requirements shall include the successful completion of courses of study for a four (4) year high school approved by the Board and which meet the standards set by Commonwealth laws and regulations.

3.2 A student who has completed the requirements for graduation may not be denied a diploma for disciplinary purposes but may be denied participation in graduation ceremonies upon the decision of the CEO.

4. High School Graduation Requirements (Board of Trustees and CEO reserve the right to update requirements as required by new legislation):

4.1 Credits and Subject Area Requirements

4.1.1 Classes of 2017, 2018, 2019

| <b>Subject Area</b> | <b>Total Units</b> | <b>Recommended</b>   |
|---------------------|--------------------|----------------------|
| Communications      | 4                  | 1 per year           |
| Mathematics         | 3                  | 1 per year           |
| Natural Sciences    | 3                  | 1 per year           |
| Social Sciences     | 3                  | 1 per year           |
| Arts and Humanities | 2                  | .5 per year          |
| Physical Education  | 2                  | .5 per year          |
| Health              | .5                 | 9 grade              |
| Community Service   | .5                 | Senior year          |
| Electives           | 4                  | 1 per year           |
|                     | <b>22</b>          | <b>Total Credits</b> |

#### 4.1.2 Class of 2020

| <b>Subject Area</b>       | <b>Total Units</b> | <b>Recommended</b>                         |
|---------------------------|--------------------|--|
| Communications            | 4                  | 1 per year                                 |
| Mathematics               | 4                  | 1 per year                                 |
| Natural Sciences          | 4                  | 1 per year                                 |
| Social Sciences           | 3                  | 1 per year                                 |
| Arts and Humanities       | 2                  | .5 per year                                |
| Physical Education        | 2                  | .5 per year                                |
| Health                    | .5                 | 9 grade                                    |
| Career Education and Work | 2                  | .5 per year                                |
| Electives                 | 3.5                | 1 per year except<br>9 <sup>th</sup> grade |
|                           | <hr/> 25           | Total Required                             |

#### 4.2 Culminating Project

Completion of a culminating project in one or more areas of concentrated study under the guidance and direction of the high school faculty. The purpose of the project, which may include research, writing, completion of a college application or some other appropriate form of demonstration, is to assure that the student is able to apply, analyze, synthesize and evaluate information and communicate significant knowledge and understanding. Projects must be completed by individual students.

#### 4.3 Demonstration of academic proficiency

4.3.a Demonstration of proficiency as determined by the Charter School in each of the State academic standards not assessed by a State assessment under 22 Pa. Code § 4.51 (relating to State assessment system), 22 Pa. Code § 4.51A (relating to Pennsylvania System of school assessment and 22 Pa. Code § 4.51B (relating to Keystone Exams).

4.3.b Demonstration of proficiency or above in each of the following State academic standards: English Language Arts and Mathematics; Science and Technology and Environment and

Ecology as determined through any one or a combination of the following:

*Note 1:* Requirements beginning in the 2018-2019 school year. Effective with the 2018-2019 school year includes a determination of proficiency in English Language Arts (Composition).

*Note 2:* Requirements beginning in the 2019-2020 school year. Effective with the 2019-2020 school year, Civics and Government is added to the academic standards. The requirements include a determination of proficiency in Civics and Government.

(A) Completion of secondary level coursework in English Language Arts (Literature), Algebra I, and Biology in which a student demonstrates proficiency on the associated Keystone Exam or related project-based assessment if 22 Pa. Code § 4.4(D)(4) (relating to general policies) applies.

(I) The Charter School shall allow a student to take a Keystone Exam prior to taking the course associated with the exam's content, provided that the student achieved a score of advanced on the most recent associated PSSA Assessment administered to the student.

(II) The Charter School shall allow a student who transfers from another state to take a Keystone Exam prior to taking the course associated with the exam's content, provided that the student achieved a score of comparable to the PSSA's advanced performance level on a comparable assessment administered by another state.

(III) The Charter School may allow a student who scores at the advanced level on a particular Keystone Exam prior to taking the course to be granted course credit for the course without having to complete the course.

(B) Locally approved and administered assessments, which shall be independently and objectively validated once every 6 years. Local assessments may be designed to include a variety of assessment strategies listed in 22 Pa. Code § 4.52(C) and may include the use of one or more Keystone Exams. Except for replacement of individual test items that have a similar level of difficulty, a new validation is required for any material changes to the assessment. Validated local assessments must meet the following standards:

(I) Alignment with the following State academic standards: English Language Arts (Literature and Composition); Mathematics (Algebra I), Science and Technology, Environment and Ecology (Biology), and Civics and Government.

(II) Performance level expectations and descriptors that describe the level of performance required to achieve proficiency comparable to that used for the Keystone Exams.

(III) Administration of the local assessment to all students, as a requirement for graduation, except for those exempted by their individualized education program under subsection (e), regarding special education students, or gifted individualized education plan as provided in 22 Pa. Code § 16.32 (relating to GIEP) if applicable.

(C) Completion of an Advanced Placement exam or International Baccalaureate exam that includes academic content comparable to the appropriate Keystone Exam at a score established by the Secretary shall be comparable to the proficient level on the appropriate Keystone Exam.

#### 4.4 Special education students

Children with disabilities who satisfactorily complete a special education program developed by an Individualized Education Program team under the Individuals with Disabilities Education Act and this part shall be granted and issued a regular high school diploma by the Charter School. This subsection applies if the special education program of a child with a disability does not otherwise meet the requirements of this chapter.

#### 4.5 Supplemental instruction


A student who does not demonstrate proficiency on a Keystone Exam or locally validated assessment specified in subsection 4.3 shall be offered supplemental instructional support by the Charter School. The supplemental instructional support must consistent with the student's educational program and assist the student to attain proficiency in the State academic standards.

#### 4.6 Out-of-state

The Charter School shall determine whether a student who transfers from an out-of-state school having demonstrated proficiency in coursework and assessments aligned with the academic standards assessment by each Keystone Exam may satisfy the requirements of subsections (c), (d) and (e) subject to guidance developed by the Secretary.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL.**

ADOPTED this 9th day of September, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**Central Pennsylvania Digital Learning Foundation Charter School**  
**[www.cpdf.org](http://www.cpdf.org)**

**Board of Trustees Policy**

**CHILD ABUSE MANDATORY REPORTING POLICY - S12**

The Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") Board of Trustees ("Board") requires trustees, employees, independent contractors, and volunteers to comply with identification and reporting requirements for suspected child abuse, as well as the training requirement for recognition and reporting of child abuse in order to comply with the Child Protective Services Law and the School Code.

**Definitions**

The following words and phrases, when used in this policy, shall have the meaning given to them in this section:

**Bodily injury** - impairment of physical condition or substantial pain.

**Child** - an individual under 18 years of age.

**Child abuse** - intentionally, knowingly or recklessly doing any of the following:

1. Causing bodily injury to a child through any recent act or failure to act.
2. Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease that results in a potentially harmful medical evaluation or treatment to the child through any recent act.
3. Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.
4. Causing sexual abuse or exploitation of a child through any act or failure to act.
5. Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.

6. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
7. Causing serious physical neglect of a child.
8. Engaging in any of the following recent acts:
  - a. Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
  - b. Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
  - c. Forcefully shaking a child under one year of age.
  - d. Forcefully slapping or otherwise striking a child under one year of age.
  - e. Interfering with the breathing of a child.
  - f. Causing a child to be present at a location while a violation of 18 Pa. C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.
  - g. Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known: Is required to register as a Tier II or Tier III sexual offender under 42 Pa. C.S. Ch. 97 Subch. H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed; has been determined to be a sexually violent predator under 42 Pa. C.S. § 9799.24 (relating to assessments) or any of its predecessors; or has been determined to be a sexually violent delinquent child as defined in 42 Pa. C.S. § 9799.12 (relating to definitions).
9. Causing the death of the child through any act or failure to act.
10. Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000.

The term **child abuse** does not include:

- a. conduct that causes injury or harm to a child or creates a risk of injury or harm to a child if there is no evidence that the person acted intentionally, knowingly or recklessly when causing the injury or harm to the child or creating a risk of injury or harm to the child.
- b. injuries that result solely from environmental factors, such as inadequate housing, furnishings, income, clothing and medical care, that are beyond the control of the parent or person responsible for the child's welfare with whom the child resides.
- c. the use of reasonable force on or against a child by the child's own parent or person responsible for the child's welfare if any of the following conditions apply:
  - i. The use of reasonable force constitutes incidental, minor or reasonable physical contact in order to maintain order and control;
  - ii. The use of reasonable force is necessary:
    - (1) to quell a disturbance or remove a child from the scene of a disturbance that threatens property damage or injury to persons;
    - (2) to prevent the child from self-inflicted physical harm;
    - (3) for self-defense or defense of another; or
    - (4) is necessary to gain possession of weapons, controlled substances or other dangerous objects that are on the person of the child or in the child's control.
- d. harm or injury to a child that results from the act of another child shall not constitute child abuse unless the child who caused the harm or injury is a perpetrator. Notwithstanding this exclusion, the following shall apply:



- i. Acts constituting any of the following crimes against a child shall be subject to the reporting requirements of this policy:
  - (1) Rape as defined in 18 Pa.C.S. § 3121;
  - (2) Involuntary deviate sexual intercourse as defined in 18 Pa.C.S. § 3123;
  - (3) Sexual assault as defined in 18 Pa.C.S. § 3124.1;
  - (4) Aggravated indecent assault as defined in 18 Pa.C.S. § 3125;
  - (5) Indecent assault, as defined in 18 Pa.C.S. § 3126;
  - (6) Indecent exposure, as defined in 18 Pa.C.S. § 3127.
- ii. No child shall be deemed to be a perpetrator of child abuse based solely on physical or mental injuries caused to another child in the course of a dispute, fight or scuffle entered into by mutual consent.

An individual participating in a practice or competition in an interscholastic sport, physical education, a recreational activity or an extracurricular activity that involves physical contact with a child does not, in itself, constitute contact that is subject to the reporting requirements of this policy.

**Direct contact with children** – the care, supervision, guidance or control of children or routine interaction with children.

**Independent contractor** - an individual who provides a program, activity or service. The term does not include an individual who has no direct contact with children.

**Perpetrator** - a person who has committed child abuse and is: (1) a parent/guardian of the child, (2) a spouse or former spouse of the child's parent/guardian, (3) a paramour or former paramour of the child's parent/guardian, (4) a person 14 years of age or older and responsible for the child's welfare, (5) an individual 14 years of age or older who resides in the same home as the child, or (6) an individual 18 years of age or older who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption to the child, (7) An individual 18 years of

age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000.

**Person responsible for the child's welfare** - a person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control. The term includes any such person who has direct or regular contact with a child through any program, activity or service sponsored by a school, for-profit organization or religious or other not-for-profit organization.

**Program, activity or service** - a public or private educational, athletic or other pursuit in which children participate. The term includes, but is not limited to, the following:

1. A youth camp or program.
2. A recreational camp or program.
3. A sports or athletic program.
4. An outreach program.
5. An enrichment program.
6. A troop, club or similar organization.

**Recent act or failure to act** - any act or failure to act committed within two years of the date of the report to the Department of Public Welfare (also known as the Department of Human Services) or county agency.

**Recklessly** - this term shall have the same meaning as provided in 18 Pa. C.S. § 302.

**School employee** - an individual who is employed by a school or who provides a program, activity or service sponsored by a school. The term excludes an individual who has no direct contact with children.

**Serious mental injury** - a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:

1. Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened; or
2. Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

**Serious physical neglect** - any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:

1. A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.
2. The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

**Sexual abuse or exploitation** - any of the following:

1. The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:
  - a. Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.
  - b. Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.
  - c. Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.
  - d. Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.
2. Any of the following offenses committed against a child: rape; statutory sexual assault; involuntary deviate sexual intercourse; sexual assault; institutional

sexual assault; aggravated indecent assault; indecent assault; indecent exposure; incest; prostitution; sexual abuse; unlawful contact with a minor; or sexual exploitation.

Sexual abuse or exploitation does not include consensual activities between a child who is 14 years of age or older and another person who is fourteen 14 years of age or older and whose age is within 4 years of the child's age.

**Student** - an individual enrolled in a public or private school, intermediate unit or area vocational-technical school who is under 18 years of age.

## **Guidelines**

### **Training**

The Charter School shall provide their employees and independent contractors of the Charter School, who have direct contact with children with mandatory training on child abuse recognition and reporting. The training shall include, but not be limited to, the following topics:

1. Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct per the PA Child Protective Services Law.
2. Provisions of the Educator Discipline Act, including mandatory reporting requirements for suspected abuse and sexual misconduct.
3. The Charter School's policy related to reporting of suspected abuse and sexual misconduct.
4. Maintenance of professional and appropriate relationships with students.

Employees are required to complete a minimum of three hours of training every five years. Volunteers and student teachers should be provided with opportunity to participate in training.

## Duty to Report

Trustees, school employees, independent contractors and volunteers shall make a report of suspected child abuse if they have reasonable cause to suspect that a child is the victim of child abuse under any of the following circumstances:

1. The trustee, school employee, independent contractor or volunteer comes into contact with the child in the course of employment, occupation and the practice of a profession or through a regularly scheduled program, activity or service.
2. The trustee, school employee, independent contractor or volunteer is directly responsible for the care, supervision, guidance or training of the child.
3. A person makes a specific disclosure to a trustee, school employee, independent contractor or volunteer that an identifiable child is the victim of child abuse.
4. An individual 14 years of age or older makes a specific disclosure to a trustee school employee, independent contractor or volunteer that the individual has committed child abuse.

A child is not required to come before the trustee, school employee, independent contractor or volunteer in order for that individual to make a report of suspected child abuse.

A report of suspected child abuse does not require the identification of the person responsible for the child abuse.

Any person required to report child abuse who willfully fails to do so may be subject to disciplinary action and criminal prosecution.

Any person who intentionally or knowingly makes a false report of child abuse or intentionally or knowingly induces a child to make a false claim of child abuse may be subject to disciplinary action and criminal prosecution.

Any person who engages in intimidation, retaliation, or obstruction in the making of a child abuse report or the conducting of an investigation into suspected child abuse may be subject to disciplinary action and criminal prosecution.

The Charter School shall not discriminate or retaliate against any person for making, in good faith, a report of suspected child abuse.

### Reporting Procedures

Trustees, school employees, independent contractors or volunteers who suspect child abuse shall immediately make a written report of suspected child abuse using electronic technologies ([www.compass.state.pa.us/cwis](http://www.compass.state.pa.us/cwis) at the time of the adoption of this policy) or an oral report via the statewide toll-free telephone number (1-800-932-0313 at the time of the adoption of this policy). A person making an initial oral report of suspected child abuse must also submit a written electronic report within 48 hours after the oral report. Upon receipt of an electronic report, the electronic reporting system will automatically respond with a confirmation, providing the Charter School with a written record of the report. If such automatic written confirmation is not received, then the person reporting the suspected child abuse shall immediately make an oral report via the statewide telephone number.

A trustee, school employee, independent contractor or volunteer who makes a report of suspected child abuse shall immediately, after making the initial report, notify the Chief Executive Officer of the Charter School and if the initial report was made electronically, also provide the Chief Executive Officer ("CEO") with a copy of the report confirmation.

When a report of suspected child abuse is made by a trustee, school employee, independent contractor or volunteer as required by law, the Charter School is not required to make more than one report.

If the CEO reasonably suspects that conduct being reported involves an incident required to be reported under the Charter School's Memorandum of Understanding with local law enforcement, the CEO or his or her designee shall inform local law enforcement, in accordance with applicable law, regulations and Board policy.

### Investigation

The CEO or his /her designee shall facilitate the cooperation of the Charter School with the Department of Human Services of the Commonwealth, the county agency, or law enforcement investigating a report of suspected child abuse.

Upon notification that an investigation involves suspected child abuse by a school employee or independent contractor, the CEO shall immediately implement a plan of supervision or alternative arrangement for the school employee or independent contractor under investigation to ensure the safety of the child and other children who are in the care of the Charter School. The plan of supervision or alternative arrangement shall be submitted to the county agency for approval.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this day 9 of May, 2019

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**Distribution:**

- Board Policy Binder
- Board Policy Shared Drive Folder
- CPDLF Website

**Central Pennsylvania Digital Learning Foundation Charter School**  
**[www.cpdf.org](http://www.cpdf.org)**

**Board of Trustees Policy**

**MARKING STUDENT PROGRESS POLICY - S13**

The Board of Trustees ("Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes that a system of marking student progress and achievement can help the student, teachers, parents and guardians to better assess the student's progress toward educational goals.

The Board also acknowledges the value of a system of computing grade point averages and class ranking for senior high school graduates to inform students, parents, and others of each graduate's relative academic placement among his/her peers.

Marking shall be that system of evaluation and recording student progress and achievement which enables the student, parents, guardians and teachers to learn the student's strengths and weaknesses; plan an educational and vocational future for the student in the areas of the greatest potential for success; and determine where remedial work is required.

The Board directs that the instructional program of the Charter School include a system of marking for all students which is consistent with the educational goals of the Charter School.

The Chief Executive Officer ("CEO") shall develop procedures that provide:

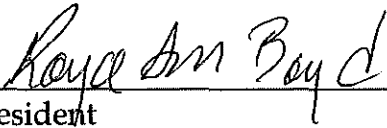
- 1) Each student, at the outset of any course of study, with the expected achievement for that course.
- 2) Information, on a continual basis, to each student regarding his/her progress and achievement during the course of study.
- 3) Teachers with marking procedures appropriate to the course of study and the maturity of the students.
- 4) Encouragement of students to evaluate their progress and achievement.



- 5) Periodic review and, if necessary, revision of all marking procedures. To the greatest extent possible, this review shall involve students, staff and parents.
- 6) Consistency of marking procedures and format in all schools.
- 7) All students shall be ranked together.
- 8) Class rank shall be computed by final marks in all subjects.
- 9) Any two or more students whose computed grade point averages are identical shall be given the same rank.
  - 1) The rank of the student who immediately follows a tied position will be determined by the number of students preceding him/her and not by the rank of the person preceding him/her.
  - 2) In recognition of varied course requirements, grade point averages shall be weighted to reflect this variation.
  - 3) A student's grade point average and rank in class shall be entered on his/her records and shall be subject to the Board's policy on release of student records.
  - 4) Rank in class shall be entered on students' records and on all transcripts where they will be available for review by authorized persons.
  - 5) The statement of the methods for such computation and assignment shall be made available for those to whom a student's grade point average or rank in class is released.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE  
CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR  
FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS  
CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH  
CHARTER REQUIREMENTS.

ADOPTED this day 10 of August, 2017

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

Distribution:

- Board Policy Binder
- Board Policy Shared Drive Folder
- CPDLF Website

Central Pennsylvania Digital Learning Foundation Charter School  
www.cpdf.org

Board of Trustees Policy – S16

OPENING EXERCISES POLICY

The Central Pennsylvania Digital Learning Foundation Charter School's Board of Trustees recognizes that it is the responsibility of each citizen to show proper respect for his/her country and the flag and may direct that procedures be instituted to uphold the laws of the Commonwealth and the United States.

However, students may decline to recite the Pledge of Allegiance and may refrain from saluting the Flag on the basis of personal belief or religious convictions. Students who choose to refrain from such participation shall respect the rights and interests of classmates who do wish to participate.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.**

ADOPTED this day 9 of June, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**Central Pennsylvania Digital Learning Foundation Charter School**  
**www.cpdf.org**

**Board of Trustees Policy – S17**

**PARENTAL RIGHTS RELATIVE TO EXCUSAL FROM INSTRUCTION  
ON RELIGIOUS GROUNDS**

No religious belief or non-belief should be promoted by the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) or its employees, and none should be disparaged. The Charter School should encourage all students and staff members to be tolerant and respectful of each other’s religious views. The Charter School should foster understanding and mutual respect among students and parents with differing religious beliefs or views.

To this point, the Charter School recognizes the statutory right of parents to have their children excused from specific instruction which conflicts with their religious beliefs. Therefore, the Board of Trustees (“Board”) directs the Chief Executive Officer (“CEO”) to respond to parent requests for exemptions from curriculum requirements using the following guidelines in accordance with applicable State regulations:

1. Maintain the expectation that all students complete the curriculum as established by the Charter School in conjunction with State Board of Education curriculum rules and regulations.
2. Students should be excused from participating in practices which are contrary to their religious beliefs or cultural beliefs unless there are clear issues of law that would prevent such excuse.
3. Evaluate all requests to insure that the materials and/or practices to which there are objections do not violate the protections of the First Amendment of the Constitution of the United States of America.

Parents requesting exemptions from specific instruction for their children which conflict with their religious beliefs shall complete a “Request for Exemption from Specific Instruction” form and submit said form to the Principal.


It shall be the policy of the Board that:

1. Students may be excused from portions of courses when the subject matter is incompatible with the religious beliefs of such students and/or their parents.
2. Only those students may be excused whose parents or guardians have submitted a signed "request for exemption" to the CEO.
3. The CEO shall review the request for exemption, notifying parents of his/her recommendations within ten (10) days.
4. Parents in disagreement with the CEO's decision may appeal to the Board of Trustees, who shall review and respond to the parental written request, within ten (10) days.

Any complaints with regard to a Board policy or any aspect of the Charter School's curriculum shall be brought in accordance with the Charter School's Complaint Policy.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this day 9 of June, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**Central Pennsylvania Digital Learning Foundation Charter School**  
**[www.cpdlf.org](http://www.cpdlf.org)**

**Board of Trustees Policy – S18**

**PUBLIC PERFORMANCES BY STUDENTS POLICY**

The Board of Trustees (“Board”) of the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) recognizes the value to students of sharing their talents and skills with the community through student participation and performances in public events.

The Board endorses such performances when:

- (a) They constitute a learning experience which contributes to the educational program;
- (b) When the circumstances of the event do not pose a threat to the health, safety and well-being of the students who will be involved.

All requests for public performances by Charter School student groups shall require the prior approval of Chief Executive Officer (“CEO”). Parental permission shall be sought and received before students may participate.

No Charter School student shall be compelled to participate in a public performance or be penalized in any way for failure to do so.

No Charter School student, group of students or employees of this Board may receive compensation for the performance in public of students organized as a school representative.

The school name, Central Pennsylvania Digital Learning Foundation Charter School, may not be used without prior approval of the CEO.

The interests of Charter School students shall be protected and guarded against exploitation.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.**

ADOPTED this day 9 of June, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**Central Pennsylvania Digital Learning Foundation Charter School**  
**www.cpdf.org**

**Board of Trustees Policy – S19**

**PREGNANT AND PARENTING STUDENTS POLICY**

As a result of state and federal law mandates, including, but not limited to the PA Human Relations Act, relevant portions of 24 P.S. §13-1301, et seq., 22 Pa Code Chapter 11, Title IX (20 U.S.C. §1681(a) and 34 C.F.R. §106.40, the Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”), recognize the need to provide equal opportunity for a free and appropriate public education, inclusive of pregnant and parenting students.

No student, whether married or unmarried, who is otherwise eligible to attend the Charter School shall be denied an educational program or opportunity to engage in extra-curricular activities or the benefits offered to non-pregnant or parenting students, i.e., entry into National Honor Society, solely because of pregnancy, childbirth, pregnancy related disabilities, or actual or potential parenthood. Nor shall a pregnant or parenting student under the age of 17 be excused from the requirements of the Compulsory Attendance Statute solely for reasons of her pregnancy or maternity.

A student who appears to the teacher, nurse, physician, dentist, or dental hygienist to deviate from her normal growth and development pattern shall be reported to the parents or guardians who shall be requested to have the student examined by her family physician. If a student is not examined within a reasonable time, and her growth and development pattern continues to deviate from normal, the school nurse, school physician, school dentist, or dental hygienist may arrange special school examinations for the student, respecting the student’s privacy rights.

A student who requests that she not participate in a regular or extracurricular program of the Charter School because of her pregnancy shall be excused from such program upon providing a report from a qualified physician that outlines the reason for the excusal, the recommendation for excusal and the anticipated duration for the excusal.

In the event of any of the above, the Charter School shall follow the recommendation of the examining physician in admitting a student to, or excusing a student from, participation in an extracurricular or regular program of the Charter School.



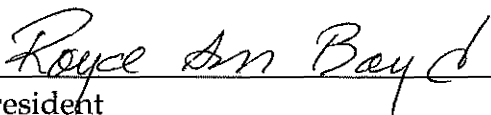
If the student is claiming to need homebound instruction for a specified period of time, a physician's certification must be provided which states an illness or other urgent reason related to the pregnancy such as post-partum time necessary to recuperate from childbirth, as the pregnancy itself is not sufficient reason for homebound instruction.

A student who is absent from school due to pregnancy or parenting should be allowed to reenter the school in the same manner as any other student whose non-attendance is a result of an excused absence or a temporary disability. A student over compulsory school age who leaves school due to pregnancy or parenting demands without achieving a high school diploma, shall be allowed to reenter school up until the age of 21, as any other student is permitted.

The Charter School shall develop procedures for the implementation of this policy which shall include proffering of additional counseling services to help the pregnant student plan her future wisely; referral to special programs or services to which the student may be assigned on her request; referral to alternative programs, as appropriate; cooperation with community resources to assist the pregnant student; and designation of a qualified staff member to act upon the physician's statement regarding the examination and health of a pregnant student.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this 9 day of June, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**Central Pennsylvania Digital Learning Foundation Charter School**  
**[www.cpdlf.org](http://www.cpdlf.org)**

**Board of Trustees Policy – S20**

**REPORTING STUDENT PROGRESS POLICY**

The Board of Trustees (“Board”) of the Central Pennsylvania Digital Learning Foundation Charter School believes that the cooperation of school and home is a vital ingredient in the growth and education of the whole child. It recognizes its responsibility to keep parents and guardians informed of student welfare and progress in school. It also recognizes the effects of State Board Regulations and Federal Regulations governing school records.

The Board directs the establishment of a program of reporting student progress that shall include written reports in Kindergarten through 12<sup>th</sup> Grade; and may schedule parent conferences with teachers in Kindergarten through 12<sup>th</sup> Grade; and shall require appropriate staff members to comply with such a program as part of their responsibility.

The Chief Executive Officer shall develop procedures for reporting student progress and achievement to parents or guardians which use methods of reporting appropriate to grade level and curriculum content; insure that both student and parent receive ample warning of a pending mark of "failure," or of a condition that would adversely affect the student's status; enable the scheduling of parent-teacher conferences at such times and places as will ensure the greatest degree of participation by parents and guardians; specify the issuance of report cards at intervals of not less than nine (9) weeks.

Report cards and other appropriate literature for parents shall be provided, wherever possible, in the appropriate foreign language for students who do not speak English.

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ADOPTED this day 9 of June, 2016

Royce Ann Bayd  
President

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Secretary

Central Pennsylvania Digital Learning Foundation  
580 Foot of Ten Road  
Duncansville, PA 16635

Board of Trustees Policy - S21

**STUDENT ASSISTANCE PROGRAM - ANTI-VIOLENT BEHAVIOR  
POLICY**

Purpose

- To give students, parents, staff and the community at large a clear statement concerning Central Pennsylvania Digital Learning Foundation Charter School's ("Charter School") stand against violent behavior and the consequences that will follow violation of the policy. (See also the Charter School Anti-Weapons Policy.)

Objectives

- To ensure the safety of students and staff, their property, and the property of the Charter School.
- To maintain a safe, supportive, nurturing, non-punitive school environment highly conducive to learning.

Definition of Violence

- Violence occurs whenever anyone harms – or threatens to harm – a person's body, feelings, or possessions.
- A simpler definition for children: Violence is any mean word, look, sign, or act that hurts a person's body, feelings, or things.
- The act need not be deliberate. Unintentional violence is included in the definition and subject to the consequences as set forth in the Charter School's Code of Conduct.

No one is entitled to be violent. No form of violence will be tolerated from anybody at the Charter School, on Charter School -sponsored transportation, or at Charter School -sponsored activities away from the Charter School.

No Charter School student, staff member, or any other person shall be allowed – at any time, for any reason, whether in the Charter School building, on Charter School grounds, on school buses, or anywhere else during Charter School -sponsored events – to intimidate, threaten to harm, or cause harm to any person or property. Such unacceptable behavior includes, but is not limited to:

- (a) Physical violence: Any act that does harm to a person or property by means of physical action. Physical violence against another person is any act that does bodily harm or that disregards potential harm. Physical violence against property is any act that damages, or that disregards potential damage to public or private property, whatever its monetary value.
- (1) Examples of physical violence against a person include but are not limited to: blocking a path, forcing sex, grabbing, groping, hazing, hitting, slapping, punching, beating, kicking, stamping, pinching, prodding, jabbing, pulling hair, pushing, shoving, shooting, slashing, spitting, stabbing, torturing, and using a pet to attack or frighten.
  - (2) Examples of physical violence against property include but are not limited to: breaking restroom fixtures, breaking windows, defacing lockers, plugging up drains, writing graffiti, dumping books, strewn papers, gouging a name into furniture, injuring or killing a pet, playing "keep away" with possessions, ruining clothes, scratching the paint on a car or bike, slashing tires, spoiling homework, spraying with a hose or an aerosol can, throwing rocks/books, furniture.
- (b) Social violence: Social behavior that hurts a person is violent. Much of it is a variety of ostracism: forced exclusion, treating a person as an "other" or one who doesn't exist.
- (1) Examples of social violence are conning a student out of money or into doing something, ignoring a child's request for help, making fun of a person's cherished beliefs, poisoning someone's mind against another person, "protecting" a student for a fee, shunning a youngster on the playground, sabotaging a friendship, stealing, touching a person in an unwelcome manner, violating a person's human rights or civil liberties.
  - (2) Examples of verbal violence are breaking a confidence, revealing a secret, calling a person names, constantly criticizing a person, deriding a heartfelt belief, heckling a speaker, insulting a person's ethnic identity, insulting a person's religious or nonreligious identity, insulting somebody's loved one, lying, making a demeaning comment to a person's face, making animal sounds or other noises intended to demean, making fun of a person's ability/body/clothing, making fun of a person's idea or opinion, malicious gossiping, mimicking or mocking, ordering a person

around, ridiculing, shaming, speaking in an ominous tone of voice, spreading a nasty rumor, taunting, threatening to damage possessions, threatening to do bodily harm, threatening to kill, using profanity, using sarcasm, writing a derogatory comment in a public place, writing a note to scare someone or to get someone into trouble.

- (c) Visual violence: Visual violence overlaps physical, social, and verbal violence. The perpetrator wants the recipient to see and feel intimidated by the action.
  - (1) Examples of visual violence are displaying a threatening tattoo, displaying an effigy or a voodoo doll, displaying a weapon, displaying gang colors in a threatening way, drawing degrading pictures of a person, exposing genitals, making sexually suggestive movements, glaring ("if looks could kill. . ."), gesturing obscenities/fake punches/gang signs/secret signs, posturing the body in a threatening manner, mimicking, showing intimate snapshots or videotapes, smirking/sneering, stalking, peeping, voyeurism, staring deliberately, sticking a finger down the throat to insult someone, sticking out the tongue as a hateful gesture, threatening with a fist.
- (d) Cyber violence: Cyber violence takes place using electronic technology. Electronic technology includes devices and equipment such as cell phones, computers, and tablets as well as communication tools including social media sites, text messages, chat, and websites. It is used to harass, threaten, embarrass, or target another person.

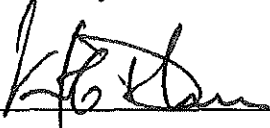
Examples of cyber violence or bullying include mean text messages or emails, rumors sent by email or posted on social networking sites, and embarrassing pictures, videos, websites, or fake profiles.

The administration of the Charter School will determine appropriate consequences for violating this policy in accordance with the Charter School's Code of Conduct. Consequences may include any or all of the following:

- Administering approved disciplinary practices or procedures
- Notifying the Chief Executive Officer
- Notifying parents, guardians, or legal custodians
- Notifying law enforcement officials
- Making a Safe Schools Act report and any other required reports
- Suspension from school
- Recommendation for expulsion by the Board of Trustees

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.**

ADOPTED this day 8 of June, 2017

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

**Distribution:**

- Board Policy Binder
- Board Policy Shared Drive Folder
- CPDLF Website

**Central Pennsylvania Digital Learning Foundation Charter School  
580 Foot of Ten Road  
Duncansville, PA 16635**

**Board of Trustees Policy - S22**

**STUDENT ASSISTANCE PROGRAM - ANTI-WEAPONS POLICY**

**Purpose**

- To give students, parents, staff, and the community at large a clear statement concerning Central Pennsylvania Digital Learning Foundation Charter School's ("Charter School") stand against weapons, and to state the consequences that will follow violation of the weapons policy consistent with the Charter School's Code of Conduct.

**Objectives**

- To ensure the safety of students and staff, their property, and the property of the Charter School.
- To maintain a safe, supportive, nurturing, non-punitive school environment highly conducive to learning.

A weapon is defined as any object that, by design, use, intended use, or brandishing could cause bodily harm or property damage or could intimidate other persons. Weapons include, but are not limited to, firearms (whether loaded or unloaded, whether operational or not, and whether genuine or not), stun guns and BB guns, as well as knives and knife look-alikes, razors or other cutting instruments, chains, martial arts equipment, dangerous chemicals, explosives or devices which may cause a fire or any other tool, instrument or implement capable of inflicting serious bodily injury. In addition, any look-alikes, toy, fakes, play or "pretend" weapons will be in violation of this rule and will be subject to similar consequences.

Items not designed as weapons will be regarded as weapons under this policy if their use causes another person bodily harm or damage, or if the items are used with the intent of causing bodily harm or property damage, or they are used to intimidate others. Such items include, but are not limited to, belts, sprays, pens and pencils, scissors, laser pointers and other sharp objects.



The three exceptions to this policy are:

- A weapon under the control of a law enforcement officer acting in an official capacity.
- A weapon handled legally for the purpose of education approved by the Chief Executive Officer.
- A prop used to represent a weapon used by an individual as part of a program in the Charter School or at a Charter School activity approved by the Board of Trustees ("Board") or official designee.

No one shall use, threaten to use, possess, sell, distribute, or store any weapon or weapon look-alike at a Charter School facility, in a Charter School vehicle, in or on any other Charter School property, or at any Charter School -sponsored function at any other location.

The consequences for violating this policy are in accordance with the Charter School's Code of Conduct and may include any or all of the following:


- Administering approved disciplinary practices and procedures.
- Notifying parents, guardians, or legal custodians.
- Notifying law enforcement officials.
- Making a Safe Schools Act report or any other required report.
- Suspension from school.
- Recommendation for expulsion by the Board.

Consequences for employees and individuals on school property other than students or employees, may include either or both of the following:

- Notification of law enforcement officials.
- For employees: disciplinary action in accordance with current employment agreements and/or the employee manual.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

ADOPTED this day 8 of June, 2017

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

Distribution:

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- CPDLF Website

**Central Pennsylvania Digital Learning Foundation Charter School  
580 Foot of Ten Road  
Duncansville, PA 16635**

**Board of Trustees Policy - S23**

**STUDENT ASSISTANCE PROGRAM (SAP) - CONTROLLED  
SUBSTANCES (DRUG AND ALCOHOL) ABUSE POLICY**

The Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") Board of Trustees ("Board") recognizes that the misuse of controlled substances, is a serious problem with legal, physical and social implications for the Charter School community. As an educational institution, the Charter School should strive to prevent the abuse of controlled substances, including drugs and alcohol, as defined by The Controlled Substance, Drug, Device and Cosmetic Act," 35 P.S. Sec. 780-101, et. seq. (Purdon Supp. 1987-88), or hereafter added to those Schedules by the Secretary of Health of the Commonwealth of Pennsylvania.

The possession, use of, manufacture, distribution and/or condition of being under the influence of narcotic drugs, dangerous drugs and alcohol is defined by federal and state laws. Controlled substances and the possession of paraphernalia related to the use thereof on Charter School property, transportation, or at any Charter School sponsored function is prohibited.

**Definitions**

"Controlled Substance" shall mean any drug, substance or immediate precursor listed under Schedules I through V of Sec. 780-104 of " The Controlled Substance, Drug, Device and Cosmetic Act," 35 P.S. Sec. 780-101, et. seq. (Purdon Supp. 1987-88), or hereafter added to those Schedules by the Secretary of Health of the Commonwealth of Pennsylvania. More specifically, the following is a non-exhaustive list of examples of controlled substances, pursuant to this Act for purposes of this policy:

1. Controlled substances prohibited by federal and state law.
2. Counterfeit/Look-alike drugs.
3. Alcoholic beverages.
4. Anabolic steroids.
5. Drug devices/paraphernalia.
6. Any volatile solvents or inhalants, such as but not limited to glue and aerosol products.
7. Prescription or patent drugs, except those for which permission for use in school has been granted pursuant to Board policy.
8. Designer Drugs.

"Alcohol" shall mean Absolute alcohol, ethyl alcohol, cane spirits, Cuban spirits, grain spirits, fruit spirits, high wines and other spirits by whatever name or designation given . (40 Pa Code §1.1). Constructive Possession shall mean a person's ability to exercise a conscious dominion over any alcohol or controlled substance, with or without other persons, including the power to control the alcohol or controlled substance and the intent to exercise that control.

"Counterfeit" means a controlled substance, other drug, device or cosmetic which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number, or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person or persons who in fact manufactured, distributed, or dispensed such substance and which thereby is falsely purported or represented to be the product of, or to have been distributed by a manufacturer, distributor, or dispenser.

"Designer Drug" shall mean a substance other than a controlled substance that has a chemical structure substantially similar to that of a controlled substance in Schedules I or II of "The Controlled Substance, Drug, Device and Cosmetic Act," 35 P.S. Sec. 780-101, et. seq., which produces an effect substantially similar to that of a controlled substance in those Schedules I and II.

"Distribution" shall mean to deliver, sell, pass, share, or give to another person, or to assist distribution of any alcohol or controlled substance.

"Drug Paraphernalia" shall mean equipment, products, publications, and materials, of any kind, which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body any controlled substance as defined in this policy.

"Possession" shall mean to knowingly possess, hold or use, without attempt to distribute any alcohol or controlled substance.

A student may be presumed to be "under the influence" of alcohol or controlled substances if they are observed exhibiting unusual or abnormal behavior which may include, but not be limited to: loss of coordination, slurring of speech, disorientation, pupil abnormality, inability to concentrate, lapse of memory, and mood changes. The Chief Executive Officer ("CEO") or his/her designee is authorized to deny access to Charter School premises to any person who possesses or attempts to distribute, or is under the influence of any controlled substance.

This policy is violated when any student, visitor, guest or any other person unlawfully manufactures, uses, is under the influence of, abuses, possesses,

constructively possesses, distributes, or attempts to distribute alcohol, any controlled substance, or any designer drug, or drug paraphernalia on school premises, or at any school-sponsored activity anywhere, or while traveling to and from school or school-related activities, or who conspires, solicits, aids, or abets in the use, abuse, active possession, constructive possession or distribution of alcohol, any controlled substance, designer drug, or drug paraphernalia.

Confidential communications between students and their guidance counselors, school nurses, school psychologists, home and school visitors and clerical employees working on their behalf, shall be treated as privileged communications as outlined in 42 Pa. C.S.A. Sec. 5945. However, no such person shall be excused or prevented from complying with his/her Mandatory Reporter Duty pursuant to the PA Child Protective Services Law. (See Board of Trustees Mandatory Reporter Policy.)

The Board may require participation in drug counseling, rehabilitation, testing or other programs as a condition of student's reinstatement into the Charter School's educational, extracurricular, or athletic programs. This testing will be at the sole expense of the student's parent(s) and/or legal guardian(s).

The CEO shall prepare rules for the identification and control of abuse of controlled substances which shall: establish procedures dealing with students suspected of huffing, unlawful manufacture, possession, use, distribution, and/or sale of controlled substances in the district, on Charter School property, or at Charter School sponsored or sanctioned events, up to and including expulsion and referral for prosecution; discourage abuse of controlled substances; and establish procedures for the instruction and readmission to the Charter School of students convicted of offenses involving controlled substances. In addition, the CEO shall ensure that students are made aware of this policy, and that students violating this policy are subjected to the Charter School's Code of Conduct. The prohibitions outlined in this policy shall be made a part of the Charter School's Code of Conduct and shall be distributed annually to students and parents.

Incidents of alleged violations by any person on Charter School property shall be reported to the Office of Safe Schools or other agency established for reporting purposes on the required form at least once each year. In all cases involving students and controlled substances, the need to protect the Charter School community from undue harm and exposure to controlled substances shall be recognized.

All desks, clothing, backpacks, gym bags, and other personal possessions, and lockers used by students shall be subject to inspection by Charter School authorities when reasonable suspicion exists of a violation of the Controlled Substances Act which is a violation of the Charter School's Code of Conduct.

## Implementation of Policy

1. Students bringing prescription and non-prescription medication to Charter School sponsored events for reasons of health must present to the school nurse, at school and prior to the event, a note signed by the parent and one by the prescribing doctor with dosing and other applicable instructions. The School Nurse shall be responsible for administering the medication at the school-sponsored event unless the Student's note from the prescribing doctor attests to the Student's ability to self-administer and the School Nurse has independently verified this ability, in accordance with the applicable Board approved medication policy.
2. Students judged to be in need of immediate medical attention will be taken by a staff member to the School Nurse.
3. An administrator or teacher will accompany the student exhibiting a need for help to the School Nurse, or the School Nurse will be contacted to come to help the student. When the School Nurse is not available, the administration will be contacted.
4. If the student is in need of urgent attention, the School Nurse will contact the parents and take the medical action as indicated. If the parents cannot be reached, the family physician will be contacted.
5. If no one can be reached to obtain permission to take the necessary medical action and the School Nurse feels that immediate treatment is necessary, the student will be transported to the hospital emergency ward, accompanied by the School Nurse and/or another Charter School representative. The CEO will be kept informed of the student's condition.
6. If urgent medical attention is not required, but a student is obviously ill, the School Nurse will notify the student's parents and request the parents to come to the Charter School, testing site, or site of school-sponsored function or activity.
7. It is the responsibility of each Charter School employee to notify the CEO of any students who appear to be in apparent need of immediate medical attention, or of students allegedly using, manufacturing, possessing, using, distributing, and/or selling controlled substances.
8. Charter School personnel and coaches shall not recommend, supply and/or dispense any drug, medication or food supplement. In order to minimize health and safety risks to student athletes, maintain ethical standards, and reduce liability risks, Charter School personnel and coaches shall never condone, permit, encourage, supply, recommend, and/or dispense any drug, medication, or food supplement recommended by the manufacturer for performance-enhancing purposes.

9. Parents are to be informed of the concern for a student who, on school property or at a school-sponsored event, has engaged in manufacture, possession, use, distribution, and/or sale of controlled substances. Evidence of same will be turned over to the police.

10. In furtherance of its attempts to prohibit and prevent sale, possession, transport, distribution and use of controlled substances by its students, the Board supports the establishment and maintenance of a Student Assistance Program ("SAP") and may require student's participation in drug counseling, rehabilitation, testing or other programs as a condition of reinstatement into the Charter School's educational, extracurricular, or athletic programs. This testing will be at the sole expense of the student's parent(s) and/or legal guardian(s). The SAP will:

- Identify students who are having problems because of controlled substance use or due to mental health problems.
- Intervene when appropriate either by personal contact or through support groups.
- Refer those students for appropriate help.

SAP is not a treatment program. It seeks to improve identification of students who exhibit forms of "at risk" behavior, such as suicidal intent, depression, controlled substance use and abuse. It also provides for intervention by making referrals to outside agencies.

11. Students Exhibiting Unusual Behavior, But Not in Need of Immediate Medical Attention

- Staff members will refer students exhibiting a pattern of unusual behavior to the principal including all information in writing regarding the referral. If, in the opinion of the principal, the unusual behavior could be alcohol or controlled substance related, s/he will notify the parents of the student.
- Guidance counselors and/or nurses shall offer help and assistance to the students upon request and make students aware of agencies and other sources which may be helpful.
- Referral to SAP as set forth above.

### **Consequences of Controlled Substance Offense:**

1. The CEO shall be given immediate verbal notice of all drug violations. Such notice shall be followed before the end of the day with a written report setting forth the pertinent details of the incident. The CEO is required to notify police of all incidents in which students are apprehended for the possession, use, distribution, and/or sale of controlled substances on Charter School premises or at any Charter School sponsored event. Any physical evidence of violation of laws relating to drug use shall be turned over to police officials by the CEO. The Charter School will ask the police to cooperate and produce the physical evidence at the hearing.

2. The CEO is required to notify the local police of all incidents in which students are apprehended for the use, possession, transport, distribution, and/or sale of controlled substances on Charter School premises or at any Charter School sponsored event, activity or testing site or on school transport. Prior to turning over physical evidence to police, all evidence of abuse of a controlled substance shall be kept in a secure place by the Charter School personnel confiscating it with the following information recorded and kept with the evidence:

- Date of confiscation;
- Name of student from whom confiscated;
- Name of Charter School personnel who confiscated and others present at time of search;
- Type of controlled substance confiscated;
- Amount of controlled substance confiscated;

The Charter School will ask the police to cooperate and produce the physical evidence at any Charter School disciplinary hearing held in accordance with the Charter School Code of Conduct.

3. A student determined to have used, possessed, transported, distributed, or sold controlled substances on Charter School premises or at any Charter School sponsored event, activity or testing site or on school transport shall be subject to the following disciplinary procedures:

a. The CEO will immediately implement an out-of-school suspension in accordance with the Student Code of Conduct.

b. The CEO may recommend expulsion to the Board, on a case-by-case basis in accordance with the Student Code of Conduct..

c. Participation in extracurricular activities by the offender will be prohibited at least during the period of suspension and potentially longer as evaluated by the CEO on a case by case basis.



d. The CEO shall take all steps necessary to comply with the Individual with Disabilities Education Act and its amendments and implementing state regulations for students with disabilities.

e. A Safe Schools Act report will be made by the CEO.

### Visitors, Employees, Contractors and Volunteers

Any visitors, employees, contractors or volunteers found to be engaged in activity while on Charter School property which, if engaged in by students would be violative of the above policy, shall be reported to the local police or to the Pennsylvania State Police. Additionally, all such persons on Charter School property, transport or at a school sponsored event/activity or testing site, shall be reported to the Office of Safe Schools or other agency established for reporting purposes on the required form at least once each year. (See Employee Controlled Substance Policy for identification, reporting and discipline of Charter School Employees).

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this day 8 of June, 2017



\_\_\_\_\_  
President



\_\_\_\_\_  
Secretary

Distribution:

- Board Policy Binder
- Board Policy Shared Drive Folder
- CPDLF Website

**Central Pennsylvania Digital Learning Foundation Charter School  
580 Foot of Ten Road  
Duncansville, PA 16635**

**Board of Trustees Policy - S24**

**STUDENT ASSISTANCE PROGRAM - SUICIDE PREVENTION,  
ASSESSMENT, RESPONSE & POSTVENTION POLICY**

As suicide is the third leading cause of death among young people ages 10-19, it is critically important that schools have policies and procedures in place to prevent, assess the risk of, intervene in, and respond to youth suicidal behavior. The Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") has developed the stated procedures to assist administrators and staff in dealing with students at risk. The purpose of this policy is to protect the health and well-being of all Charter School students by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide.

The Charter School: (a) recognizes that physical, behavioral, and emotional health is an integral component of a student's educational outcomes, (b) further recognizes that suicide is a leading cause of death among young people, (c) has an ethical responsibility to take a proactive approach in preventing deaths by suicide, and (d) acknowledges the school's role in providing an environment which is sensitive to individual and societal factors that place youth at greater risk for suicide and one which helps to foster positive youth development. Toward this end, the policy is meant to be paired with other policies supporting the emotional and behavioral health of students more broadly. Specifically, this policy is meant to be applied in accordance with the Charter School's Child Find obligations and has been developed as part of the Charter School Student Assistance Program ("SAP").

The focus of the Charter School's policy is threefold:

1. Detection/awareness - of warning signs of suicide by all Charter School staff who interact with students on a regular basis.
2. Parent Notification - preferably face to face and with recommendations for referrals for appropriate mental health services; a confidential record of parent notification shall be maintained by administration.

3. Support for At-Risk Students - School personnel, including school psychologists and counselors must provide counseling, monitoring and follow-up services to at-risk students.

This policy covers actions that take place in the Charter School, on Charter School property, at Charter School-sponsored functions and activities, on transportation to and from school and at school sponsored out-of-school events where Charter School staff are present. This policy applies to the entire Charter School community, including employees, contractors, students, parents/guardians, and volunteers. This policy may also respond to suicidal or high risk student behaviors that take place outside of the school environment if there is an impact on a student or students in the Charter School setting.

## 2. Recognizing Risk Factors for Suicide

- Major depression (feeling down in a way that impacts your daily life) or bipolar disorder (severe mood swings)
- Problems with alcohol or drugs
- Unusual thoughts and behavior or confusion about reality
- Personality traits that create a pattern of intense, unstable relationships or trouble with the law
- Impulsivity and aggression, especially along with a mental disorder
- Previous suicide attempt or family history of a suicide attempt or mental disorder
- Serious medical condition and/or pain
- Sudden deterioration in academic performance
- Unhealthy peer relationships - sudden change in circle of friends, loss of friendships, or association with those known for substance abuse or other at-risk behaviors
- Abusive relationship - either with family member or one outside; in this instance, Charter School employees have mandatory child abuse reporting duties by which to abide also.

- Difficulty in adjusting to gender identity – there is a higher rate of suicide among gay, lesbian, bisexual and transgendered teens than heterosexual peers.
- Bullying – both those bullied and those who bully are at increased risk. Individuals who are bullied in the absence of other risk factors have far fewer negative outcomes than those with pre-existing risk for suicide.

It is also important for the Charter School to be aware of student populations that are at elevated risk for suicidal behavior based on various factors:

- Youth living with mental and/or substance use disorders.
- Youth who engage in self-harm or have attempted suicide.
- Youth in out-of-home settings.
- Youth experiencing homelessness.
- American Indian/Alaska Native (AI/AN) youth.
- Youth bereaved by suicide.
- Youth living with medical conditions and disabilities.
- LGBTQ (lesbian, gay, bisexual, transgender, or questioning) youth.

Note: (School staff should not make assumptions about a student's sexual orientation or gender identity and affirm students who do decide to disclose this information. Information about a student's sexual orientation or gender identity should be treated as confidential and not disclosed to parents, guardians, or third parties without the student's permission. Additionally, when referring students to out-of-school resources, it is important to connect LGBTQ students with LGBTQ-affirming local health and mental health service providers. Affirming service providers are those which adhere to best practices guidelines regarding working with LGBTQ clients as specified by their professional association (e.g., <http://www.apa.org/pi/lgbt/resources/guidelines.aspx>.)

## Definitions

- **At risk:** A student who is defined as high risk for suicide is one who has made a suicide attempt, has the intent to die by suicide, or has displayed a significant change in behavior suggesting the onset or deterioration of a mental health condition. The student may have thought about suicide including potential

means of death and may have a plan. In addition, the student may exhibit feelings of isolation, hopelessness, helplessness, and the inability to tolerate any more pain. This situation would necessitate a referral, as documented in Charter School procedures which implement this Policy.

- **Crisis/Student Assistance Program ("SAP") Core Team:** A multidisciplinary team of primarily Charter School Administration and other Charter School professional employees including: Counselor, School Psychologist, School Nurse, teachers or other related professional staff. This Team will be trained in the assessment and evaluation of information dealing with at-risk students and crisis preparedness, intervention/response and recovery to attain SAP certification. In addition, staff designated by the county mental health agency, with expertise in youth mental health issues, will be assigned to each Core Team to act as liaison between the Team and the local mental health system. This Team will take the leadership role in developing crisis plans, ensuring school staff can effectively execute various crisis protocols, and may provide mental health services for effective crisis interventions and recovery supports.
- **Mental health:** A state of mental and emotional being that can impact choices and actions that affect wellness. Mental health problems include mental and substance use disorders.
- **Postvention:** Suicide postvention is a crisis intervention strategy designed to reduce the risk of suicide and suicide contagion, provide the support needed to help survivors cope with a suicide death, address the social stigma associated with suicide, and disseminate factual information after the suicide death of a member of the school community.
- **Risk assessment:** An evaluation of a student who may be at risk for suicide, conducted by the appropriate school staff (e.g., school psychologist, school counselor, or school social worker). This assessment is designed to elicit information regarding the student's intent to die by suicide, previous history of suicide attempts, presence of a suicide plan and its level of lethality and availability, presence of support systems, and level of hopelessness and helplessness, mental status, and other relevant risk factors.
- **Risk factors for suicide:** Characteristics or conditions that increase the chance that a person may try to take his or her life. Suicide risk tends to be highest when someone has several risk factors at the same time. Risk factors may encompass biological, psychological, and or social factors in the individual, family, and environment.

- **Self-harm:** Behavior that is self-directed and deliberately results in injury or the potential for injury to oneself. Can be categorized as either non-suicidal or suicidal. Although self-harm often lacks suicidal intent, youth who engage in self-harm are more likely to attempt suicide.
- **Suicide:** Death caused by self-directed injurious behavior with any intent to die as a result of the behavior. Note: The coroner's or medical examiner's office must first confirm that the death was a suicide before any school official may state this as the cause of death.
- **Suicide attempt:** A self-injurious behavior for which there is evidence that the person had at least some intent to kill himself or herself. A suicide attempt may result in death, injuries, or no injuries. A mixture of ambivalent feelings such as wish to die and desire to live is a common experience with most suicide attempts. Therefore, ambivalence is not a sign of a less serious or less dangerous suicide attempt.
- **Suicidal behavior:** Suicide attempts, intentional injury to self, associated with at least some level of intent, developing a plan or strategy for suicide, gathering the means for a suicide plan, or any other overt action or thought indicating intent to end one's life.
- **Suicide contagion:** The process by which suicidal behavior or a suicide influences an increase in the suicidal behaviors of others. Guilt, identification, and modeling are each thought to play a role in contagion. Although rare, suicide contagion can result in a cluster of suicides.
- **Suicidal ideation:** Thinking about, considering, or planning for self-injurious behavior which may result in death. A desire to be dead without a plan or intent to end one's life is still considered suicidal ideation and should be taken seriously.

When a student is identified by a Charter School staff person as potentially suicidal, i.e., verbalizes about suicide, presents overt risk factors such as agitation or intoxication, the act of self-harm occurs, or a student self-refers, the student will be seen by a Charter School employed mental health professional such as the School Psychologist, Counselor or Social Worker, within the same school day to assess risk and facilitate referral. If there is no mental health professional available, a School nurse or Administrator will fill this role until a mental health professional can be brought in.

For youth at risk:

1. School staff will continuously supervise the student to ensure their safety.
2. The CEO and SAP Core Team will be made aware of the situation as soon as reasonably possible.
3. The Charter School employed mental health professional or CEO will contact the student's parent or guardian, as described in the Parental Notification and Involvement section, and will assist the family with urgent referral. When appropriate, this may include calling crisis services or bringing the student to the local Emergency Department, but in most cases will involve setting up an outpatient mental health or primary care appointment and communicating the reason for referral to the healthcare provider.
4. Staff will ask the student's parent or guardian for written permission to discuss the student's health with outside care, if appropriate.

**Procedures - See Attached Table of Suicide Intervention Procedures Flow Chart - Student at Risk**

**a. Forms in Place**

- A written cooperative agreement with the local mental health agency service system must be in place to outline the following: central referral procedures, consultation/education services, designated liaisons from the drug and alcohol and mental health systems, assessment services, emergency crisis assistance and provisions for treatment.
- The following forms should be adapted to Charter School practices for use in behavioral health emergency situations:
  - o Behavioral Health Emergency Form: used when sending student to Crisis Response Center to indicate behaviors observed and reason for referral.
  - o Report of Parent Emergency Conference Form: this documents the conference held with parents/guardians including the recommendations made by Charter School SAP Core Team members. The parent/guardian's signature indicates their acknowledgement of these recommendations being made by Charter School.
  - o SAP Core Team Emergency Report: this form describes the incident in question and action(s) taken by Charter School in response. This form should be sent to the SAP Core Team Mental Health Agency Liaison within twenty-four hours.

- o Follow-up Letter to Parents/Guardians: documents continued efforts of Charter School to monitor student and is critical to confirm Charter School efforts if parent/guardian refuses to attend emergency conference or did not sign Report of Parent Emergency Conference Form.

Copies of these forms shall be maintained in the student's confidential health records file.

For Specific Procedures for Exhibition of Suicidal Intent/Extreme Distress/History of Suicidal Behaviors, In School Attempts, Out of School Attempts and Completion of Suicide In or Out of School – See attached "Table of Suicide Intervention Procedures".

**b. In-Patient Mental Health Care**

A minor age 14 or older may consent to inpatient mental health treatment as long as the consent is knowing and voluntary. If minors aged 14 through 17 are admitted for inpatient care, their parents or guardians must be promptly notified. Once a minor gives consent to inpatient care, a parent or guardian cannot override that consent and remove the minor from care.

Should the minor revoke consent to inpatient care, the parent or guardian may override the minor's decision and continue inpatient treatment upon the recommendation of a physician.

Further, on the recommendation of a physician who has examined a minor 17 years old or younger, the parent or legal guardian may consent to inpatient mental health treatment for the minor without the minor's consent. Once the parent or legal guardian gives consent to inpatient care, the minor cannot override that consent and remove him- or herself from care. However, the law allows a minor to submit a petition objecting to treatment, and the objecting minor is entitled to a hearing within 72 hours.

If the student, who is 14 years old or older, is unable to understand treatment offered or is uncooperative, an involuntary mental health examination may be requested by the Charter School. If the student is under 14 years of age and no parent is present, an involuntary commitment to evaluate may be obtained. In this latter circumstance, Charter School must arrange transport with the police for the student to be taken to a crisis center or hospital. Student must be accompanied by two SAP Core Team members. Community Mental Health



forms are to be completed by School personnel with personal knowledge of student's suicide attempt. Community Mental Health staff will contact mental health delegate to authorize exam.

c. **Out Patient Mental Health Care**

Minors ages 14 and older may consent to outpatient mental health examination and treatment without parental consent or notice. A parent or legal guardian may also consent to outpatient mental health examination and treatment on behalf of a minor without the minor's consent. Neither the parent nor the minor may override the other's consent. For outpatient care, there is no process for a minor to object to treatment, unlike inpatient care.

d. **Parental Notification and Involvement**

In addition to Suicide Intervention Procedures in the attached Table, in situations where a student is assessed at-risk for suicide or has made a suicide attempt, the student's parent or guardian will be informed as soon as practicable by the CEO or mental health professional. If the student has exhibited any kind of suicidal behavior, the parent or guardian should be counseled on "means restriction," limiting the child's access to mechanisms for carrying out a suicide attempt. ie., ridding home of guns and/or locking medication in safe place inaccessible by student, etc. Staff will also provide parents with written Release of Records and Exchange of Information forms for obtain all necessary medical/mental health documentation and permission to communicate with outside mental health care providers regarding their child.

Through discussion with the student, the CEO or school employed mental health professional will assess whether there is further risk of harm due to parent or guardian notification. If the CEO or mental health professional believes, in their professional capacity, that contacting the parent or guardian would endanger the health or well-being of the student, they may delay such contact as appropriate. If contact is delayed, the reasons for the delay must be documented in writing.

e. **Re-entry Procedure**

For students returning to school after a mental health crisis (e.g., suicide attempt or psychiatric hospitalization), a school employed mental health professional, the CEO, or designee will meet with the student's parent or

guardian, and if appropriate, meet with the student to discuss re-entry and appropriate next steps to ensure the student's readiness for return to school. Some possible steps are:

A Charter School employed mental health professional or other designee will be identified to coordinate with the student, their parent or guardian, and any outside mental health care providers.

For purposes of educational programming and to assist the Charter School in ensuring Student's continued safety, health and welfare, it may request of the parent or guardian documentation from a mental health care provider that the student has undergone examination and that they are no longer a danger to themselves or others.

The designated staff person will periodically check in with student to help the student readjust to the school community and address any ongoing concerns.

### **Postvention**

**Development and Implementation of an Action Plan** The Charter School SAP Team will develop an action plan to guide Charter School response following a death by suicide. A meeting of the SAP team to implement the action plan should take place immediately following news of the suicide death. The action plan may include the following steps:

- **Verify the death.** Staff will confirm the death and determine the cause of death through communication with a coroner's office, local hospital, the student's parent or guardian, or police department. Even when a case is perceived as being an obvious instance of suicide, it should not be labeled as such until after a cause of death ruling has been made. If the cause of death has been confirmed as suicide but the parent or guardian will not permit the cause of death to be disclosed, the Charter school will not share the cause of death but will use the opportunity to discuss suicide prevention with students.
- **Assess the situation.** The SAP Team will meet to prepare the postvention

response, to consider how severely the death is likely to affect other students, and to determine which students are most likely to be affected. The SAP Team will also consider how recently other traumatic events have occurred within the school community and the time of year of the suicide. If the death occurred during a school vacation, the need for or scale of postvention activities may be reduced.

- **Share information.** Before the death is officially classified as a suicide by the coroner's office, the death can and should be reported to staff, students, and parents/guardians with an acknowledgement that its cause is unknown. Inform the faculty that a sudden death has occurred, preferably in a staff meeting. Write a statement for staff members to share with students. The statement should include the basic facts of the death and known funeral arrangements (without providing details of the suicide method), recognition of the sorrow the news will cause, and information about the resources available to help students cope with their grief. Public address system announcements and school-wide assemblies should be avoided. The SAP Team may prepare a letter (with the input and permission from the student's parent or guardian) to send home with students that includes facts about the death, information about what the Charter school is doing to support students, the warning signs of suicidal behavior, and a list of resources available.
- **Avoid suicide contagion.** It should be explained in the staff meeting described above that one purpose of trying to identify and give services to other high risk students is to prevent another death. The SAP Team will work with teachers to identify students who are most likely to be significantly affected by the death. In the staff meeting, the SAP Team will review suicide warning signs and procedures for reporting students who generate concern.
- **Initiate support services.** Students identified as being more likely to be affected by the death will be assessed by a Charter School employed mental health professional to determine the level of support needed. The SAP Team will coordinate support services for students and staff in need of individual and small group counseling as needed. In concert with parents or guardians, SAP Team members will refer to community mental healthcare providers to ensure a smooth transition from the crisis intervention phase to meeting underlying or ongoing mental health needs.

**Develop memorial plans.** The Charter School should not create on-campus physical memorials (e.g. photos, flowers), funeral services, or fly the flag at half-mast because it may sensationalize the death and encourage suicide contagion. School should not be canceled for the funeral. Any school-based memorials (e.g., small gatherings) will include a focus on how to prevent future suicides and prevention resources available.

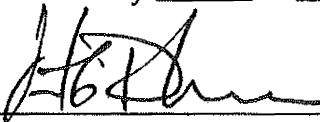
- **External Communication.** The Charter School CEO or designee will be the sole media spokesperson. Staff will refer all inquiries from the media directly to the spokesperson who will coordinate all communication with the School's legal counsel. The spokesperson will:
  - Keep the Board of Trustees informed of school actions relating to the death.
  - Prepare a statement for the media including the facts of the death, postvention plans, and available resources. The statement will not include confidential information, speculation about victim motivation, means of suicide, or personal family information.
  - Answer all media inquiries. If a suicide is to be reported by news media, the spokesperson should encourage reporters not to make it a front-page story, not to use pictures of the suicide victim, not to use the word suicide in the caption of the story, not to describe the method of suicide, and not to use the phrase "suicide epidemic" – as this may elevate the risk of suicide contagion. They should also be encouraged not to link bullying to suicide and not to speculate about the reason for suicide. Media should be asked to offer the community information on suicide risk factors, warning signs, and resources available.

The Charter School may incorporate a youth suicide awareness and prevention curriculum into existing instructional programs. The PA Department of Education is being required to develop a model youth suicide awareness and prevention policy and a model youth suicide awareness and prevention curriculum for use by schools and to make these and other guidance and resource materials publicly available online.

The following telephone number shall be made known and available to Charter School students for 24 hour access to assistance: **CALL 1-800-273-TALK or 1-800-SUICIDE.**

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this day 8 of June, 2017

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

**Distribution:**

- Board Policy Binder
- Board Policy Shared Drive Folder
- CPDLF Website

## TABLE of SUICIDE INTERVENTION PROCEDURES FLOW CHART

| SITUATION   | IMMEDIATE ACTION  | INFORMATION COLLECTION  | PARENT NOTIFICATION   | REFERRAL  | DISPOSITION*   |
|---|---|---|---|---|--|
| <b>LEVEL I RISK</b><br>This refers to a situation of risk which requires immediate intervention because the youth is expressing clear intentions of suicide and/or has a past history of trying to carry out such behavior. | Staff member will:<br>1. Notify a SAP Core Team Member and CEO immediately.<br>2. Never leave student alone and monitor until he/she is under the supervision of a SAP Core Team Member.<br>3. If violent or out of control, police summoned to transport student to mental health facility or hospital for involuntary admission.<br>4. Complete Behavioral Health Emergency Form and fax to hospital. | At least two SAP Core Team Members will assess level of risk by collecting and documenting all pertinent information about the student but not limited to a private interview with the student. A SAP Core Team Emergency Report will be placed in the student's health file and if referred to a crisis response center, a Behavioral Health Emergency form is to be completed and provided to SAP Core Team Mental Health Agency Liaison and as necessary to PDE, per Safe Schools Act reporting. | SAP Core Team member shall immediately telephone parents to request an emergency SAP Core Team meeting. If parents of a child who is 13 years of age or under refuse to come to school or participate, Charter School, may, acting in loco parentis, have student examined by an emergency psychiatric consult at a Community Mental Health Center. Charter School shall document attempts to reach parents in student file. Police must be notified. | Discuss with parents a referral for professional assessment at a mental health facility. Provide parents with appropriate community resources. Follow up letter to parents with referrals and recommendations from SAP Core Team. | Transport to hospital by two SAP Core Team Members with emergency medical service or by parent. Obtain Release of Information from parents for records of treatment in order to meet with student's teacher(s) prior to student return to school and for continued monitoring and documentation by SAP Core Team. If threat or attempt is associated with child abuse or neglect, a mandatory report to ChildLine and the local police must be made. |

|   |  |  |  |   |  |
|---|--|--|--|---|--|
| <p><b>SUICIDE ATTEMPT IN SCHOOL</b></p> | <p>1. Staff member will remain with student until medical emergency procedures are initiated by SAP Core Team who shall be contacted immediately, including SAP Core Team School Psychologist and CEO. All Students are to be removed from the area immediately.</p> | <p>1. SAP Core Team and CEO will meet with witnesses and document all pertinent information concerning time, place and method of student's attempt and information and/or signed statements to be placed in student's health file. 2. Complete Behavioral Health Emergency Form and fax to hospital and Mental Health Agency Liaison and to PDE as necessary per Safe Schools Act reporting.</p> | <p>Immediately telephone parents for in-school emergency conference with CEO and SAP Core Team. Report of Parent Emergency Conference Form completed and maintained in student file.</p> | <p>Immediate and mandatory referral to hospital with psychiatric unit. SAP Core Team Emergency Report completed and forwarded to Mental Health Agency Liaison and PDE as necessary.</p> | <p>Transport to hospital by two Core Team Members with emergency medical service or by parent. Obtain Release of Information from parents for records of treatment in order to meet with student's teachers prior to return to school and for continued postvention monitoring by SAP Core Team. Support service provided per postvention procedures. If attempt related to child abuse or neglect, a mandatory report to ChildLine and the local police must be made.</p> |
|---|--|--|--|---|--|

|  |  |  |   |   |  |
|--|--|--|---|---|--|
| <b>SUICIDE ATTEMPT OUT OF SCHOOL</b>                 | Call police or emergency medical services such as 911 if Student contacts Charter School about attempt. If knowledge not from student, SAP Core Team Member shall contact parent/guardian to confirm attempt. Advise CEO. A SAP Core Team Emergency Report is to be completed for student's health file to document school's response. | All information obtained by SAP Core Team to be placed in student's health file after full review by School Psychologist. A Behavioral Health Emergency Form to be completed and placed in student's confidential health file. Provide report to SAP Core Team Mental Health Agency Liaison. | Request by SAP Core Team for meeting with parents to discuss need for in-school counseling and other in-school measures. Report of Parent Emergency Conference Form completed and maintained in student file. | Request in-school meeting with parents and SAP Core Team members and CEO. SAP Core Team School Psychologist to provide mental health referral to parents and/or to continue follow-up with parents and hospital/mental health facility. | Obtain Release of Information from parents for records of treatment in order to meet with student's teachers prior to return to school and for continued postvention monitoring by SAP Core Team. If attempt related to child abuse or neglect, a mandatory report to ChildLine and the local police must be made. |
| <b>STUDENT COMPLETES SUICIDE IN OR OUT OF SCHOOL</b> | Notify SAP Core Team and CEO Follow emergency medical procedures if completed in school. SAP Core Team and CEO implements postvention procedure and offers support to family, school students and employees.   | SAP Core Team Members will meet with witnesses to document all pertinent information and place all documentation in student health file. Provide report to SAP Core Team Mental Health Agency Liaison and to PDE as necessary per Safe Schools Act reporting.                                | Immediately, if completion in school.   | N/A   | As per postvention plan for survivors.   |



**Central Pennsylvania Digital Learning Foundation Charter School**  
**www.cpdf.org**

**Board of Trustees Policy – S26**

**STUDENT COMPLAINT PROCESS POLICY**

The Board of Trustees (“Board”) of the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) recognizes that students have the right to request redress of complaints. Further, the Board believes that it is critical to emphasize of respect for lawful procedures as an important part of the educational process. Accordingly, individual and group complaints should be recognized and appropriate appeal procedures provided.

For purposes of this policy, student “complaint” shall be any that arise from action that directly affects the student’s participation in an approved educational program.

The Board or its employees will recognize the complaints of the students of the Charter School provided that such complaints are made according to procedures established by Board policy.

Students are to be encouraged to first discuss the complaint with the staff member involved and, in the process, may seek the assistance and be accompanied by another Charter School student or faculty member.

If the problem is not solved, the student shall give the complaint in writing to the Chief Executive Officer (“CEO”) or his/her designee who shall then notify the parent or guardian. The CEO or his/her designee within five (5) days shall call a meeting of the student who may be accompanied by parent and/or advisor and the staff member. In no more than five (5) days after the meeting, the CEO or his/her designee shall give his/her decision in writing to the student, parent and staff member.

The student’s written complaint which shall set forth:

- (a) The specific nature of the complaint and a brief statement of the facts giving rise to it;
- (b) The manner in which and extent to which the student believes s/he has been adversely affected;

- (c) The relief sought by the student;
- (d) The reasons why the student feels s/he is entitled to the relief sought.

Should the student's complaint be against the CEO or his/her designee, or against a policy the CEO or his/her designee has supported, the student may complain directly to the Board.

If the complaint is not settled to the student's satisfaction by the CEO or his/her designee, the student may appeal, in writing, to the Board, who within five (5) school days will call a meeting.

- (a) The student may seek the assistance of a parent or guardian at any step.

The Charter School authority hearing the complaint may call in the student's parent.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.**

ADOPTED this day 9 of June, 2016

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**Central Pennsylvania Digital Learning Foundation Charter School**  
**[www.cpdf.org](http://www.cpdf.org)**

**Board of Trustees Policy**

**STUDENT CONDUCT AND DISCIPLINE POLICY - S27**

The Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") has the authority to make reasonable and necessary rules governing the conduct of students at the Charter School. The rulemaking power, however, is not unlimited; it must operate within statutory and constitutional restraints. The Board acts within those powers that are enumerated in the statutes of the Commonwealth, or that may reasonably be implied or necessary for the orderly operation of the Charter School.

Accordingly, the Board's adoption of a Student Code of Conduct, which contains student rights and responsibilities as well as levels of misconduct and resulting discipline, is within its grant of authority from the General Assembly. The rules contained within this Code of Conduct are to be implemented in a consistent and non-discriminatory manner and are a rational means of accomplishing the legitimate school purpose of a safe and orderly environment in which students may be instructed.

All students in the Charter School are entitled to share in its educational and related programs to the extent of their abilities without regard to race, color, sex, sexual orientation, national origin, religion, or handicap. Every student is expected to behave at school and in school-related activities in accordance with public laws, school rules and lawful directions of assigned staff, and to deal fairly and courteously with fellow students, staff, and the public.

Given the ongoing developments in technology, this Code of Conduct must specifically apply to student use of computers and computer technology. Therefore, a separate document and related procedures shall be developed and implemented and shall be identified as an "Acceptable Use of Technology and Internet Safety Policy" for computer, electronic mail and other technology use by both students and staff.

The Chief Executive Officer ("CEO") shall develop and disseminate reasonable rules to carry out the purpose of this policy. These rules shall comply with applicable public law and shall include the following elements:

- (a) Standards of student conduct shall inform students and staff what conduct is acceptable and what is prohibited. These standards shall apply to students while traveling to and from school, at school and in all school-related activities and shall be appropriate to students' ages.
- (b) Disciplinary sanctions shall state which staff may employ what sanctions to penalize and correct students who violate reasonable standards of conduct. Discipline must be rationally related to the offense, designed to teach responsibility for one's actions and applied without discrimination because of race, color, sex, sexual orientation, national origin, or religion.

Authorized sanctions shall not include corporal punishment of students.

Procedures to enforce standards of conduct and apply disciplinary sanctions shall provide for due process by giving students notice of the offense charged and an opportunity to respond. The extent of appeal to review the application of any discipline shall be reasonably related to the weight of the sanction.

These standards of student conduct will be presented to the Board of Trustees for approval.

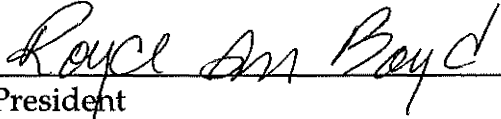
Student records shall reflect disciplinary action to the extent necessary to support educational and counseling objectives with appropriate safeguards for proper use and limited dissemination.

Special education students are afforded appropriate protection of their due process rights through a separate document, "Special Education Discipline Procedures."

This Code shall be published and distributed to students and parents or guardians on an annual basis and copies of the code shall also be available in the main office.

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FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS  
CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH  
CHARTER REQUIREMENTS.**

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

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Procedures to enforce standards of conduct and apply disciplinary sanctions shall provide for due process by giving students notice of the offense charged and an opportunity to respond. The extent of appeal to review the application of any discipline shall be reasonably related to the weight of the sanction.

These standards of student conduct will be presented to the Board of Trustees for approval.

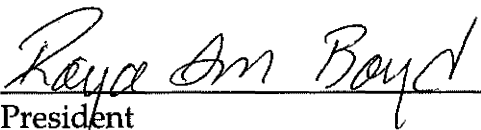
Student records shall reflect disciplinary action to the extent necessary to support educational and counseling objectives with appropriate safeguards for proper use and limited dissemination.

Special education students are afforded appropriate protection of their due process rights through a separate document, "Special Education Discipline Procedures."

This Code shall be published and distributed to students and parents or guardians on an annual basis and copies of the code shall also be available in the main office.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE  
CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR  
FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS  
CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH  
CHARTER REQUIREMENTS.**

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary



**Central Pennsylvania Digital Learning Foundation Charter School**  
**[www.cpdf.org](http://www.cpdf.org)**

**Board of Trustees Policy – S28**

**STUDENT FUNDRAISING POLICY**

The Board of Trustees (“Board”) of the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”), acknowledges that the solicitation of funds from students must be limited because compulsory attendance laws make the student a captive donor and such solicitation may disrupt the program of the Charter School.

For purposes of this policy “student fundraising” shall include the solicitation and collection of money by students for any purpose and shall include the collection of money in exchange for tickets, papers, advertising or any other goods or services.

The Board prohibits the collection of money in school or on school property, or at any school sponsored event by a student for personal benefit or for entities and organizations not affiliated with the Charter School, such as a student’s house of worship, or a non-profit and/or for-profit entity with which student(s) are involved outside of the Charter School.


Collection of money by approved Charter School organizations may be permitted by the Chief Executive Officer (“CEO”). Collection by students on behalf of Charter School organizations outside the school day and building(s) may be permitted only by the CEO. The Board prohibits any fundraising activities that require students to solicit door to door.

The CEO shall establish rules and regulations for the solicitation of funds which shall specify the times and places in which funds may be collected and describe permitted methods of solicitation which do not place undue pressure on students or patrons.

The CEO shall distribute this policy and the rules which implement it to each student organization granted permission to solicit funds. Funds solicited shall be controlled by the CEO.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

ADOPTED this day 9 of June, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

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**Board of Trustees Policy – S29**

**STUDENT PARTICIPATION IN SCHOOL AFFAIRS POLICY**

The Board of Trustees (“Board”) of the Central Pennsylvania Digital Learning Foundation Charter School believes that students should participate in the governance of school activities at levels appropriate to their ages and competencies because:

- (a) Schools, as an institution fundamental to the operation of a democratic society, should exemplify citizen participation in decision making;
- (b) The curriculum should develop increasing knowledge, students’ skills and responsibilities in planning and executing the cooperative activities;
- (c) Students are a valuable resource whose contributions can materially aid and benefit their school.

The Board authorizes the Chief Executive Officer (“CEO”) to encourage student participation in activities commensurate with students’ understanding and abilities.

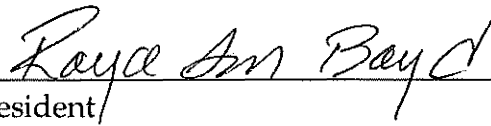
Recommendations for the improvement of the Charter School may be offered by any student, provided the recommendations are of a constructive nature and contribute toward the realization of the educational goals of the Charter School.

The CEO shall develop procedures to implement this policy which:

- (a) Provide for the submission, consideration and response to constructive student suggestions;
- (b) Designate the manner by which students shall be selected for participation in school matters;
- (c) Ensure that student participation is fairly representative of the student body;
- (d) Ensure that the student voice and vote in decision making is fairly balanced with those of faculty, administration and community members.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.

ADOPTED this day 9 of June, 2016

  
\_\_\_\_\_  
President/

\_\_\_\_\_  
Secretary

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**Board of Trustees Policy – S30**

**STUDENT PROMOTION AND RETENTION POLICY**

The Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) Board of Trustees recognizes that the educational growth of students will vary and that students should be placed in the educational setting appropriate to their needs at the various stages of their development.

It is the policy of the Board that each student shall be moved forward in a continuous pattern of educational growth that corresponds with his/her own development and the system of grade levels and academic standards established for each grade and in accordance with the goals and objectives of a student’s Individual Education Program or Section 504 Plan, if applicable. A student shall be promoted when s/he has successfully:

- Completed the course requirements at the presently assigned grade/level.
- Achieved the academic standards established for the present grade/level, based on the professional judgment of his/her teachers and the results of assessments.
- Demonstrated proficiency to move ahead to the educational program of the next level/grade.
- Demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience at the next learning level/grade.

The Chief Executive Officer (“CEO”) shall develop procedures for promotion and retention of students which assure that every effort will be made to remediate the student’s difficulties before s/he is retained. The procedures shall be published at the school and made known to students and parents.

The recommendation of the classroom teacher/teachers and CEO or his/her designee shall be considered for promotion or retention of a student.

Parents shall be informed reasonably in advance of the possibility of retention of a student within a grade.

The CEO or his/her designee shall be assigned the final responsibility for determining the promotion or retention of each student and will make that determination after consultation with the student's teacher(s) and relevant members of any IEP and/or multidisciplinary team, where applicable.

## GUIDELINES FOR PROMOTION AND RETENTION

### I. CRITERIA FOR PROMOTION AND NON-PROMOTION

"Retention in grade level" and "failure" causing retention in grade level are not synonymous in concept. Retention in grade level implies that a pupil is receiving instruction appropriate to his "ability" to learn and "perform", although the instructional level may be significantly below the expected "average" norm. For example, a fifth grader at the end of the school year may be receiving instruction in reading at a pre-primer level, and performing satisfactorily. However, that pupil may be a candidate for retention in grade level because he or she has not completed enough of the fifth grade program to conjecture success in sixth grade. The pupil's second year in the same grade would continue at the point in which instruction terminated in the first year.

"Failure" connotes completing a program unsatisfactorily. Charter School employees shall exercise all available options not to place a pupil in a setting where failure is predictable. As a pupil matures and likewise demands more independence, he/she may choose not to comply with minimal standards of mandated program, although he/she has evidenced that his/her performance could be satisfactory. All effort shall be directed toward changing the "attitudes" that have led to failure.

Standard policy of Charter School shall be to promote a pupil to the next grade level if, in the judgment of the teacher(s) and CEO or his/her designee, the pupil's achievement and performance have been satisfactory at the expected level of learning and if the higher grade level is more easily able to accommodate the pupil at the appropriate level of instruction.

A pupil is retained in the present grade level, if in the judgment of the student's teacher(s), CEO or his/her designee and in consultation with the appropriate members of the professional staff, it is believed that the pupil can benefit by the retention, and if that present grade level can appropriately accommodate the pupil at the appropriate level of instruction.

Factors that may be considered in retention/failure of pupils include at the discretion of the CEO or his/her designee the following:

- a. Academic potential
- b. Achievement/Performance on school-based, State and/or local assessments
- c. Attitude/Interest
- d. Chronological age
- e. Development - physical, emotional, social
- f. Previous retention
- g. Excessive unexcused absenteeism
- h. Completion of curriculum/content
- i. Completion of alternative methods of instruction (tutoring, summer school, etc.)

The following schedule is intended to outline the planning, evaluation and study that precedes the final recommendation for promotion or non-promotion of pupils.

### GUIDELINES

1. First marking period
  - a. Report card
  - b. Parent Conference
  
2. Mid-Year
  - a) If, at the mid-point of the school year, the above reports have indicated unsatisfactory progress, a special study of these pupils with the intent of making an all-out effort to aid the pupil in qualifying for promotion will be implemented.
  - b) A Parent-Teacher conference shall be held for each pupil reported.

- c) When necessary, reports on pupil enrolling during the second semester are to be made as soon as possible.

3. Third marking period

- a) Decisions on promotions and non-promotions will be made during grade-level meetings and/or in conjunction with input from the Instructional Support Team to insure greater uniformity of decisions on promotions and non-promotions.
- b) Parent-Teacher conference is to be held for purpose of official notification of non-promotion.
- c) Conference is to be held with child prior to report cards.
- d) The pupil's promotion and non-promotion is to be indicated on the report card and cumulative folder.

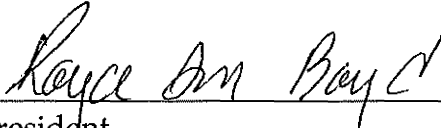
No student will be allowed to take the next sequential course without successfully completing the prerequisite unless specifically allowed by the CEO or his/her designee. Students failing a required course must repeat the course in the regular school program or through the CEO or his/her designee approved make-up alternative as determined appropriate by the CEO or his/her designee (such as Summer school program). Exceptions will be granted by the CEO or his/her designee when it is determined to be in the best interest of the student or school.

Special Education student promotion and retention will be guided by the Student's IEP or Section 504 Plan and in accordance with Chapter 711 of Title 22 of the Pennsylvania Code as well as in accordance with the principles set forth above to the extent consistent with applicable state and federal regulations.



TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this 9 day of June, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

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Central Pennsylvania Digital Learning Foundation Charter School  
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Board of Trustees Policy – S31

STUDENT RIGHTS POLICY

This policy sets forth guidelines by which student rights are to be determined consistent with law at the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”).

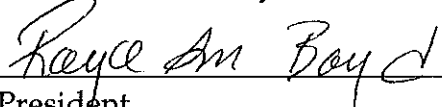
The Board has the authority and responsibility to establish reasonable rules and regulations for the conduct and deportment of students of the Charter School. At the same time, no student shall be deprived of equal treatment and equal access to the educational program, due process, a presumption of innocence, and free expression and association in accordance with these guidelines.

Attendant upon the rights established for each student are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority and compliance with the rules and regulations of the Charter School.

The Chief Executive Officer shall develop and promulgate administrative procedures consistent with law and Board policy and to ensure that student rights under varying conditions are properly described. Such procedures shall be reviewed and updated when required.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.**

ADOPTED this day 6 of June, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

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**Central Pennsylvania Digital Learning Foundation Charter School**  
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**Board of Trustees Policy**

**WELLNESS POLICY ON PHYSICAL ACTIVITY AND NUTRITION- S32**

The Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School"), in combination with students, parents, administrators, faculty and staff, is committed to providing a school environment that promotes and protects children's health, well-being, and ability to learn by supporting healthy eating habits and physical activity. As a means to fostering such a school environment, the Board of Trustees of the Charter School sets forth the following goals and adopts the following Wellness Policy on Physical Activity and Nutrition.

To the extent practicable, all meals served to the Charter School students through the National School Lunch and Breakfast Programs will meet or exceed the minimum nutrition requirements established by local, state and federal law, as well as Dietary Guidelines published by the federal government or an appropriate governmental agency. Similarly, any foods and/or beverages sold from vending machines, through snack lines, at student stores, celebrations, athletic events, any school-sponsored or school-related event, or for the purpose of fundraising will, to the extent practicable, meet or exceed the minimum nutrition requirements.

The Charter School will make efforts to eliminate the social stigma attached to, and to prevent the identification of, students who are eligible for free and/or reduced-price school meals.

The Charter School will schedule meal periods at reasonably appropriate times, and will provide students with a minimum of twenty (20) minutes to enjoy their meals. In addition, the Charter School will discourage the scheduling of meetings or activities during meal times, including, but not limited to, tutoring, club meetings and/or organization meetings, unless the students will be permitted to eat during those meetings or activities.

The Charter School will provide facilities for appropriate hygiene, such as hand-washing and brushing of teeth.

Students will be discouraged from sharing foods and/or beverages with others.

The Charter School will not use foods or beverages for the purpose of rewarding students for academic achievement or good behavior; unless such a reward, system is specifically identified in a student's Individualized Education Program. Likewise, the Charter School will not restrict or withhold foods or beverages for the purpose of disciplining or punishing students.

No food of limited nutritional value, as defined by federal or state law will be offered to students, faculty or staff during school hours, or at school-sponsored or school-related activities or events.

Classroom parties will offer minimal amount of foods (maximum 2-3 items) that contain added sugar as the first ingredient and will provide the following:

- Fresh Fruits and vegetables.
- Water, 100% fruit juice or low-fat or nonfat milk.

### **Nutrition Education**

Nutrition education will be integrated into other areas of the curriculum, such as math, science, language arts and social studies at all grade levels.

Nutrition education will be developmentally appropriate, interactive, and will teach skills needed to adopt healthy eating behaviors.

Nutrition education materials will be reviewed by a qualified and credentialed nutrition professional, including, but not limited to, a School Food Nutrition Specialist or Registered Dietitian.

Faculty and staff that teach nutrition education will have appropriate training.

Informational materials will be provided to students and families to encourage sharing of health and nutrition information, and to encourage healthy eating in the home.

Any marketing of foods and/or beverages undertaken by the Charter School will be consistent with established guidelines and/or standards.

### **Physical Activity**

Physical activity will be integrated across curricula with activities that are safe, enjoyable and developmentally appropriate for all students in all grades.

All students will be given opportunities before, after, and throughout the school day for physical activity through physical education, recess periods and integration of physical activity into the curriculum.

Faculty and staff will be appropriately trained in integrating physical activity into the various curricular areas.

Students will be encouraged to participate in physical activity outside of the school environment, in both competitive and non-competitive environments.

Organized physical activity will be offered and encouraged at school-sponsored or school-related events.

To the extent practicable, the Charter School facilities will be made available to students, faculty, staff and the community for the purpose of offering physical activity and/or nutrition programs.

Physical activity will not be used or withheld as punishment.

### **Delegation of Responsibility**

The Chief Executive Officer ("CEO") shall be responsible to monitor the school, programs and curriculum to ensure compliance with this policy, related policies and established guidelines or administrative regulations.

Staff members responsible for programs related to student wellness shall report to the CEO or his/her designee regarding the status of such programs.

The CEO shall annually report to the Board on the school's compliance with law and policies related to student wellness. The report may include:

- Assessment of school environment regarding student wellness issues.
- Evaluation of food services program.
- Review of all foods and beverages sold in schools for compliance with established nutrition guidelines.
- Listing of activities and programs conducted to promote nutrition and physical activity.
- Recommendations for policy and/or program revisions.

- Suggestions for improvement in specific areas.
- Feedback received from charter school staff, students, parents/guardians, community members and the Wellness Committee.

The CEO and the appointed Wellness Committee shall periodically conduct an assessment on the contents and implementation of this policy as part of a continuous improvement process to strengthen the policy and ensure implementation. The assessment shall include the extent to which the charter school is in compliance with law and policies related to student wellness, and shall describe the progress made by the charter school in attaining the goals of this policy. The assessment shall be made available to the public.

The school shall inform and update the public, including parents/guardians, students, and others in the community, about the contents and implementation of this policy.

### **Wellness Committee**

The CEO shall appoint a Wellness Committee comprised of at least one (1) of each of the following: School Board member, charter school administrator, charter school food service representative, student, parent/guardian, and member of the public. Other members of the Wellness Committee may include:

- Teacher
- School nurse
- School counselor
- Coach
- Support staff
- Dietician
- Health professional
- Representative of local or county agency
- Representative of community organization
- Food vendor
- Other individuals chosen by the Board.

The school shall be required to permit physical education teachers and school health professionals to participate on the Wellness Committee.

The Wellness Committee shall serve as an advisory committee regarding student health issues and shall be responsible for developing, implementing and periodically reviewing and updating a Student Wellness Policy that complies with law to recommend to the Board for adoption.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this 9 day of June 2016

Royce An Boyd  
President

\_\_\_\_\_  
Secretary

**Central Pennsylvania Digital Learning Foundation Charter School**  
**[www.cpdf.org](http://www.cpdf.org)**

**Board of Trustees Policy**

**TERRORISTIC THREATS POLICY – S33**

The Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) Board of Trustees (“Board”) recognizes the danger that terroristic threats and acts by students presents to the safety and welfare of Charter School students, staff, and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat or act.

**Definitions**

**Communicate** – shall mean to convey in person or by written or electronic means, including telephone, electronic mail, internet, facsimile, telex, and similar transmissions.

**Terroristic Threat** - shall mean a threat to commit violence communicated either directly or indirectly with the intent to terrorize another, to cause evacuation of a building, or to cause serious public inconvenience.

**Terroristic Act** - shall mean an offense against property or involving danger or harm to another person.

**Terroristic Threat Inquiry** – a thorough review of a threat situation as of type and level of threat by a team of appropriate school professionals.

**Authority**

The Board prohibits Charter School students from making terroristic threats or committing terroristic acts directed at any student, employee, Board member, community member or property owned, leased, or being used by the Charter School.

In the case of a student with a disability, including a student for whom an evaluation is pending, the Charter School shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the Memorandum of Understanding with local law enforcement and Board policies.



### **Delegation of Responsibility**

The Board directs the Chief Executive Officer (“CEO”) to react promptly and appropriately to information and knowledge concerning a possible or actual terroristic threat or act that includes immediately calling 911 and following the Charter School’s Emergency Operating Plan after receiving a report of such a threat.

Such action shall be in compliance with state law and regulation and with procedures set forth in the Memorandum of Understanding with local law enforcement and the Charter School’s Emergency Operating Plan. The CEO shall annually by July 31st, report all incidents of terroristic threats to the Office of State Schools in accordance with the PA Safe Schools Act.

The CEO shall be responsible for developing regulations to implement this policy.

### **Guidelines**

Staff members and students shall be made aware of their responsibility for informing the CEO or other Administrator regarding any information or knowledge relevant to a possible or actual terroristic threat.


The Administrator shall immediately inform the CEO after receiving a report of such a threat who shall then report to the Board President.

The CEO or his/her designee may report incidents involving terroristic threats on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the Charter School’s property, in accordance with state law and regulations, the procedures set forth in the Memorandum of Understanding with local law enforcement and Board policies.

The CEO or his/her designee shall notify the parent/guardian of any student directly involved in an incident involving a terroristic threat as a victim or suspect immediately, as soon as practicable. The CEO or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the Charter School property has been or may be notified of the incident. The CEO or designee shall document attempts made to reach the parent/guardian.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this   9   day of   May  , 2019

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

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**[www.cpdf.org](http://www.cpdf.org)**

**Board of Trustees Policy – S34**

**TRANSFER OF RECORDS POLICY**

When a child transfers from the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) to another public agency, private school, approved private school, or a private agency, the Charter School shall forward a certified copy of the student’s health, disciplinary and educational records, including the most recent IEP, within ten (10) school days after the Charter School is notified in writing that the student is enrolled at the other public agency, private school, approved private school or private agency.


The Administration shall designate a contact person for record transfer requests.

When a new student enrolls at the Charter School, the Administration shall immediately and in writing request the student’s complete records, including but not limited to the student’s health record, disciplinary records and educational records, from the appropriate individuals and ensure that the educational records for a child are received. If the records are not received within two weeks of the written request, another written request must be directed to the appropriate records custodian and sent via certified mail (Return Receipt Requested) and first class mail. The Charter School’s legal counsel shall be contacted by Administration in the event that the records are not received within two weeks of the second written request so that appropriate action may be taken to secure the student’s records.

The Administration shall maintain educational records for children with disabilities consistent with the regulations for the Family Educational Rights and Privacy Act of 1974.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.**

ADOPTED this day \_\_\_\_\_ of \_\_\_\_\_, 2016

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

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**Board of Trustees Policy**

**TRUANCY POLICY - S35**

The Central PA Digital Learning Foundation (the "Charter School") believes that good attendance is essential if students are to achieve and reach their potential. Each day is important for learning. Parents are required to ensure their son/daughter maintains good attendance.

**Truancy - Overview**

A child is "truant" if he/she has three (3) or more school days of unexcused absence during the current school year. An unexcused absence is any absence from school without an acceptable excuse (as articulated in the Charter School's Student/Parent Handbook), or without any reason at all. This also includes any student who leaves class without the permission of the teacher. An out of school suspension shall be considered an excused absence.

A child is "habitually truant" if he/she has six (6) or more school days of unexcused absences during the current school year.

A child is not considered truant if he/she is absent from school due to not meeting the immunization, exemption or provisional admission requirements of the Department of Health, at 28 Pa. Code Chapter 23, Subchapter C (relating to immunization), or the student has not received from the Chief Executive Officer ("CEO") or his/her designee a medical or religious exemption from immunization under 28 Pa. Code § 23.84 (relating to exemption from immunization). 22 Pa. Code. Chapter 11.20.

When a child demonstrates truant behavior, the Charter School will schedule a school/family conference to discuss the cause of the child's truancy and develop a mutually agreed upon Attendance Improvement Plan to resolve truant behavior. The plan can include a myriad of options for the elimination of truancy that are mutually agreed upon by the participants.

For the first and second unexcused absences, the Charter School will send the parent/guardian a notice of the unexcused absence as well as attach a copy of the legal penalties for violation of compulsory attendance requirements. In addition to stating the legal consequences, the name and telephone number of a school contact person will be included.

For the third unexcused absence, the Charter School will send the parent/guardian notice by certified mail within 10 school days of the child's third unexcused absence that the child has been truant. This notice shall 1) include a description of the consequences that will follow if the child becomes habitually truant in the future; 2) will be in the mode and language of communication preferred by the person in parental relation; and 3) include the offer of an Attendance Improvement Conference.

Procedure when child is habitually truant:

- Habitually truant children under fifteen (15) years of age: The Charter School will refer the child to either: 1) a school-based or community-based attendance improvement program; or 2) the county children and youth agency (CYS) for services or possible disposition as a dependent child under the Juvenile Act. Additionally, the Charter School may file a citation against the parent/guardian of a habitually truant child under fifteen (15) years of age in a magisterial district court. The venue for filing the citation shall be in the magisterial district court based on the location of the child's residence.
- Habitually truant children fifteen (15) years of age and older: The Charter School will either: 1) refer the child to a school-based or community-based attendance improvement program; or 2) file a citation against the student or parent/guardian in the appropriate magisterial district court. The venue for filing the citation shall be in the magisterial district court based on the location of the child's residence. If a habitually truant child aged fifteen (15) or older incurs additional absences after a school refers that child to an attendance improvement program or the child refuses to participate in an attendance improvement program, the Charter School may refer the child to the local CYS agency for possible disposition as a dependent child.

In all cases, regardless of age, where the Charter School refers a habitually truant child to a magisterial district court or CYS, the Charter School will provide verification that it convened and held an Attendance Improvement Conference.

**Students that are absent from school for ten (10) or more consecutive days without appropriate documentation will be removed from the Charter School's rolls.**

The Charter School will report unexcused absences directly to PDE through the Pennsylvania Information Management System (PIMS).

Children who are habitually truant from school while subject to compulsory school attendance are subject to an assessment to determine if there is a need for general protective services. Children will not be referred to the county children and youth agency for assessment as possibly needing services until after the Charter School has made a formal effort to involve the family and child in resolving the cause of the truant behavior.

### **School Attendance Improvement Conference and the Attendance Improvement Plan**

The Attendance Improvement Plan is developed cooperatively with involved stakeholders through an Attendance Improvement Conference, which is required upon the Charter School's notice to the child's parent/guardian following the child's third unexcused absence. The Charter School will invite the following individuals to the conference:

- The child;
- The person in parental relation to the child;
- Other individuals identified by the person in parental relation who may be a resource (e.g. a grandparent, sibling, family friend, advocate, community member, etc.);
- Appropriate school personnel;
- Appropriate service providers, if applicable (e.g. case managers, behavioral health providers, probation officers, children and youth practitioners, etc.).

The Charter School is permitted to proceed with the Attendance Improvement Conference and Attendance Improvement Plan without the child's parent present at the Conference.

Teachers are the first line of defense for compulsory attendance, as they are the first to recognize students with possible attendance issues. Therefore, the Board of Trustees directs the CEO or designee to work with the Charter School's teachers to implement a plan of action that includes but not limited to:

- Sharing and reviewing the Charter School's policy on attendance and student responsibilities with students and families;
- Contacting a child's parent/guardian upon the child's absence from school;
- Meeting individually with students to discuss reason(s) for absence;
- Following up with the CEO (or assigned attendance officer);
- Making referrals to guidance counselors; and
- Collaborating with Student Assistance Teams as appropriate.

The Attendance Improvement Conference engages all participants involved in the child's life to explore possible solutions to increase the child's attendance. Maintaining open communication between the child and adults will facilitate positive outcomes.

The purpose of the Attendance Improvement Conference is to discuss the cause(s) of the truancy and to develop a mutually agreed upon plan to assure regular attendance. Issues to be addressed at the Attendance Improvement Conference will include but not be limited to:

- Appropriateness of the child's educational environment;
- Possible elements of the school environment that inhibit student success;
- Child's current academic level and needs;
- Social, emotional, physical, mental and behavioral health issues;
- Issues concerning family and home environment and;
- Any other issues affecting the child's attendance.

The participants in the Attendance Improvement Conference should work collaboratively to conduct a holistic assessment to determine the reason(s) the child is exhibiting truant behavior. Every member should have a vested interest in and responsibility for determining an appropriate plan to assist the child to succeed both socially and academically. This Attendance Improvement Conference also provides an opportunity to ensure that both the child and the family clearly understand the legal ramifications of not adhering to the state's compulsory attendance requirements.

The Charter School will not impose discipline for truant behavior that excludes the child from the classroom, including in-school suspension, out-of-school suspension or expulsion.

The primary goal of the Attendance Improvement Conference is the development of a comprehensive Attendance Improvement Plan which is understood by, agreed upon and supported by the child, the parent/guardian, the Charter School representatives and all other conference participants. The Attendance Improvement Plan should include but not be limited to the following components as appropriate:

- Identification and provision of appropriate academic supports by the Charter School and/or community organization(s);
- Identification and provision of appropriate social, emotional, physical, mental and behavioral health supports from the Charter School and/or community organization(s);
- Identification of the school environment issues that affect the child's success and solutions to address these issues;
- Explanation of the child's strengths and responsibilities related to the Attendance Improvement Plan;
- Explanation of the family's strengths and responsibilities related to the Attendance Improvement Plan;
- Clarification of method(s) used for monitoring the effectiveness of the Attendance Improvement Plan;
- Explanation of the consequences for each stakeholder if the Attendance Improvement Plan is not fully implemented;
- Discussion of the benefits for successfully implementing the Attendance Improvement Plan; and
- Following up and reporting the outcome of the Attendance Improvement Plan.

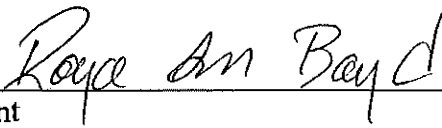
The Attendance Improvement Plan substantiates efforts made by the Charter School, the family and other vested third parties to assist the child in addressing and resolving school attendance issues. This comprehensive system of supports and services provides documentation of the good faith effort between the Charter School and the child's family should future action be required.

The CEO or designee is directed to develop procedures that may be necessary to implement this policy.



**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE CHARTER SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

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**Central Pennsylvania Digital Learning Foundation Charter School**  
**www.cpdlf.org**

**Board of Trustees Policy – S36**

**VIDEO SURVEILLANCE POLICY**

The Board of Trustees of the Central Pennsylvania Digital Learning Foundation Charter School (“Charter School”) ensures that all students have the right to a safe school environment and therefore, endorse this policy with regard to video surveillance within the Charter School’s classrooms, hallways, lunchrooms, assembly halls or other public areas of a Charter School building in which Students do not have an expectation of privacy. There will not be any audio recording of students or others in a Charter School building as part of the video surveillance approved through this policy.

In order to prevent any foreseeable FERPA violations, this Policy sets forth:

- a clear statement of appropriate reasons for using surveillance cameras;
- the role and responsibilities of individuals with access to the cameras;
- individuals who will have access to any footage;
- how long will any footage be kept and how will it be destroyed; and
- the need for a consent provision to be signed by Parents/Guardians.

Such surveillance is permitted primarily for the purpose of monitoring and improving student safety. This video footage may also be used as part of a Student or Students’ educational programming if Student is IDEA eligible and as a result has behavioral needs, or has behavioral accommodations in his/her Section 504 Service Plan. This footage may provide valuable information as to behavioral triggers, both individually and environmentally, that are critical to the successful completion of Functional Behavioral Assessments, Positive Behavior Support Plans, and informal behavioral interventions. In both cases, images from the video surveillance cameras are subject to the Family Education Rights and Privacy Act, (“FERPA”), if being maintained as educational records for use in educational programming and/or disciplinary actions.

The Chief Executive Officer (“CEO”), Technology Director, and other designated Administrators, as necessary in a situation, will have access to the camera footage in

order to determine if same will be maintained as an educational record based on the content of the video footage. A Charter School employee, contractor, volunteer, Parent or Student should notify either the CEO, Technology Director or other designated Administrator if there is a belief that some or all of the video footage from one or more dates requires review with regard to a behavioral or disciplinary incident or involves educational programming for one or more students.

In addition to the Charter School personnel listed above, and in accordance with FERPA, these videotaped educational records may only be shared with the Parents/Guardians of the students whose images are on the video and with outside law enforcement authorities, as appropriate. Images of students captured on security videotapes that are maintained by a School's law enforcement unit may not be initially considered education records under FERPA but may be seen as FERPA protected if later used by School Administration in a disciplinary proceeding. In order to view footage containing students' images other than of a Parent/Guardian's own child, permission must be requested by the Charter School and granted by the other students' Parents/Guardians before the Charter School may permit a Parents/Guardians' review of another student on the video footage for purposes of FERPA confidentiality.

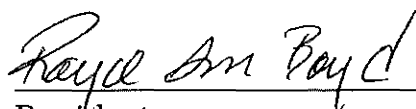
Video footage will be maintained only for a short period of time unless Administration is notified that there is a request for review by a Parent or Student based on a safety, behavioral or programming concern. If it is determined by Administration, after such a review, that any/all of the footage is to be maintained as an educational record, it will be maintained in accordance with the Charter School's Board approved Record Retention and Destruction Policy.

Notice to the Charter School community of the use of surveillance cameras in areas of a Charter School building in which Students do not have an expectation of privacy will be placed in the Parent/Student Handbooks, which is distributed to all Charter School families annually. Such notice will also be posted on the School's website and by posting actual signs in a Charter School building that surveillance cameras are located throughout public areas of a Charter School building and therefore, that anyone on Charter School property may be videotaped. The notices shall contain language that no audio taping will occur with the videotaping. A contact person from the Charter School staff will be included in the Handbook for parents and students to make any inquiries regarding this policy and any related Charter School procedures.

With regard to any Open Records obligations of the Charter School, typically, FERPA-protected education records are excepted from the disclosure requirements of open-records laws. So if the recording is maintained by Charter School officials as an education record because, for instance, it contains images of a student in an altercation, the Charter School's obligations under FERPA to protect the confidentiality of the recording will, in most cases, override its open-records obligations.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

ADOPTED this day \_\_\_\_\_ of \_\_\_\_\_, 2016



\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

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**Central Pennsylvania Digital Learning Foundation Charter School  
580 Foot of Ten Road  
Duncansville, PA 16635**

**Board of Trustees Policy - S37**

**Title I Parent Involvement Policy**

**PART I. General Expectations**

Central PA Digital Learning Foundation agrees to implement the following statutory requirements:

- The school will put into operation programs, activities, and procedures for the involvement of parents in all of its schools with Title I, Part A programs, consistent with section 1118 of the Elementary and Secondary Education Act (ESEA). Those programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children.
- In carrying out the Title I, Part A parental involvement requirements, to the extent practicable, the school will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under section 1111 of the ESEA in an understandable and uniform format and, including alternative formats upon request, and, to the extent practicable, in a language parents understand.
- The school will involve the parents of children served in Title I, Part A in decisions about how the 1 percent of Title I, Part A funds reserved for parental involvement is spent.
- The school will be governed by the following statutory definition of parental involvement and will carry out programs, activities and procedures in accordance with this definition:

*Parental involvement means the participation of parents in regular, two way, and meaningful communication involving student academic learning and other school activities, including ensuring -*

- a) that parents play an integral role in assisting their child's learning;
- b) that parents are encouraged to be actively involved in their child's education;
- c) that parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;
- d) the carrying out of other activities, such as those described in section 1118 of the ESEA.

**PART II. Description of how school will implement required parental involvement policy components**

1. Central PA Digital Learning Foundation will take the following actions to involve parents in development of its school wide parental involvement plan under section 1112 of the ESEA:
  - Solicit feedback from parents during meetings of the parent advisory committee and report back to the parents the outcome of the feedback on school decisions.
  - Post draft of policy in the Main office and/or on the school's website and Parent Hub on Canvas with procedures for submitting feedback and/or revisions. Draft policy will be posted for at least one week before it is brought in front of the Board of Trustees for approval.
2. Central PA Digital Learning Foundation will take the following actions to involve parents in the process of school review and improvement under section 1116 of the ESEA:
  - Solicit feedback from parents during regular meetings of the parent advisory committee.
  - Solicit feedback from parents on an ongoing basis via the school's Learning Management System, The Parent HUB on Canvas.
  - Provide parent training on a quarterly basis on topics related to school improvement.
  - Inform parents of their right to be involved in our Title I, Part A programs and request regular meetings via a posting in the Parent HUB on Canvas.
  - Provide parents with the contact number for the school's Federal Programs Coordinator via a posting in the Parent HUB on Canvas.
3. Central PA Digital Learning Foundation will coordinate and integrate parental involvement strategies in Part A with parental involvement strategies under the following other programs: [EETT, IDEA, etc], by:
  - Including the Federal Programs Coordinator on the advisory boards of the programs above.
  - Including parents of the advisory boards of the programs above,
  - Coordinating all parent involvement activities with the parent advisory committee.
4. Central PA Digital Learning Foundation will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this parent involvement policy in improving the quality of it's Title I, Part A school. The evaluation will include barriers to greater participation by parents in parental involvement activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency/language barriers, have limited literacy, or are of any racial or ethnic minority background). The school will use the findings of the evaluation about its

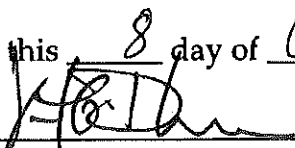
parental involvement policy and activities to design strategies for more effective parental involvement and to revise, if necessary (and with the involvement of parents) its parental involvement policies. The evaluation will likely include an annual survey and/or roundtable discussion (i.e. focus group) to be held at a meeting of the parent advisory committee.


### **PART III. Discretionary Parental Involvement Policy Components**

- In addition to the parent involvement activities listed above, Central PA Digital Learning Foundation will promote parent involvement by:
- Employing a Parent Ombudsman to facilitate parent involvement activities
- Paying reasonable and necessary expense associated with parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;
- Training parents to enhance the involvement of other parents, including participating in the annual parent Title I conference and reporting back to other parents;
- Maximizing parental involvement and participation in their children's education by arranging school meetings at a variety of times, or conducting virtual meetings between teachers (or other educators who work directly with participating students) with parents who are unable to attend those meetings at school;
- Adopting and implementing model approaches to improving parental involvement;
- Using the parental advisory committee to provide advice on matters related to parental involvement in Title I, Part A programs;
- Developing appropriate roles for community-based organizations and businesses, including faith-based organizations, in parental involvement activities; and
- Providing other reasonable support for parental involvement activities under section 1118 as parents may request.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER AND/OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this 8 day of June, 2017

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

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**Central PA Digital Learning Foundation**  
**www.cpdf.org**

**Board of Trustees Policy**

**PARENT AND FAMILY MEMBERS ENGAGEMENT POLICY  
FOR TITLE I REQUIREMENTS - S38**

The Central PA Digital Learning Foundation ("Charter School") will develop, jointly with teachers, principals, program administrators, and parents and family members of participating children, a Title I Parent and Family Members Engagement Policy. This policy shall be incorporated into any Charter School consolidated application for selected programs funded under the Every Student Succeeds Act (ESSA).

The ESSA serves as the latest reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA) which was last reauthorized in 2002 as the No Child Left Behind Act (NCLB). Since its inception, the intent of the law has been to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps. Parent and family engagement and consultation have always been a key piece of the law, focused on the low-income parents of "Title I-participating" children.

Title I is a 100% federally funded supplemental education program that provides financial assistance to local educational agencies ("LEAs") to improve educational opportunities for educationally deprived children. Title I programs are designed to help children meet the state content and performance standards in reading, language arts, and mathematics. For LEAs with 40% or more of their students designated as coming from poverty, the Title I funds may be used to upgrade the entire curriculum of the Charter School as Schoolwide Programs. For LEAs with less than 40% poverty rates, programs are designed to help specific children and are targeted assisted programs. LEAs and district schools are subject to consequences of school choice and supplemental education services if they do not meet adequate yearly progress as determined by the State Educational Agency.

In order to receive Title I funds, LEAs must conduct outreach to parents and family members and must implement programs, activities and procedures for the involvement of parents and families in Title I-funded activities. Each LEA must jointly develop with and distribute to families, in a language they can understand, a written Parent and Family Engagement Policy. This policy must be periodically updated to reflect the needs of families and be incorporated into the LEA's school improvement plan.

The Charter School, as an LEA, welcomes the participation of parents and family members in support of student learning and recognizes that parental and familial engagement increases the opportunities for student success. It is the policy of the Charter School to foster and maintain ongoing communications with parents and family members concerning their opportunities for involvement, their child's eligibility for special programs, their child's educational progress, the professional qualifications of their child's teachers, and the status of their child's school. The Charter School strives to provide such information in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language that parents can understand. To the extent practicable, the Charter School shall also provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and Charter School reports required under Section 1116 in a format and, to the extent practicable, in a language such parents understand. Communications with parents shall, at all times, respect the privacy of students and their families.

#### **RATIONALE UNDERLYING PLAN AND SPECIFIED PLAN PROVISIONS (20 U.S.C. §6312(b)(1-13))**

To ensure that all children receive a high-quality education, and to close the achievement gap between children meeting the challenging State academic standards and those children who are not meeting such standards, each LEA, such as Charter School, shall develop a plan to describe:

- (1) how the Charter School will monitor students' progress in meeting the challenging State academic standards by —
  - (A) developing and implementing a well-rounded program of instruction to meet the academic needs of all students;
  - (B) identifying students who may be at risk for academic failure;
  - (C) providing additional educational assistance to individual students the Charter School determines need help in meeting the challenging State academic standards; and
  - (D) identifying and implementing instructional and other strategies intended to strengthen academic programs and improve Charter School conditions for student learning;
  
- (2) how the Charter School will identify and address any disparities that result in low-income students and minority students who may be taught at higher rates than other students by ineffective, inexperienced, or out-of-field teachers;

(3) how the Charter School will carry out its responsibilities if identified by the State for comprehensive support and improvement by meeting in partnership with stakeholders (including principals and other Charter School leaders, teachers, and parents), to locally develop and implement a comprehensive support and improvement plan for the Charter School to improve student outcomes.

(4) the services the local educational agency will provide homeless children and youths, including services to support the enrollment, attendance, and success of homeless children and youths, in coordination with the services the local educational agency is providing under the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11301 et seq.);

(5) the strategy the local educational agency will use to implement effective parent and family engagement as set forth in this Policy pursuant to 20 U.S.C. §6318;

(6) how teachers and Charter School leaders, in consultation with parents, administrators, paraprofessionals, and specialized instructional support personnel, in schools operating a targeted assistance school program will identify the eligible children most in need of services under this part;

(7) how the Charter School will implement strategies to facilitate effective transitions for students from middle grades to high school and from high school to postsecondary education including, if applicable –

(A) through coordination with institutions of higher education, employers, and other local partners; and

(B) through increased student access to early college or career counseling to identify student interests and skills;

(8) how the Charter School will support efforts to reduce the overuse of discipline practices that remove students from the classroom;

(9) any other information on how the Charter School proposes to use funds to meet the purposes of this part, and which may include how to develop effective Charter School library programs to provide students an opportunity to develop digital literacy skills and improve academic achievement.

## **WRITTEN POLICY:**

A. Each LEA that receives funds under this part shall develop jointly with, agree on with, and distribute to, parents and family members of participating children, a written parent and family engagement policy. The policy shall be incorporated into the local educational agency's plan developed under 20 U.S.C. § 6312, establish the agency's expectations and objectives for meaningful parent and family involvement, and describe how the Charter School will:

1) Involve parents and family members in the joint development of the Title I Plan (20 U.S.C. §6318(a)(2)(A)).

2) Involve parents and family members in the process of Charter School review and improvement (20 U.S.C. §6318(a)(2)(A)).

3) Provide technical assistance and support in planning and implementing effective parent and family engagement activities to improve student academic achievement and Charter School performance (20 U.S.C. §6318(a)(2)(B)).

4) Coordinate and integrate parent and family engagement strategies with other Federal, State, and local laws and programs (20 U.S.C. §6318(a)(2)(C)).

5) Conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and the effectiveness of the parent and family engagement policy in improving the academic quality of the Charter School, including identifying:

- barriers to greater participation by parents and family members, with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background;

- the needs of parents and family members to assist with the learning of their children, including engaging with Charter School personnel and teachers; and

- strategies to support successful Charter School and family interactions (20 U.S.C. §6318(a)(2)(D)).

6) Use the findings of the annual evaluation to design evidence based strategies for more effective parent and family involvement, and revise, if necessary, the Parent and Family Engagement Policy (20 U.S.C. §6318(a)(2)(E)).

7) Involve parents and family members in the activities of the Charter School, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents or family members to adequately represent the needs to the population; revising; and reviewing the Parent and Family Engagement Policy (20 U.S.C. §6318(a)(2)(F)).

The Charter School will be governed by the following statutory definition of parental involvement/engagement, and will carry out programs, activities and procedures in accordance with this definition found under 20 USCS § 7801(32):

Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other Charter School activities, including ensuring –

- (A) that parents play an integral role in assisting their child’s learning;
- (B) that parents are encouraged to be actively involved in their child’s education at the Charter School;
- (C) that parents are full partners in their child’s education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;
- (D) the carrying out of other activities, such as those described in 20 U.S.C. §6318.

**B. Reservation of Funding**

**In general**

The Charter School shall reserve at least one (1) percent of its allocation to carry out the activities described in this section, except that this subparagraph shall not apply if one (1) percent of such agency's allocation for the fiscal year for which the determination is made is \$5,000 or less. This shall not be construed to limit the LEA from reserving more than 1 percent of its allocation to carry out activities described in this section. (20 U.S.C. §6318(a)(3)(A)).

**Parent and family member input**

Parents and family members of children receiving services under this part shall be involved in the decisions regarding how funds reserved are allotted for parental involvement activities. (20 U.S.C. §6318(a)(3)(B)).

**Use of funds**

Funds reserved shall be used to carry out activities and strategies consistent with the Charter School's parent and family engagement policy, including not less than one (1) of the following:

- Providing professional development for LEA personnel regarding parent and family engagement strategies, which may be provided jointly to teachers, principals, other Charter School leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members.
- Supporting programs that reach parents and family members at home, in the community, and at the Charter School.
- Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members.
- Collaborating with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement.
- Engaging in any other activities and strategies that the Charter School determines are appropriate and consistent with the Charter School's parent and family engagement policy. (20 U.S.C. §6318(a)(3)(D))

**Parental comments**

- If the Plan is not satisfactory to the parents of participating children, the Charter School shall submit any parent comments with such plan when the Plan is submitted to the State.

**C. Policy involvement**

The Charter School shall:

(1) convene an annual meeting, at a convenient time, to which all parents of participating children shall be invited and encouraged to attend, to inform parents of the LEA's participation under this part and to explain the requirements of this part, and the right of the parents to be involved (20 U.S.C. §6318(c)(1));

(2) offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with funds provided under this part, transportation, child care, or home visits, as such services relate to parental involvement (20 U.S.C. §6318(c)(2));

(3) involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs under this part, including the planning, review, and improvement of the LEA parent and family engagement policy (20 U.S.C. §6318(c)(3));

(4) provide parents of participating children--

(A) timely information about programs under this part;

(B) a description and explanation of the curriculum in use at the Charter School, the forms of academic assessment used to measure student progress, and the achievement levels of the challenging State academic standards; and

(C) if requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible (20 U.S.C. §6318(c)(4)); and

(5) if the Plan is not satisfactory to the parents of participating children, submit any parent comments on the Plan when the Charter School makes the Plan available (20 U.S.C. §6318(c)(5)).

**D. Shared responsibilities for high student academic achievement**

As a component of the parent and family engagement policy, a Charter School-parent compact shall be jointly developed that outlines how parents, the entire Charter School staff, and students will share the responsibility for improved student academic achievement and the means by which the Charter School and parents will build and develop a partnership to help children achieve the State's high standards. Such compact shall--

(1) describe the Charter School's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the children served under this part to meet the challenging State academic standards, and the ways in which each parent will be responsible for supporting their children's learning; volunteering in their child's classroom; and participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time (20 U.S.C. §6318(d)(1)); and

(2) address the importance of communication between teachers and parents on an ongoing basis through, at a minimum--

(A) parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as the compact relates to the individual child's achievement;

(B) frequent reports to parents on their children's progress;

(C) reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities; and

(D) ensuring regular two-way, meaningful communication between family members and Charter School staff, and, to the extent practicable, in a language that family members can understand (20 U.S.C. §6318(d)(2)).

**E. Building capacity for involvement**

To ensure effective involvement of parents and to support a partnership among the Charter School, parents, and the community to improve student academic achievement, the Charter School:

(1) shall provide assistance to parents of children served by the Charter School, as appropriate, in understanding such topics as the challenging State academic standards, State and local academic assessments, the requirements of this part, and how to monitor a child's progress and work with educators to improve the achievement of their children (20 U.S.C. §6318(e)(1));

(2) shall provide materials and training to help parents to work with their children to improve their children's achievement, such as: literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to foster parental involvement (20 U.S.C. §6318(e)(2));

(3) shall educate teachers, specialized instructional support personnel, principals, and other Charter School leaders, and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and the Charter School (20 U.S.C. §6318(e)(3));

(4) shall, to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with other Federal, State, and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children (20 U.S.C. §6318(e)(4));

(5) shall ensure that information related to Charter School parent programs, meetings, and other activities is sent to the parents of participating children in a format and, to the extent practicable, in a language the parents can understand (20 U.S.C. §6318(e)(5));

(6) may involve parents in the development of training for teachers, principals, and other educators to improve the effectiveness of such training (20 U.S.C. §6318(e)(6));

(7) may provide necessary literacy training from funds received under this part if the Charter School has exhausted all other reasonably available sources of funding for such training (20 U.S.C. §6318(e)(7));

(8) may pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs, to enable



parents to participate in Charter School-related meetings and training sessions (20 U.S.C. §6318(e)(8));

(9) may train parents to enhance the involvement of other parents (20 U.S.C. §6318(e)(9));

(10) may arrange Charter School meetings at a variety of times, or conduct in-home conferences between teachers or other educators, who work directly with participating children, with parents who are unable to attend such conferences at the Charter School, in order to maximize parental involvement and participation (20 U.S.C. §6318(e)(10));

(11) may adopt and implement model approaches to improving parental involvement (20 U.S.C. §6318(e)(11));

(12) may establish a parent advisory council to provide advice on all matters related to parental involvement in programs supported under this section (20 U.S.C. §6318(e)(12));

(13) may develop appropriate roles for community-based organizations and businesses in parent involvement activities (20 U.S.C. §6318(e)(13)); and

(14) shall provide such other reasonable support for parental involvement activities under this section as parents may request (20 U.S.C. §6318(e)(14)).

**E. Accessibility**

In carrying out the parent and family engagement requirements of this part, the Charter School, to the extent practicable, shall provide opportunities for the informed participation of parents and family members (including parents and family members who have limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children), including providing student information in a format and, to the extent practicable, in a language such parents understand (20 U.S.C. §6318(f)).

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENTS.**

ADOPTED this   11   day of   January  , 2018

  
\_\_\_\_\_  
President

\_\_\_\_\_

Secretary

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**STUDENT RECORDS POLICY - S39**

The Board of Trustees ("Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") recognizes the need to protect the privacy rights of students and their parents. Charter School will adhere to the provisions of state and federal law pertaining to those privacy rights, including but not limited to the Family Educational Rights and Privacy Act of 1974 ("FERPA"), as amended, and its accompanying regulations; the Individuals with Disabilities Education Act ("IDEA"), as amended, and its implementing regulations; the Pennsylvania Public School Code of 1949, and Chapter 12 of the Pennsylvania Administrative Code containing the regulations of the Pennsylvania State Board of Education. The Chief Executive Officer ("CEO") of the Charter School is designated as the Administrator responsible for the maintenance, access and release of student records and the maintenance, access and release of academic records.

The CEO shall be responsible for the implementation of this policy.

**I. DEFINITION OF TERMS** (20 U.S.C. §1232g unless otherwise noted)

A. The term "**applicable law**" shall mean all statutes and regulations applicable to the student records that are in effect when any action is taken or is to be taken and shall include, but not necessarily be limited to, the Family Education Rights and Privacy Act, the Code of Federal Regulations, Title 34 Part 99, the United States Code § 1232 and the regulations of the Pennsylvania State Board of Education at 22 Pa. Code §§ 12.31 *et seq.*

B. The term "**attendance**" means in person or by paper correspondence, videoconference, satellite, Internet or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and the period during which a person is working under a work-study program.

C. The term "**biometric record**" as used in the definition of "personally identifiable information" means a record of one or more measurable biological or behavioral characteristics that can be used for automated

recognition of an individual. Examples include fingerprints; retina and iris patterns; voiceprints;

DNA sequence; facial characteristics; and handwriting. (National Security Presidential Directive 59 and Homeland Security Presidential Directive 24).

D. The term "**dates of attendance**" means the period of time during which a student attends or attended an educational agency or institution. Examples include an academic year, a spring semester or first quarter. The term does not include specific daily records of a student's attendance at the Charter School.

E. The term "**destruction**" or "**destroy**" means the physical destruction, obliteration or permanent removal of all or any portion of the information in a student record. Permanent removal of a record from the custody, care and control of the Charter School shall constitute destruction of that record even if the information contained therein is maintained by another agency or entity.

F. The term "**directory information**" means any of the following personally identifiable information when, in the judgment of the responsible administrator, the release of such information would not be harmful to or constitute an invasion of privacy for the student or his or her family. This information includes: the student's name, address, telephone number, date and place of birth, dates of attendance or participation in Charter School's' program, electronic mail address, photograph, major field of study, grade level, degrees, honors and awards received, date of graduation, and similar information. 20 U.S.C. § 1232g(a)(5)(A).

(1) Directory information does not include:

Student social security number; or Student identification (ID) number that does not require a password or PIN number to gain access to other student information. It is directory information if the student ID number, user ID, or other unique personal identifier is used by the student for purposes of accessing or communicating in electronic systems, but only if the personal identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user. 20 U.S.C. 1232g(a)(5)(A).

G. The term "**disclosure**" means permitting access to or the release, transfer or other communication of personally identifiable information contained in education records to any party, by any means, including oral, written, or electronic means to any party except the party identified as the party that provided or created the record. 20 U.S.C. 1232g(b)(1); 34 C.F.R. § 99.3.

H. The term "**educational agency or institution**" means any public or private agency or institution which is the recipient of funds under any federal program referenced in applicable law. The term refers to the agency or institution recipient as a whole, including all of its component parts. 20 U.S.C. § 1232g(a)(3).

I. The term "**education records**" means those records that are directly related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution. The record can be recorded in any form, including but not limited to, handwriting, print computer media, electronic files, electronic mail, video or audio tape, film, microfilm and microfiche or digital medium. The term does not include:

1. Records that are kept in the sole possession of the maker of the record, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record. These records include instructional, supervisory and administrative personnel and education personnel ancillary to those persons, including, but not limited to: instructional support teachers, counselors, therapists and clinicians, school psychologists and psychiatrists, nurses and instructional aides.
2. Records of the law enforcement unit of an educational agency or institution, subject to the provisions of 34 C.F.R. § 99.8;
3. Records relating to an individual who is employed by an educational agency or institution that:
  - a. Are made and maintained in the normal course of business;
  - b. Relate exclusively to the individual in that the individual's capacity as an employee; and

- c. Are not available for use for any other purpose.

However, records relating to an individual in attendance at the agency or institution who is employed because of his or her status as a student are education records and are not excluded under this provision.

4. Records on a student who is eighteen (18) years of age or older, or is attending an institution of postsecondary education that are:

- a. Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his/her professional capacity or assisting in a professional capacity;
- b. Made, maintained or used in connection with the treatment of the student; and
- c. Disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution.

5. Records that only contain information pertaining to time periods after the individual is no longer a student at the Charter School which are records about alumni of the Charter School, created after the individual is no longer in attendance and which are not related to that individual's attendance as a student. 20 U.S.C. § 1232g(a)(4).

6. Grades and other forms of peer assessments or ratings before they are collected and recorded by a teacher.

7. Other records specifically excluded from the definition of "education record" and FERPA and its implementing regulation.

J. The term "**eligible student**" means a student who has attained eighteen (18) years of age, or is attending an institution of postsecondary education. Whenever a student has attained eighteen (18) years of age or is attending

an institution of postsecondary education, the permission or consent shall be required of, and the right accorded to the student, except that the parent of an exceptional child or a disabled child as defined by state and federal law or a parent who claims the student as a dependent under Section 152 of the Internal Revenue Code of 1986 shall have the right of access to the student's records and information contained therein (as provided in Section IV.A.).

K. The term "**emancipated minor**" means a student below age 21 who has chosen to establish a domicile apart from continued control and support of parents/guardian. The term includes a minor living with a spouse.

L. The term "**maintain or maintained**" with regard to personally identifiable information on paper or stored on magnetic or video tape, means that it will be kept in a secure file or desk drawer or in the continuous and secure control of a school official with a legitimate educational interest in the content thereof. In the case of personally identifiable digital information that is electronically- stored, including electronic mail and/or instant messaging mail, the term shall mean kept in a secure database located on a server or servers, disk partition, or other electronic storage system specifically designated by the CEO or her designee as a "student records maintenance site." Charter School's electronic mail server or servers, or directory or directories, and the files on local disk drives dedicated to the storage of sent or received electronic mail and/or instant messaging mail, shall not for any purpose constitute a "student records maintenance site" and any mail stored thereon shall either be deleted or moved to a "student records maintenance site" at least once annually.

M. The term "**parent**" means a natural or lawfully adoptive parent or legal guardian of a student, or a surrogate parent appointed in accordance with 34 C.F.R. § 300.515 of the regulations implementing Part B of the Individuals with Disabilities Act, or a person acting as a parent who is supporting a student gratis and has signed an affidavit assuming educational responsibility for the student in accordance with Section 1302 of the Public School Code, 24 P.S. § 131302. The Charter School shall afford to any person who qualifies as a "parent" under this section all of the rights afforded to parents by this policy or by any state or federal law,

unless the responsible administrator receives and has reasonable opportunity to review a lawful custody order, divorce decree, separation agreement or similar document expressly terminating the right of that person to receive or have access to the student's records. 34 C.F.R. § 99.4. The Charter School does not assume responsibility for the discovery or location of such documentation.

N. The term "**Charter School**" means the Charter School and its officers, employees and agents, individually or collectively. The term does not include any other public or private school or other educational agency, or any officer, employee or agency thereof, at which Charter School students are enrolled or from which Charter School students receive services. 24 P.S. § 17-1715A.

O. The term "**personally identifiable information**" includes, but is not limited to:

- 1) Student's name;
- 2) Name of the student's parent(s) or other family members;
- 3) Address of the student or student's family;
- 4) A personal identifier, such as the student's social security number, student number or biometric record;
- 5) Other indirect identifiers, such as the student's date of birth, place of birth and mother's maiden name;
- 6) Other information, that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
- 7) Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates. 20 U.S.C. 1232(g).

P. The term "**record**" means any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, microfiche. 34 C.F.R. § 99.3.



Q. The term **"review panel"** shall mean a panel created by the Board of Trustees ("Board") and composed of qualified professional personnel to determine the validity of Category "C" data and to provide for parental challenges of such data on occasion where their transfer to Category "B" is held to be desirable. Panel members need not be limited to school employees. They may not have a direct interest in the outcome of the hearing.

R. The term **"school official with a legitimate educational interest"** means

1. Any person in one or more of the following positions:
  - a. the CEO and his or her specifically authorized designees;
  - b. the responsible administrator and his or her specifically authorized designees;
  - c. the administrator of any program to which the student is assigned and any other administrators employed by the Charter School who are responsible for the administration of programs in which the student is enrolled or participating;
  - d. instructional staff, counselors, psychologists, social workers, educational diagnosticians, psychiatrists, program specialist, therapists, physicians, and nurses who are employed or contracted by the Charter School and are involved in the provision of education or other services to the student;
  - e. attorneys or similar legal representatives of the Charter School, when the attorneys or legal representative is providing advice to the Charter School concerning the education or discipline of the student or where the records are relevant or thought to be relevant to the legal matter for which the attorney or legal representative is being consulted;
  - f. members of any Charter School student assistance program team to which the student is referred, including members who are not employed by the Charter School; and/or

g. special education due process hearing officers and administrative review officers designated by the Secretary of Education for the Commonwealth of Pennsylvania.

h. Board of Trustees of the Charter School when Board action concerning the student is required by law or when the education or treatment of the student is the subject of present or potential litigation or dispute.

2. A school official has a legitimate educational interest in personally identifiable information when access to that information is required for the effective, efficient or proper provision of education or other services to the student to whom the information pertains or with respect to required investigations, administrative or legal proceeding. The Charter School shall maintain for public inspection and for access under Section IV.A.4 of this policy a list of the names and positions of school officials who are entitled to disclosure under this paragraph. 20 U.S.C. § 1232g(b)(1)(A).

S. The term "**secure file**" includes student or subject-specific compilation of information stored on paper, audio or visual tape, microfiche, microfilm, computer storage disk or removable drive, or similar medium that can be maintained in a physically segregated form that is maintained in a locked file drawer, cabinet, or desk or, if unlocked, in the immediate custody and control of the custodian thereof, or a student or subject-specific compilation maintained on a computer storage system to which access is limited by security software that conforms to current computer industry standards.

T. The term "**student**" except as written otherwise in this policy, means any school-age person who is attending or has attended the Charter School and with respect to whom the Charter School maintains education records. 20U.S.C. § 1232g(a)(6).

## II. MANAGEMENT OF STUDENT RECORDS

A. **Collection and Maintenance of Information** – No information shall be collected from students and maintained by the Charter School without either prior "representational consent" of the Board or informed "individual consent" from the parent and/or students.

**1. Representational Consent** Representational consent is hereby granted to the appropriately elected school representatives, in this case the Charter School Board of Trustees, and may satisfy the principle of consent for gathering of information which does not require individual consent by the parent or eligible student under state and federal law. 22Pa. Code § 12.33.

In situations in which representational consent is sufficient, students and their parents shall be informed in advance, by school officials, on an annual basis, of the purposes and character of the information collection and shall be given reasonable opportunity by the Board to contest the necessity or desirability of the collection process or the proposed use of the information. The Board shall have the authority to grant consent for the collection of types of information listed in Section II.B., subparagraphs 1-5 and 9, as noted in bold type below.

**2. Individual Consent** If individual consent by the parent of eligible student is required by state and federal law, prior to gathering such information, such consent shall be obtained in writing. 22 Pa. Code §12.33.

Prior to the requesting of individual consent, parents shall be fully informed, in writing, as to the methods by which the information will be collected; the uses to which it will be put; the methods by which it will be retained; and the persons to whom it will be retained; the persons to whom it will be available, and under what conditions and if the above explanations are impossible or undesirable, the reasons shall be presented. Individual consent from parents and/or "eligible" students shall be required for the types of information listed below in Section II.B., subparagraphs 6-8 and 10, as noted in bold type below.

**B. Types of Information** – the Charter School shall collect and maintain the types of records described below in subparagraphs 1-3 and may collect and maintain records described below in subparagraphs 4-10. 22 Pa. Code §§12.31 and 12.32. The required form of consent is noted by each subparagraph in bold type below.

1. Core data, consisting of the name of the student; last known address and domicile of the parents/guardians of the student or, if the

student is emancipated, of the student; the birth date of the student; the course, subject area, or project work completed by the student and the level of achievement attained; the last grade attended or the date of graduation and type of diploma issued; and attendance data. **(Requires Representational Consent)**.

2. Discipline and law enforcement records, including the sworn statement or affirmation of suspension or expulsion required at registration and the record of incidents of violence maintained in a form prescribed by the Pennsylvania State Police as required under Section 1307-A of the Pennsylvania Public School Code, 24 P.S. § 13-1307-A; and, in a file maintained separately from other records concerning the student, information from the Office of Juvenile Probation concerning adjudications of delinquency. **(Requires Representational Consent unless collected through survey, analysis or evaluation – see Section II.C. below)**. 24P.S. Article XIII-A.

3. Health records, including immunization information, results of vision and hearing screenings, results of state-mandated physical examinations, in- school treatment and drug dispensing or administration orders or prescriptions from physicians, treatment and drug dispensing or administration logs, and health-related information provided by parents/guardians. **(Requires Representational Consent unless collected through survey, analysis or evaluation – see Section II. C. below)**. 24 P.S. §§14-1402; 14-1409.

4. Student work samples and teacher grade books retained for purposes of ongoing assessment, instructional planning, or grade calculation; the results of School-wide group standardized or criterion-referenced testing and state-wide criterion-referenced assessments, if any, in which the student participated; and noncumulative report cards. **(Requires Representational Consent)**. 22 Pa. Code §4.52.

5. Guidance department, psychologist, and student assistance team records, although personal records and notes maintained strictly in accordance with Section I.I.1 of this policy are not considered records subject to this policy. **(Requires Representational Consent unless collected through survey, analysis or evaluation – see Section II.C. below)**.

6. Results of vocational and career aptitude and interest surveys, or of surveys to assist in planning for and providing guidance, health, or drug and alcohol abuse prevention instruction or programs.

**(Requires Individual Consent).**

7. Reports of and other information describing or summarizing the results of individual testing and assessment by instructional support, child study, multidisciplinary, or IEP teams, or by professional staff responsible for determining eligibility for Title I, ESL, and other remedial programs, or by agencies and individuals not employed by or working on behalf of the Charter School; instructional support or child study team action plans; IEPs; and service agreements or accommodation plans. **(Requires Individual Consent and in a form as prescribed in Section II.D.).**

8. Protocol sheets and booklets; scoring sheets; answer books; rating forms; observation notes; anecdotal logs; running record forms; and other forms of raw data gathered in the course of testing and assessment or progress monitoring and assessment. **(Requires Individual Consent and in a form required by applicable state or federal law per Section II.D. or in absence of applicable law, in form as prescribed in Section II. E.).**

9. Records of awards and distinctions earned by students for work or activities in school and in the community and of participation in School approved extracurricular activities. **(Requires Representational Consent).**

10. Other records required by law or deemed by instructional or supervisory staff to be both accurate and necessary to the provision of education, education-related services, or extracurricular activities or experiences. **(Requires Individual Consent and in a form required by applicable state or federal law per Section II.D. or in absence of applicable law, in form as prescribed in Section II.E.).**

**C. Collection of Records and Information Through a Survey, Analysis or Evaluation.** 20 U.S.C. §1232h; 22 Pa. Code §4.4.

When a survey, analysis, or evaluation is used to obtain such information, the Board shall obtain prior informed consent in writing and in a form consistent with Section VII of this policy. For purposes of this policy, the phrase **survey, analysis, or evaluation** shall be limited to a planned method of inquiry or information collection used on a group or individual basis. The phrase does not apply to the ordinary give-and-take exchange that occurs in the course of the counselor-student, psychologist-student, teacher-student, or nurse-student relationship when the student initiates the contact or otherwise participates in it voluntarily. Consent otherwise required by this section is not required to investigate or substantiate a good faith suspicion of child abuse or neglect when the person from whom consent would be required is suspected of the abuse or neglect.

By adoption of this policy, the Board gives consent for the collection of records and information described at subparagraphs 2, 3, and 5 of Section II.B. of this policy, unless the collection of such records and information is accomplished by use of a survey, analysis, or evaluation that requires or encourages the student to reveal:

- a. Political affiliations or beliefs of the student or the student's family.
- b. Psychological problems potentially embarrassing to the student or the student's family.
- c. Sexual behavior or attitudes.
- d. Illegal, anti-social, self-incriminating, or demeaning behavior.
- e. Critical appraisals of persons with whom the student has close family relationships.
- f. Information protected by legal privilege.
- g. Income, unless income information is necessary to determine eligibility for participation in a program of assistance.
- h. Religious practices, affiliations, or beliefs of the student or the student's family.

#### **D. Prior Informed Consent In a Form Required by State or Federal Law**

To collect records and information described in Subsections 7 and 8 of Section II.B. of this policy, other than reports and other documents provided

by parents/guardians, the Charter School shall obtain prior informed consent in writing and in a form required by applicable state or federal law or, in the absence of a specific applicable law, in a form consistent with Section E of this policy below.

For purposes of collecting information in the form of an instructional support action plan, an IEP or service agreement, a written invitation to parents, and if applicable, to the Student, to participate in the development of such document shall constitute an adequate means of obtaining consent to develop the document, even if the parents or student do not participate in the meeting at which the content of the document is discussed. The description in an action plan, IEP, service agreement or accommodation plan of a means of data collection or ongoing progress monitoring or assessment shall suffice to allow such activities without need for additional written consent. 34 C.F.R. §300.300; §300.322.

**E. Written Consent Form if No Specific Form Required by State or Federal Law**

When state or federal law does not specifically prescribe the form for obtaining prior written consent as required by this policy, such consent shall be obtained by mailing to the residence of record, as established in accordance with Section VIII of this policy, or by hand delivery to the parent/guardian or emancipated minor, a written consent form that complies with the following requirements and is received a reasonable time prior to the information collection activity for which consent is sought:

- a. The form shall use language that a layperson can readily understand and shall be written in the native language of the parent/guardian or emancipated minor from whom consent is sought.
- b. The form shall contain an explanation of the type of information sought, the purpose for which the information is sought, and the specific types of testing, assessment, or data collection to be used to obtain the information.
- c. The form shall make clear to the parent/guardian or emancipated minor that consent is required to proceed with the information collection activity or activities proposed, shall contain an assurance that such activity or activities will not proceed without consent, and shall contain a clear explanation of the time and place for responding to the form.

d. The form shall contain the name and number of a contact person whom the parents/guardians or emancipated minor can contact to obtain additional information about or seek clarification concerning the proposed activity.

e. The form shall provide a space for the parent/guardian or emancipated minor to elect whether to grant or withhold consent by marking one (1) of two (2) clearly-worded options and by signing his/her name.

**F. Transfer of Student to the Charter School**

When a student who has attended another Pennsylvania public or private school registers to attend the Charter School, an immediate request, in writing, by the Charter School shall be made for a certified copy of the student's disciplinary record and a copy of the student's health record from the public or private school the student last attended. The Charter School shall also request all other current school records, including special education, necessary to ensure that the Student is placed in appropriate classes at the appropriate grade level and that the Charter School is able to meet all obligations under state and federal law. 24 P.S. §§13-1305-A; 14-1409.

**G. Special Situations** - where the principle of informed consent cannot be met, as for example in the course of interviews by Charter School personnel, the following procedures will be followed:

a. The Charter School will inform the student as fully as possible about the data that is likely to be obtained;

b. The Charter School will stress the voluntary nature of the student's participation;

c. Where reasonable doubts exist as to the capacity of the student to understand the implications of the situation, either because of the student's age or other circumstances, parental permission will be sought before proceeding. In addition, where a student clearly in need of intervention declines to participate, the professional involved will seek parental consent; and



d. In either case, if parental consent cannot be obliged or is not given, further steps to provide assistance will be initiated only if:

1. The guidance counselor or designated Charter School official is entirely convinced, giving full attention to the privacy interests involved, that intervention is imperative;
2. Both the student and parents have been fully informed to the extent that is possible; and
3. Appropriate school authorities such as Charter School's review panel has consented.

#### **H. Information Collected for Non-School Purposes**

1. Where either the information and/or data to be collected are for non- school purposes, by Charter School personnel or by outsiders then the above recommendations shall be fully applied with the further provision that prior informed consent must be obtained from the responsible school authorities.
2. In cases where the information is to be collected under conditions of anonymity, the collecting agency must still obtain the appropriate form of consent. Charter School authorities shall establish procedures for regulating the collection of such information, including the following:
  - a. Notification to the students and parents that their participation is voluntary.
  - b. Careful review of the instruments and procedures to be used for any such information collection to determine whether the methods and/or inquiries constitute a significant potential invasion of privacy, even though the information is to be collected under conditions of anonymity.

## **I. Notification of Rights**

1. Parents and eligible students shall be notified annually of their rights under the Family Educational Rights and Privacy Act of 1974 ("FERPA"). The notice must inform parents of students currently in attendance, or eligible students currently in attendance, of their rights under the Act and this part.

The notice must inform parents or eligible student that they have the right to:

Inspect and review the student's education records;

Seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading or otherwise in violation of the student's privacy rights;

Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the Act and §99.31 authorize disclosure without consent; and

The procedure to file complaints for noncompliance concerns.

The parent or eligible student who wishes to file a complaint with regard to compliance of this policy may do so by contacting the Chief Executive Officer.

If further appeal is necessary, the parent or eligible student may contact:

**Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C.  
20202-5920**

The notice must include all of the following:

The procedure for exercising the right to inspect and review education records.

The procedure for requesting amendment of records under §99.20.

A specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest since the Charter School has a policy of disclosing educational records without prior consent as set forth above.

2. A listing of the types, content, and location of education records maintained by the Charter School shall be made available annually to include the names, titles, and addresses of Charter School officials responsible for such records.
3. The annual notification shall be accomplished by publication in the local newspaper and distributed to parents of currently attending students. It shall effectively notify parents who have a primary or home language other than English and parents and eligible students who are disabled.

#### **IV. MAINTENANCE OF RECORDS -TIMING**

**A. Maintenance:** All student information shall be retained and maintained by the Charter School in accordance with procedures identified with the classification of the material.

1. Core data of the kind described in Section II.B.1 of this policy shall be maintained for a period of **six (6) years** beyond the school year during which the student to whom such data pertains attains age twenty-one (21).

2. The following records, per Section II.B.7 shall also be maintained as core data for a period of **six (6) years** beyond the school year during which the student to whom such data pertains attains age twenty-one (21).:

- a. For students with disabilities, copies of the first and last evaluation reports of the multidisciplinary team, the notice of recommended assignment or educational placement, or similar document by which the parents of the student initially consented to the provision of special education services, and the first and last IEP, last notice of recommended assignment or educational

placement, and the summary of performance developed for the student.

b. For students receiving accommodations or modifications to instruction or other activities under a Section 504 service agreement or accommodation plan, copies of the first and last such plan and the notice by which the parents of the student initially consented to the provision of accommodations or modifications.

c. For students evaluated to determine eligibility either for special education services in accordance with state and federal law or for accommodations or modifications in accordance with Section 504 of the Rehabilitation Act, and who were determined to be ineligible, copies of all evaluation reports supporting the determination of ineligibility and of all notices by which the parents of the student indicated agreement with such determination. 29 U.S.C. Sec. 794

#### **B. Other Types of Records:**

1. Health records of the sort described in Section II.B. 3 of this policy shall be maintained for a period of at least **two (2) years** beyond the date on which the student ceases to be enrolled in the Charter School.

2. All other education records described in Section II.B. 8-10 of this policy shall be maintained as long as the information contained therein remains relevant to the education of the particular student or to the design and provision of educational programs in general or as long as such information remains essential to the protection of the legal interests of the Charter School. The Charter School alone shall determine whether education records remain relevant to education or essential to the protection of legal interests.

**C. Destruction of Records:** A record is destroyed for purposes of this policy when, at a minimum, all personally identifiable information is removed from it or

is otherwise obscured or obliterated. Nothing in this policy shall require the destruction of an education record except under the conditions described in subsection (2) below.

1. An education record shall not be destroyed by the Charter School if there is an outstanding request to inspect and review it by the parent or eligible student. 34 C.F.R. § 99.10(e).

2. The Charter School maintains the right to destroy some records that are considered invalid because of age and content matter. Student education records shall be maintained in accordance with Sections A. and B. above, and shall be destroyed in such time as provided.

3. Before any such destruction of student special education records the parent or eligible student shall be given advance notice, in writing, of the date after which the records will be destroyed and the opportunity to obtain copies of records prior to the specified date. The written notice shall be in the native language of the parents/guardians or the eligible student shall be mailed to the last known address of the parent/guardian or the eligible student and shall:

- a. Identify the specific records or categories of record that are no longer relevant.
- b. Contain an explanation that the Charter School shall destroy the records thus identified if a parent/guardian or the eligible student so requests, and that the Charter School may destroy such records without a request if no further need for the records exists.
- c. Contain the name and number of a contact person at the Charter School whom the parents/guardians or eligible student can contact to obtain additional information about or seek clarification concerning the records thus identified. 34 CFR §300.624.

## **V. MAINTENANCE - LOCATION**

**A. Person(s) Responsible** - The CEO or designee shall be responsible for record maintenance, access, and release of records. Staff training

programs will be conducted for the professional staff on the record policy, with emphasis placed on security and the privacy rights of students and parents.

**B. Location** – During any given school year, student records, whether on paper, audio or visual tape, microfiche, microfilm, computer storage disc or removable drive, or any medium that can be maintained in a physically segregated form, will be kept in locked filing cabinets or similar storage space at all times under the supervision of designated personnel, e.g., the CEO of the Charter School or his/her designee. If student records are maintained on a computer storage system, access must be limited by security software that conforms to current computer industry standards. Charter School's Student Information System permits only authorized Charter School users to remotely access student records and various remote levels of access are permitted depending on the reason for review and level of authority of the authorized user.

Education records essential to the daily provision of education, education-related services or extracurricular activities during a given school year, may be maintained in a secure file in the personal possession, office or classroom of Charter School personnel with a legitimate educational interest therein.

### **C. Other Educational Records**

1. Health Records shall be maintained in a secure file in the nurse's office or health suite in the Charter School.
2. Office of Juvenile Probation records shall be maintained in a secure file, separate from other records concerning the student.
3. Special Education records shall be maintained in a separate secure file at the Charter School or in secure possession of staff working with student in the home or in a nonpublic school site.

**D. Confidentiality Notice** – The Charter School shall protect the confidentiality of personally identifiable information including at the collection, storage, disclosure, and destruction stages of that information. The Charter School will ensure that any records kept or transmitted electronically are subject

to high standards of electronic security. The Charter School uses electronic firewalls and encryption systems, and monitors and tests the system regularly to ensure its stability and integrity. All Charter School electronic mail correspondence shall include the following notice:

## **CONFIDENTIALITY NOTICE**

The information in this transmission is intended only for the individual or entity named above. It may be legally privileged and confidential. If you have received this information in error, notify us immediately by calling the Charter School at **(215) 972-1700**. Send the original transmission to us by mail at the main office at **1911 Arch Street, Philadelphia, PA 19103**. Return postage is guaranteed. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication or its contents is strictly prohibited.

### **E. Access to and Consequences of Unauthorized Access to Student Records –**

1. Every file from which access might be had by, or disclosure might be made to, persons or agencies other than the parents or the eligible student, shall have as part thereof an access and disclosure log that shall be maintained for as long as the records in that file are maintained and that shall consist of the following:

- (a) The identity of such person or agency to which access is granted to or disclosure made from the file.
- (b) The purpose for which access was granted or disclosure made.
- (c) The date of access or disclosure.
- (d) The name or initials of the person granting access or making the disclosure.
- (e) In the case of disclosures to persons who will make further disclosures or allow further access on behalf of the Intermediate Unit, the identity of the person or agency to whom or to which, and the specific purpose for which, such further disclosure or access will be made or allowed.
- (f) Any record of further disclosures made by state or federal agencies that are permitted to do so under law.

2. Any Charter School employee, contractor, consultant or volunteer who accesses student records without proper authorization and/or consent, is subject to discipline in accordance with the Employee Handbook.

## **VI. ACCESS TO STUDENT EDUCATION RECORDS**

### **A. Access to Records**

1. The Charter School shall provide the parent or eligible student access to the educational records of the student. 34 C.F.R. § 99.10(a).
2. Access rights of the parent or eligible student shall consist of the right to:
  - a. Inspect and review the content of the education records;
  - b. Obtain copies of the education records at the expense of the parent or eligible student, at a cost not to exceed the actual cost of the Charter School reproducing such records. No parent or eligible student shall be refused copies if the financial obligation would prevent them from exercising their right to inspect and review the education records. 34C.F.R. § 99.11;
  - c. A response from the Charter School to reasonable requests for explanation and interpretation of the education records. 34 C.F.R. § 99.10(c);
  - d. An opportunity for a hearing to challenge the content and validity of those records, as provided in Section VI of this policy;
  - e. Inspect and review only material or documents that relate to the student in question. 34 C.F.R. § 99.12(a).
3. Procedure for gaining access to records:
  - a. The parent or eligible student seeking access to education records shall make a written request of the CEO or his/her designee.



b. Access to the education records requested shall be granted as soon as possible, but no later than forty-five (45) days after the receipt of a written request. 34 C.F.R. § 99.10(b).

4. The Charter School shall maintain a current list of the names and positions of the professional employees who are authorized to have access to personally identifiable information. This list shall be available in Charter School's main office.

#### **B. Record of Access**

1. The Charter School shall maintain a record, kept with the education records of each student, which will indicate all parties, except for Charter School officials, including teachers, who have been determined by the Charter School to have legitimate educational interests, who have requested or obtained access to a student's education record and which will indicate specifically the legitimate interest that each such party had in obtaining this information. 20 U.S.C. § 1232g(b)(4)(A).

2. Such record of access shall be available only to the parent or eligible student, to Charter School officials and their assistants who are responsible for the custody of such records, and to persons and organizations authorized to see such records. 20 U.S.C. § 1232g(b)(4)(A).

#### **C. Transfer of Information by Those Gaining Access to Education Records.**

The Charter School shall release personal information on a student only on the condition that the party to whom the information is being transferred will not permit any other party to have access to such information without the written consent of the parent or the eligible student.

### **VII. CHALLENGING THE VALIDITY OF INFORMATION**

If the parent or student wishes to challenge any of the information in the student record because of the initial conference, and if the conflict cannot be resolved informally, the following formal procedures will be followed:

A. The parent or student must submit a written request for amendment of the record of the student. The request will contain a brief statement that specifies the records to be amended and the reason that the amendment is requested. This request will be submitted to the CEO.

B. The challenge will be reviewed by Charter School's review panel within a period not to exceed forty-five (45) days from the receipt of the written request.

1. If the Charter School does decide to refuse to amend the information in accordance with the request of the parent, the Charter School shall inform

the parent in writing of both the refusal and the specific reasons for the refusal and shall notify the parent in writing of the right to request and receive a hearing.

2. The hearing shall be conducted according to the following provisions:

a. The hearing shall be held at a mutually agreed upon time and place within thirty (30) days after the Charter School received the request for a hearing from the parent.

b. The parent shall be notified in writing of the date, place, and time of the hearing, no later than five (5) days in advance of the hearing.

c. The hearing shall be conducted by the review panel that does not have direct interest in the outcome of the hearing. The duties of the review panel shall be the following:

to review challenges made by parents and/or students and render decisions as to the correction or deletion of inaccurate or misleading information;

to grant representative consent in situations where the intervention is judged to be imperative, parental consent cannot be obtained, and there is reasonable doubt as to the capacity of the student to understand the implications of the situation; and

to grant representative consent to persons or agencies to conduct studies involving the Charter School population under the conditions of anonymity.

The party conducting the hearing may be a member of the Board of Trustees of the Charter School.

The parent shall be afforded a full and fair opportunity to present evidence relevant to information in the educational records that the parent believes is inaccurate, misleading, or violates the privacy or rights of the child.

The parent may, at the hearing, be assisted or represented by persons of his/her choice at his/her expense, and such persons may include legal counsel.

3. The Charter School shall render a written decision on the issues presented at the hearing and shall render such decision within thirty (30) days after the conclusion of the hearing. The decision shall be based solely upon evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

4. If as a result of the hearing the review panel decides that the information is inaccurate, misleading or otherwise in violation of the privacy or rights of students, the Charter School shall amend the education records accordingly and so inform the parent in writing.

5. If as a result of the hearing the review panel decides that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of students, the review panel shall inform parent of his/her right to place in the educational records of the student a statement which sets forth the written comments of the parent in the educational records of reasons for disagreeing with the decision of the review panel or both written comments and reasons.

6. The statement of the parent shall be appended by the Charter School to the educational records so long as the record or the contested portion thereof is maintained by the Charter School.

7. If the education records of the student or the contested portion thereof are released by the Charter School to any party, the statement of the parent shall also be released to the party.

Nothing in this section on parent requests for amendment of records shall be interpreted to mean that the parent and the Charter School may not, by mutual agreement, meet prior to either a parent request for a hearing or the hearing itself in order to discuss the concerns of the parent regarding the accuracy or inaccuracy of the records of the student.

### **VIII. DISSEMINATION OF STUDENT INFORMATION**

In situations in which the Charter School is asked by other agencies, institutions or individuals to transmit student information to those parties, stringent precautions are required to protect the rights of the student against infringement of privacy, misinterpretation of data and inappropriate use.

#### **A. Release of Information to Educational Officials**

The Charter School may, without the consent of parents or student, release appropriate information in a student's permanent record file, including those previously defined in Section II.B. to:

1. All Charter School personnel, other than those directly involved with the child (the child's teacher, the counselor, CEO, etc.) desiring access to pupil records shall be required to sign a written form which will be kept permanently on file, indicating specifically the "legitimate educational interest" that they have in seeking this information. Charter School officials include contractors, consultants, volunteers and other parties with whom the Charter School has outsourced institutional services or functions if this outside party performs such a service or function for which the Charter School would otherwise use a Charter School employee. This outside party must be under direct control of the Charter School with respect to use and maintenance of educational records and is subject to 34 CFR § 99.33(a) governing use and redisclosure of personally identifiable information from education records. 99.31(a)(1).

2. Charter School officials responsible for record maintenance. 99.31 (a)(1).
3. The Comptroller General of the U.S., Attorney General of the U.S., the Pennsylvania Secretary of Education and state and local educational authorities as long as the intended use of the data is consistent with the Secretary's statutory powers and responsibilities. 99.31 (a)(3).
4. State and federal educational and other agencies for purposes of investigation and auditing, when those agencies are bound by the provisions of FERPA. 99.31 (a)(5).
5. Officials of other school systems in which the student intends to enroll.
  - a. The student's parents shall be notified of the transfer and shall receive a copy of the records, if desired.
  - b. The student's parents shall have an opportunity to challenge the record's content via a review panel as previously defined.

**B. Release of Information to Other Than Educational Officials**

1. The Charter School is permitted pursuant to 34 CFR § 99.31, to disclose information, without consent for the following purposes:
  - a. Appropriate parties including student's parents, law enforcement and Charter School's legal counsel, in connection with a health or safety emergency when such disclosure is necessary to protect the health or safety of the student or others. This disclosure is not subject to the confidentiality restrictions of the ADA or Rehabilitation Act. Charter School's legal counsel may be consulted to determine if the threat is significant enough to warrant disclosure. A record of the significant threat and who received disclosure must be maintained by the Charter School. 99.32(a)(5) and 99.36(a)&(c).
  - b. To persons seeking directory information when the Parents have received notification in the form of an Annual Publication of this Policy in a newspaper of general circulation or a school publication of the policy to disclose directory information without parental consent and the Parents or eligible student has not

objected to the release of such information without consent in writing to the Charter School on or before the first day of the school term.

c. To the student who is not an eligible student. 99.31(a)(12).

d. To the Parents of an eligible student who remains a dependent student as defined in the Internal Revenue Code. 99.35(a).

e. To accrediting organizations to carry out accrediting functions. 99.31(a)(7).

f. To comply with a judicial order or lawfully issued subpoena only if the Charter School makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance so that the parent or eligible student may seek protective action. However, the Charter School does not have to notify the parent or eligible student if notification is prohibited by the following:

(i) A Federal grand jury subpoena and the court has ordered that the existence of the subpoena or information furnished shall not be disclosed.

(ii) Any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence of the subpoena or information furnished shall not be disclosed.

(iii) An ex parte court order obtained by the US Attorney General for certain criminal investigations including those pursuant to the U.S. Patriot Act. Disclosures to the Department of Justice need not be recorded by the Charter School. 99.31(a)(9).

g. To a court, without a subpoena or court order, if the Charter School initiates legal action against a student or parent or if a parent or eligible student initiates legal action against the Charter School for the Student's education records that are relevant for the Charter School to proceed with the legal action or to defend itself. 99.31(a)(9)(ii)(A-C).

h. To comply with the Campus Sex Crimes Prevention Act, regarding education records of a student required to register as a sex offender. 99.31(a)(16).

Charter School personnel may not divulge, in any form to any persons other than the education officials listed above, any information contained in Charter School records except:

1. With written consent from the student's parents specifying records to be released and to whom a copy of the records to be released.
2. When a student reaches the age of eighteen (18), or is an emancipated minor, or is married (whether eighteen or not), his or her consent alone must be obtained unless Student remains a dependent Student as defined in Internal Revenue Code.
3. The Charter School may provide anonymous information from the records for outside research purposes without consent under conditions where the likelihood of identifying any individual because of his/her unique characteristics is negligible.

#### **E. Re-disclosure of Information**

1. An educational agency or institution may disclose personally identifiable information from an education record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the parent or eligible student. The officers, employees, and agents of a party that receives information under this paragraph may use the information, but only for the purposes for which the disclosure was made.

2. Paragraph (1) of this section does not prevent an educational agency or institution from disclosing personally identifiable information with the understanding that the party receiving the information may make further disclosures of the information on behalf of the educational agency or institution if:

- (a) The disclosures meet the requirements of 99.31; and

(b) The educational agency or institution has complied with the requirements of 99.32(b).

3. Paragraph (1) of this section does not apply to disclosures made to parents of dependent students under 99.31(a)(8), to disclosures made pursuant to court orders, lawfully issued subpoenas, or litigation under 99.31(a)(9), to disclosures of directory information under 99.31(a)(11), to disclosures made to a parent or student under 99.31(a)(12), to disclosures made in connection with a disciplinary proceeding under 99.31(a)(14), or to disclosures made to parents under 99.31(a)(15).

4. Except for disclosures under 99.31(a) (9), (11), and (12), an educational agency or institution shall inform a party to whom disclosure is made of the requirements of this section.

5. If the Family Policy Compliance Office determines that a third party improperly re-discloses personally identifiable information from education records in violation of 99.33(a) of this section, the educational agency or institution may not allow that third party access to personally identifiable information from education records for at least five years. 20 U.S.C. §1232g(b)(4)(B).

#### **F. Waiver**

Rights of access may be waived for the Charter School's confidential references and/or recommendations submitted as part of the student's process of applying for admission to another educational institution.



**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL.**

ADOPTED this day 10 August 2017

President

Kaya M Boyd

Secretary

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*References: PA Public School Code 24 P.S. §§1305-A, 1306-A, 1307-A, 1402, 1409, 1532, 1533; State Board of Education Regulations 22 PA Code §§4.4, 4.52, 12.31, 12.32, 14.101, 15.9; Adjudication of Juveniles 42 Pa. C.S.A. Sec. 6341; Military Affairs 51 P.S. Sec. 20221 et seq.; Family Educational Rights and Privacy Act 20 U.S.C. Sec. 1232g; Every Student Succeeds Act 20 U.S.C. Sec. 1232h; Individuals with Disabilities Education Act 20 U.S.C. Sec. 1400 et seq.; Section 504 of the Rehabilitation Act 29 U.S.C. Sec. 794; Student Rights in Research, Experimental Programs and Testing, Title 34; Code of Federal Regulations – 34 CFR Part 98 Family Educational Rights and Privacy; Title 34, Code of Federal Regulations – 34 CFR Part 99 Individuals with Disabilities Education; Title 34, Code of Federal Regulations 34 CFR Part 300; POE Basic Education Circular 22 PA. Code Sec. 12.31 (Pa. Dept. Educ. Sept. 1, 1997); Owasso Indep. School District v. Falvo, 534 U.S. 426, 122 S.Ct. 934.*

**Central Pennsylvania Digital Learning Foundation Charter School**  
**[www.cpdf.org](http://www.cpdf.org)**

**Board of Trustees Policy**

**ACCEPTABLE USE & INTERNET SAFETY POLICY - S40**

The Board of Trustees ("Board") of the Central Pennsylvania Digital Learning Foundation Charter School ("Charter School") provides computer network and technology resources to enhance educational opportunities for Charter School students, employees, and the Charter School community. This policy details acceptable use of technology resources provided by Charter School. These services and equipment are provided by Charter School as a privilege to the user, and appropriate and ethical use of any Charter School Technology Resources, tools, and equipment is required.

It is every Technology Resource User's (see "Definitions" below) duty to use Technology Resources responsibly, professionally, ethically, and lawfully. Access to these resources may be designated a privilege, not a right. This policy applies to the acceptable use of technology resources by both adults and minors.

This policy is intended to fulfill requirements of state and federal laws to the extent applicable, including the Federal Children's Internet Protection Act (CIPA), 47 U.S.C. 254(h) and (l) and the Neighborhood Children's Internet Protection Act (N-CIPA), the 2008 Broadband Improvement Act, P.L. 110-385, and any applicable implementing regulations. As such, this policy addresses the following:

- (A) Access by minors to inappropriate matter on the Internet and World Wide Web;
- (B) The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
- (C) Unauthorized access, including so-called hacking and other unlawful activities by minors online;
- (D) Unauthorized disclosure, use, and dissemination of personal information regarding minors; and
- (E) Measures designed to restrict minors' access to materials harmful to minors.

In using or accessing Charter School' technology resources, users must comply with the provisions outlined in this policy.

**Definitions**

For the purposes of this policy and related procedures and forms, the following terms are defined as such:

*Technology resources* means technologies, devices, and resources used to access, store, or communicate information. This definition includes, but is not limited to: computers, information systems, networks, laptops, iPads or other tablet devices, modems, printers, scanners, fax machines and transmissions, telephonic equipment, audiovisual equipment, digital cameras, e-readers (i.e. Kindles and Nooks), Internet, electronic mail, electronic communications devices and services, multimedia resources, hardware, and software, including Learning Management Systems.

*User* means any person who has signed this policy and is permitted by Charter School to utilize any portion of Charter School' technology resources, including, but not limited to, students, parents, Learning Coaches, employees, Board of Trustees members, contractors, consultants, vendors, and agents of Charter School.

*User identification (User ID)* means any identifier that would allow a user access to Charter School's technology resources or to any program including, but not limited to, e-mail and Internet access.

*Password* means a unique word, phrase, or combination of alphanumeric and non-alphanumeric characters used to authenticate a user ID as belonging to a specific user.

*Child Pornography* means, under federal law, any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct where:

1. The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
2. Such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or
3. Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

18 U.S.C.A. §2256(8)

Under Pennsylvania law, child pornography is any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction, or other material depicting a child under the age of eighteen (18) years engaging in a prohibited sexual act or in the simulation of such act. 18 PA CSA §6312(d).

*Minor* means, for purposes of compliance with CIPA, an individual who has not yet attained the age of seventeen (17). For other purposes, *minor* shall mean any person under the age of eighteen (18).

*Obscene* means, under federal and Pennsylvania law, any material if:

1. the average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest;
2. the subject matter depicts or describes sexual conduct in a patently offensive way; and
3. the subject matter, taken as a whole, lacks serious literary, artistic, political, or scientific value.

*Technology protection measure* means a specific technology that blocks or filters Internet access to content that is obscene, child pornography, or harmful to minors and the material covered by a notification regarding CIPA.

*Sexual act and sexual contact* have the meanings given such terms under 18 U.S.C. § 2246(2), 18 U.S.C. § 2246(3), and 18 Pa.C.S.A. § 5903.

*Vandalism* means any malicious attempt to harm or destroy technology resources or data of another user, on the Internet, or on other networks. This includes, but is not limited to, the uploading or creation of computer viruses or malware.

### **Authorized Users**

Charter School's technology resources may be used by any authorized user. Use of Charter School's technology resources is a privilege, not a right. If a potential user has a history of discipline problems involving Technology Resources, the Chief Executive Officer ("CEO") or designee may make the decision not to give the potential user access to certain Charter School Technology Resources.

### **User Privacy**

Computer accounts and Technology Resources are given to users to assist them in the performance of Charter School-related functions. A User does not have a legal expectation of privacy in the User's electronic communications or other activities involving Charter School's technology resources, including e-mail, in anything they create, store, send, share, access, view, or receive on or through the Internet.

Using Charter School's network and technology resources, all users are expressly waiving any right to privacy and consenting to having their electronic communications and all other use accessed, reviewed, and monitored by Charter School in accordance with Charter School Policies and Procedures. A user ID with e-mail access will be provided to authorized Users only on the conditions that the User consent to interception of or access to all communications accessed, sent, received, or stored using Charter School technology and sign this policy.

Electronic communications, downloaded material, and all data stored on Charter School's Technology Resources, including files deleted from a User's account, may be intercepted, accessed, or searched by Charter School administrators or designees at any time in the regular course of business to protect users and Charter School's equipment. Any such search, access, or interception will be reasonable in inception and scope and shall comply with all applicable laws.

### **Technology Administration**

The Board of Trustees directs the CEO or designee to assign trained personnel to maintain Charter School's technology in a manner that will protect Charter School from liability and will protect confidential student and employee information retained on or accessible through Charter School's Technology Resources.

Administrators may suspend access to and/or availability of Charter School's Technology Resources to diagnose and investigate network problems or potential violations of the law or Charter School

policies and procedures. All Charter School Technology Resources are considered Charter School property.

Charter School may maintain or improve Technology Resources at any time. Charter School or authorized Charter School agents may remove, change, or exchange hardware, equipment, or other technology between buildings, classrooms, or users at any time without prior notice.

### **Content Filtering and Monitoring**

Charter School employs Technology Protection Measures to filter Internet sites and to control the loading of software applications by students in accordance with Charter School' Internet Safety Policy and/or pursuant to the Children's Internet Protection Act (CIPA). At a minimum they are meant to block and protect against visual depictions that are Obscene, illegal, pornographic, child pornographic and/or harmful to Minors as well as Internet/World Wide Web/computer resource access to such material. If Users find a website deemed inappropriate, such website must be reported to the CEO or designee. After review of the site, appropriate steps will be taken to block inappropriate site from Users.

For purposes of bona fide research or other lawful purposes, certain blocked sites may be made available—but only after approval by the CEO or designee. In making decisions to disable Charter School' Technology Protection Measure device, the CEO or designee shall consider whether the use will serve a legitimate educational purpose or otherwise benefit Charter School. A student or parent/guardian claiming they have been denied access to Internet material that is not within the purview of this policy shall be afforded review of the request. The Parent or Student (if age 18 or older) must notify the CEO or designee electronically or in writing that he or she is requesting a reconsideration review within 10 school days. Once a decision is rendered, if the Parent or Student disagrees with the decision, the Parent or Student may escalate his or her request to the Charter School Board of Trustees.

Technology Protection Measures are not foolproof, and Charter School does not warrant the effectiveness of Internet filtering except to the extent expressly required by federal and state laws. Evasion or disabling, or attempting to evade or disable, a Technology Protection Measure device installed by Charter School is prohibited.

Charter School shall not be held responsible when a student or other User knowingly or willingly accesses inappropriate material or communicates or shares such materials with others.

### **Viruses**

Viruses can cause substantial damage to Technology Resources. Users are responsible for taking reasonable precautions to ensure they do not introduce viruses to Charter School' technology resources.

All material received on disk, flash drive, or other magnetic or optical medium, and all materials downloaded from the Internet or from technology resources or networks that do not belong to Charter School, must be scanned for viruses and other destructive programs before being transferred

to Charter School' systems. Any user receiving an e-mail from a questionable source must contact the Technology Department before opening the e-mail or any attachment included in the e-mail.

Ensure security and avoid the spread of viruses, Users accessing the Internet through a Technology Resource attached to Charter School' network must do so through an approved Internet firewall or Technology Protection Measure.

### **Encryption Software**

Users shall not install or use encryption software on any Charter School Technology Resource without first obtaining written permission from the CEO. Users shall not use passwords or encryption keys that are unknown to the CEO.

The federal government has imposed restrictions on export of programs or files containing encryption technology. Software containing encryption technology shall not be placed on the Internet or transmitted in any way outside the United States.

### **Web Content Developed by Students**

As part of class/course assignments, students may be developing and/or publishing content to the Internet via Web pages, electronic and digital images, blogs, wikis, podcasts, vodcasts, and webcasts, and/or may be participating in videoconferences.

1. Personal information such as phone numbers, addresses, e-mail addresses, or other specific personal information shall not be published or shared to a public page or videoconference.
2. All Web content must comply with this policy.
3. All Web content and videoconferencing must be under the direction and supervision of the teacher/administrator and Learning Coach and is to be used for educational purposes only.
4. All Web content is subject to Copyright law and Fair Use guidelines.
5. All Web content shall be posted only to Charter School-approved Web pages, blogs, wikis, podcasts, webcasts, vodcasts, and/or videoconferences.

### **Prohibitions**

Students, staff, and all users are expected to act in a responsible, ethical, and legal manner in accordance with Charter School policies and federal and state laws. Specifically, the following uses of Charter School' Technology Resources are prohibited:

1. To facilitate illegal activity, including unauthorized access and hacking.
2. Evasion or disabling, or attempting to evade or disable, a Technology Protection measure device installed by Charter School.
3. To engage in commercial, for-profit, or any business purposes, except where such activities are otherwise permitted or otherwise authorized.
4. Non-work or non-school-related work.
5. Product advertisement or political lobbying.
6. Production or distribution of hate mail, unlawfully discriminatory remarks, and offensive or inflammatory communication.

7. Unauthorized or illegal installation, distribution, reproduction, or use of copyrighted materials.
8. To access or transmit material that is harmful to minors and/or Users, indecent, obscene, pornographic, child pornographic, or terroristic, or that advocates the destruction of property.
9. Use of inappropriate language or profanity.
10. To transmit material likely to be offensive or objectionable to recipients.
11. To intentionally obtain or modify files, data, and passwords belonging to other users or integral to system and network operations.
12. Impersonation of another user, anonymity, and/or use of pseudonyms.
13. Loading or use of unauthorized games, programs, files, or other electronic media.
14. To disrupt the work of other Users.
15. Destruction, modification, or abuse of Technology Resources and peripheral hardware or software.
16. Relocation of Charter School hardware without prior administrative consent.
17. Quoting personal and/or private communications in a public forum without the original author's prior consent.
18. To access or use any form of non-Charter School electronic mail on Charter School Technology Resources unless authorized by the CEO or the CEO designee.
19. Using the network to participate in online or real-time conversations unless authorized by the teacher/administrator for the purpose of communicating with other classes, students, teachers, experts and/or professionals for educational purposes.
20. Using a disk, removable storage device, or CD/DVD, brought into Charter School from an outside source, that has not been properly scanned for viruses or authorized for use by a teacher/administrator in accordance with Charter School established procedures.
21. To discriminate against, advocate violence against, harass, intimidate, bully, or cyberbully others.
22. To send unsolicited or forwarded e-mails and chain letters to persons ("spamming").
23. Using "spoofing" or other means to disguise user identities in sending e-mail or other electronic communication via bulletin boards, newsgroups, social networking sites, instant messages, e-mail systems, chat groups, chat rooms, or other Technology Resources.
24. To send, transmit, or otherwise disseminate proprietary data, trade secrets, or other confidential information of Charter School.
25. To post or allow the posting of personal information about oneself or other people on the Technology Resource unless authorized in advance by the CEO. Personal information includes address, telephone number (including home, work, and cell phone numbers), school address, work address, pictures or video bites, clips and so forth.
26. To refer to or attempt to refer to Charter School or its employees, agents, trustees, parents, or students in any electronic communication, posting, blog, website, e-mail, or social networking site, without written authorization from the CEO.
27. To access or transmit gambling, pools for money, or any other betting or games of chance.
28. Using Technology Resources to solicit information with the intent of using such information to cause personal harm or bodily injury to another or others.
29. Using Technology Resources to post, share, or attempt to post or share information that could endanger an individual or cause personal damage or a danger of service disruption.

30. Indirectly or directly making connections that create "back doors" to Charter School, other organizations, community groups, etc. that allow unauthorized access to the Technology Resources or Charter School.

### **Security**

Charter School intends to strictly protect its Technology Resources against numerous outside and internal risks and vulnerabilities. Users are important and critical players in protecting these assets and in lessening the risks that can harm technology resources. Therefore, Users are required to comply fully with this Policy and to immediately report any violations or suspicious activities to the CEO.

System security is protected in part by the use of passwords. All passwords must be at least eight characters and include alphanumeric and special characters.

1. Employee users may be required to change their passwords every thirty (30) days.
2. Student users may be required to change their passwords every six (6) months.
3. Charter School will maintain a password history that prevents the use of a repetitive password.
4. After three (3) unsuccessful access attempts, an attempted User will be locked out and must contact the Help Desk.
5. After a period of 60 (sixty) minutes of inactivity, a User will be automatically logged off the system.

In addition, there may be circumstances that warrant the change of a password, including but not limited to the following:

1. The User's laptop has been replaced with a new unit;
2. There has been a record or report of a virus or other potentially dangerous software or malware on the User's system;
3. The User's system has been compromised by hacking or there is a reasonable suspicion of such activity;
4. The User has admitted to sharing a password, or there are reasons to believe that a User's password has been shared, with another student or other non-authorized User; or
5. Other reasons determined by the Charter School Technology Department.

Failure to adequately protect or update passwords could result in unauthorized access to personal or Charter School files. Users shall be responsible for safeguarding their passwords for access to Charter School's Technology Resources and for all transactions made using their passwords. To protect the integrity of Charter School Technology Resources and systems, the following guidelines shall be enforced:

1. Students and other Users shall not reveal their passwords to another unauthorized individual.
2. Passwords shall not be printed or stored online.



3. Students and other Users are required to log off from the network when they finish working at a particular station.
4. Users are not to use a computer that has been logged in under another student's, teacher's or User's name.
5. Any User identified by the CEO or designee as having a history of discipline problems involving Technology Resources may be denied access to any or all of Charter School' Technology Resources.
6. Students and other Users shall not alter a communication originally received from another person or computer with the intent to deceive.
7. Users shall not misrepresent the identity of a sender or source of communication.
8. Users shall not disable or circumvent any Charter School security, software or hardware.
9. Users shall not interfere with or disrupt Charter School' systems, network accounts, services, or equipment.
10. Files, system security software/hardware, or any Charter School system shall not be altered or attempt to be altered without the written authorization of the CEO or the CEO designee.
11. Unauthorized hardware and electronic devices shall not be connected to the Charter School system.
12. Users shall comply with requests from the CEO or designee to discontinue activities that threaten the operation or integrity of the Charter School system.

Use of passwords to gain access to technology resources or to encode particular files or messages does not imply that Users have an expectation of privacy in the material they create or receive on technology resources. Charter School retains the right to access to all material stored on the Technology Resources regardless of whether that material has been encoded with a particular user's password, subject to limitations as set forth in Charter School' Remote Access and Monitoring of School-Issued Technology Policy as well as applicable law.

Users shall not alter or copy a file belonging to another user without first obtaining permission from the owner of the file. Ability to read, alter, or copy a file belonging to another user does not imply permission to read, alter, or copy that file. Users shall not use the technology resources to snoop or pry into the affairs of other users by unnecessarily reviewing the files and e-mails of another.

A User's ability to connect to another computer's system through the network or by any other electronic means shall not imply a right to connect to those systems or make use of those systems unless specifically authorized by the administrators of those systems and the CEO. Users shall not use the Technology Resources to "snoop" or pry into the affairs of other Users by unnecessarily or inappropriately reviewing the files and/or e-mails of another.

### **Safety**

To the greatest extent possible, users of the network will be protected from harassment or unwanted or unsolicited communication. Any network User who receives threatening or unwelcome communications shall immediately bring them to the attention of a teacher, staff member, or administrator.

Communications through Charter School Technology Resources are limited to only those which serve a demonstrable educational purpose. For safety reasons, Charter School users shall not reveal personal addresses, contract information or telephone numbers to other users on Charter School networks or on the Internet.

The CEO or designee shall be responsible for implementing protection measures to determine whether Charter School' computers, laptops, iPads, Kindles, tablets and other Technology Resources and technology-related devices (such as USB drives, digital cameras and video cameras, PDAs, MP3 players, printers, etc.) are being used for purposes prohibited by law or for accessing sexually explicit materials. The procedures shall include but not be limited to:

1. Utilizing technology protection measures that block or filter Internet access for minors and adults to certain visual depictions that are obscene, child pornography, harmful to minors with respect to use by minors, or determined inappropriate for use by minors by the Board of Trustees.
2. Maintaining a listing of all employees and users with access to the room which contains Charter School' server.
3. Generating and maintaining monitoring reports (including firewall logs) of user activity and remote access on Charter School' system by all Users, including but not limited to students, employees, contractors, consultants, and/or vendors.
  - a. The report should include the date, time, and reason for access; whether it was remote access; the changes made; and who made the changes.
4. Maintaining documentation that students no longer enrolled at Charter School as well as terminated employees and contractors/vendors or those with expired contracts have been properly removed from Charter School' system in a timely manner.
5. Analyzing the impact of proposed program changes in relation to other critical business functions before adopting the proposed program changes.
6. Developing compensating controls to mitigate IT weakness and alert Charter School to unauthorized changes to student data, i.e., reconciliations to manual records, analysis of student trends, data entry procedures and review, etc.

## **Vendors**

If Charter School shares internally sensitive, legally- and/or contractually-restricted Charter School data with parties outside the Charter School community, Charter School shall first enter into a Non-Disclosure Agreement with the party. The Non-Disclosure Agreement is needed to protect Charter School' proprietary or otherwise sensitive information. Non-Disclosure Agreements are typically needed when entering into a business relationship with vendors, consultants, and contractors. All Non-Disclosure Agreements must be reviewed by Charter School' legal counsel before signing.

All vendors, consultants, and/or contractors shall be granted access to Charter School' technology resources only to make changes or updates with prior written authorization from the CEO or designee. Once the vendor, consultant, and/or contractor have completed their work, access to Charter School' systems will be removed.

Vendors, consultants, and contractors are required to assign unique user IDs and passwords to each of their employees authorized to access Charter School' system. Vendors, consultants, and/or contractors may be terminated for violating this policy and/or violating any state or federal laws.

All vendors, consultants, and/or contractors and their employees who have direct contact with students must comply with the mandatory Pennsylvania background check requirements for federal and state criminal history and child abuse. An official child abuse clearance statement for each of the vendors', consultants' and/or contractors' employees shall be submitted to Charter School prior to beginning employment with Charter School. Failure to comply with the background checks as required by applicable law or legal regulations and/or the Pennsylvania Department of Education shall lead to immediate termination or non-hire

### **Closed Forum**

Charter School' Technology Resources are not a public forum for expression of any kind and are to be considered a closed forum to the extent allowed by law.

All expressive activities involving Charter School Technology Resources that students, parents/guardians, and members of the public might reasonably perceive to bear the approval of Charter School and that are designed to impart particular knowledge or skills to student participants and audiences are considered curricular publications. All curricular publications are subject to reasonable prior restraint, editing, and deletion, to the fullest extent permitted by applicable law, on behalf of Charter School for legitimate educational reasons. All other expressive activities involving Charter School's technology are subject to reasonable prior restraint and subject matter restrictions as allowed by applicable law and Board of Trustees Policies.

### **Records Retention**

Charter School personnel shall establish a retention schedule for the regular archiving or deletion of data stored on Charter School Technology Resources that complies with Charter School' Record Retention and Destruction Policy as well as all federal and Pennsylvania state laws and regulations. It is the user's responsibility to know which records are subject to these conditions and to comply with these laws and regulations or to contact the CEO for clarification.

In the case of pending or threatened litigation, Charter School' attorney will issue a litigation hold directive to the CEO or designee. A hold directive will direct all Charter School administration and staff or agents not to delete or destroy any electronic mail or other documentation on a computer as related to a specific student, employee, and issue for a specific time period. Failure to follow such a directive could result in negative legal consequences for the User and/or within the actual or threatened litigation. The litigation hold directive will override any records retention schedule that may have otherwise called for the transfer, disposal, or destruction of relevant documents until the hold has been lifted by Charter School' attorney.

E-mail and computer accounts of separated employees that have been placed on a litigation hold will be maintained by Charter School until the hold is released. No employee who has been so notified of a litigation hold may alter or delete any electronic record that falls within the scope of the hold. Violation of the hold may subject the individual to disciplinary actions, up to and including

termination of employment, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

### **Drafting E-mails**

E-mails may appear informal as e-mail messages are sometimes offhand like a conversation and are often not as carefully thought out as a letter or memorandum. Like any other document, an e-mail message or other computer information can later be used to indicate what a user knew or felt. You should keep this in mind when creating e-mail messages and other documents. Even after you delete an e-mail message or close a computer session, it may still be recoverable and may remain on the system. E-mail communications are discoverable during litigation and, therefore, will have to be turned over to the opposing party unless it is determined to be privileged by Charter School' legal counsel.

### **Privileged Attorney-Client Communications**

Confidential e-mails sent to or retained from counsel or an attorney representing Charter School shall include this warning header on each page: "" ATTORNEY CLIENT PRIVILEGED " and/or " ATTORNEY CLIENT PRIVILEGED: DO NOT FORWARD WITHOUT PERMISSION."

### **No Warranty/No Endorsement**

Charter School makes no warranties of any kind, whether expressed or implied, for the services, products, or access it provides.

The electronic information available to students and staff on the Internet or through Web-based services does not imply endorsement of the content by Charter School, with the exception of resources approved and adopted by the Board of Trustees. Nor does Charter School guarantee the accuracy of information received using Charter School' Technology Resources.

Charter School is not and shall not be responsible for the loss of data, delays, nondeliveries, misdeliveries, or service interruptions. Charter School is not and shall not be responsible for any information that may be damaged or unavailable when using Charter School Technology Resources or for any information that is retrieved via the Internet. Charter School is not and shall not be responsible for any damages incurred as the result of using Charter School Technology Resources, including but not limited to the loss of personal property used to access a technology resource. Further, Charter School is not and shall not be responsible for any unauthorized charges or fees resulting from access to the Internet or other commercial online services.

### **Unauthorized Disclosure of Information of Minors**

It is a violation of state laws, including but not limited to Chapter 12 of Title 22 of the Pennsylvania Code, as well as The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g) and all other federal laws and regulations, to access data of a student the user does not have a legitimate educational interest in or to disclose information about a student without parental permission or absent an exception to the disclosure requirements. Access and distribution of student data is recorded.

Questions regarding the disclosure of student information must be directed to the CEO prior to disclosure and must conform to Charter School' Student Records Policy. Unauthorized disclosure, use, and/or dissemination of personal information regarding minors is prohibited.

### **Damages**

Users shall be responsible for damage to Technology Resources, equipment, systems, and/or software. All damage incurred due to a User's intentional or negligent misuse of Charter School' technology resources, including loss of property and staff time, may be charged to the User. Charter School administrators have the authority to sign any criminal complaint regarding damage to Charter School technology.

### **Reporting a Missing or Stolen Technology Resource**

If a Student or Parent believes that a school-issued Technology Resource is missing or stolen, the following must occur:

- (1) Notify the student's Learning Guide immediately;
- (2) Immediately file a true and accurate report with the local police department and/or law enforcement agency;
- (3) Immediately submit a copy of the report via e-mail, fax or US Mail to the Director of Operations and Innovation Director at Central PA Digital Learning Foundation; and
- (4) Cooperate with Charter School and/or authorities in any and all legal efforts/actions taken to retrieve the stolen property.

### **Compliance with Applicable Laws and Licenses**

In their use of Technology Resources, Users must comply with all software licenses/copyrights and all other state, federal, and international laws governing intellectual property and online activities. Users shall not copy and distribute copyrighted material (e.g., software, database files, documentation, articles, graphics files, and downloaded information) through the e-mail system or by any other means unless it is confirmed in advance from appropriate sources that Charter School has the right to copy or distribute the material. Failure to observe a copyright may result in disciplinary action by Charter School as well as legal action by the copyright owner. Any questions concerning these rights should be directed to the CEO or designee.

### **Violations of Acceptable Technology Usage Policies and Procedures**

Use of Technology Resources and equipment in a disruptive, manifestly inappropriate or illegal manner impairs Charter School' mission and squanders resources, and it shall not be tolerated. Therefore, a consistently high level of personal responsibility is expected of all Users granted access to Charter School' Technology Resources. Any violation of Charter School policies or procedures regarding technology usage may result in temporary, long-term, or permanent suspension of User privileges. User privileges may be suspended pending investigation into the use of Charter School' Technology Resources and equipment.

Employees may be disciplined or terminated, and students suspended or expelled, for violating this Policy. Any attempted violation of Charter School' policies or procedures, regardless of the success or

failure of the attempt, may result in the same discipline or suspension of privileges as that of an actual violation.

### **Consequences for Inappropriate Use**

Illegal use of Charter School Technology Resources includes, but is not limited to: intentional copying; deletion or damage to files or data belonging to others; copyright violations; or theft of services. Any illegal usage of Charter School Technology Resources will be immediately reported to the appropriate legal and/or law enforcement authorities for possible investigation and prosecution.

General rules for behavior and communications apply when using the Internet or any Charter School Technology Resource. Suspension of access, loss of access, and other disciplinary actions may be consequences for inappropriate use. Vandalism may result in cancellation of access privileges, discipline, and possible criminal action.

### **Cessation of Access**

Upon the termination or ending of enrollment or employment or the termination of any contract with or from Charter School, no further access to or use of Technology Resources is permitted without the express authorization from the CEO.

### **Education of Technology Resource Users**

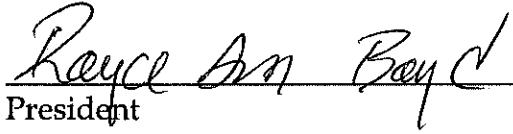
Charter School shall implement a program that educates students and staff about acceptable use and internet safety associated with Charter School' Technology Resources. All students must complete a designated Technology Resources and Internet training prior to unsupervised use of Charter School Technology Resources, as required by the 2008 Broadband Data Improvement Act. This training includes, but is not limited to: appropriate online behavior, including interacting on social networking websites and in chat rooms; cyberbullying awareness and response; proper use of Technology Resources; restricted activities with Technology Resources; and access and monitoring of school-issued Technology Resources to students.

### **No Additional Rights**

This policy is not intended for and does not grant users any contractual rights. Users of Charter School' Technology Resources must review this policy closely and sign and return to Charter School the Form acknowledging receipt and acceptance of the terms in this Policy, which is attached hereto. Venue for any legal action arising out of an alleged and/or actual violation of the attached agreement(s) shall be in Chester County, Pennsylvania.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO  
CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL  
LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this 10 day of August, 2017

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

**Acknowledgement of the Acceptable Use and Internet Safety Policy  
(Student User Agreement)**

Parent/Guardian:

Please review the following Student User Agreement with your child. Then please return both the signed Student User Agreement and the signed Parent User Agreement, which acknowledges receipt of Central Pennsylvania Digital Learning Foundation Charter School's ("Charter School") Acceptable Use and Internet Safety Policy ("Policy"), to your child's Homeroom Teacher by \_\_\_\_\_ **{date}**. This form is valid for the duration of your child's enrollment in Charter School until replaced by another form or revoked in writing by a parent or guardian.

I, \_\_\_\_\_, a student of Charter School, have read the entire Acceptable Use and Internet Safety Policy, which consists of 16 pages, understand it, and agree to comply with the Policy. In addition to complying with all terms of the Policy, when using any Charter School Technology Resources, as defined above, I accept the following basic rules:

1. I shall treat all Technology Resources with care and will leave them in good working condition when I am finished. I will not damage, deface, destroy, or render inaccessible Technology Resources.
2. I shall use appropriate language on all Technology Resources. If the language is obscene, vulgar, defamatory, harassing, degrading, sexually explicit, threatening, violent, insulting, demeaning, harmful to minors, child pornographic, pornographic, advocating illegal acts, or otherwise inappropriate as deemed by the CEO, I will not access it, use it, send it, share it, create it, or attempt to access, use, create, share, or send it.
3. I shall always treat people online with respect I shall not use any Charter School Technology Resources to insult, harass, threaten, bully, or cyberbully other Users, as defined above. I assume responsibility for the content of messages I send to others or that are sent to others via my account.
4. I shall respect the privacy of other Users and will not make any attempts to gain access into the private mailboxes or accounts of those Users. I shall not allow other Users access to my mailbox and will keep my password private.
5. I understand that Technology Resources are to be used for educational/professional/contractual use.
6. I understand that all Technology Resources belong to Charter School and I shall treat them with respect.
7. I will not install or download any applications (games), programs, or materials from the Internet or from any Technology Resources unless the CEO gives me prior permission in writing.
8. I shall not add any software to Charter School Technology Resources unless the CEO gives me prior permission in writing.
9. I understand that the Technology Resources provided to me for use may be protected under copyright law. I agree not to copy resources unlawfully and/or distribute any materials provided for my use without express prior permission by the Chief Executive Officer.
10. I shall comply with all applicable state and federal laws and regulations regarding the use of Technology Resources, including but not limited to laws regarding child welfare and the Internet protection of minors, such as CIPA and N-CIPA.

By signing below, I agree to abide by the Acceptable Use and Internet Safety Policy and understand that failure to follow all rules as explained in this document may result in the loss of my privileges to Technology Resources; disciplinary action, including student disciplinary action up to and including expulsion from Charter School; charges for damages; and civil or criminal penalties.

X

\_\_\_\_\_  
(User Signature)

\_\_\_\_\_  
(Date)

(MAINTAIN ONE COPY AND RETURN ONE COPY TO Charter School)



**Acknowledgement of the Acceptable Use and Internet Safety Policy  
(Parent User Agreement)**

I, \_\_\_\_\_, a parent of \_\_\_\_\_, a student of Central Pennsylvan Digital Learning Foundation Charter School ("Charter School"), have read the entire Acceptable Use and Internet Safety Policy ("Policy"), which consists of 16 pages, understand it, and agree to comply with the Policy. In addition to complying with all terms of the Policy, when using any Charter School Technology Resources, as defined above, I acknowledge the following:

1. My child and I shall treat all Technology Resources with care and will leave them in good working condition when he/she is finished. My child and I will not damage, deface, destroy, or render inaccessible Technology Resources.
2. My child and I shall use appropriate language on all Technology Resources. If the language is obscene, vulgar, defamatory, harassing, degrading, sexually explicit, threatening, violent, insulting, demeaning, harmful to minors, child pornographic, pornographic, advocating illegal acts, or otherwise inappropriate as deemed by the CEO, my child and I will not access it, use it, send it, share it, create it, or attempt to access, use, create, share, or send it.
3. My child and I shall always treat people online with respect. My child and I shall not use any Charter School Technology Resources to insult, harass, threaten, bully, or cyberbully other Users. My child and I assume responsibility for the content of messages we send to others or that are sent to others via his/her account.
4. My child and I shall respect the privacy of other Users and will not make any attempts to gain access into the private mailboxes or accounts of those Users. My child and I shall not allow other Users access to my child's mailbox and we will keep his/her password private.
5. My child and I understand that Technology Resources are to be used for educational/professional/contractual use.
6. My child and I understand that all Technology Resources belong to Charter School and we shall treat them with respect.
7. My child and I will not install or download any applications (games), programs, or materials from the Internet or from any Technology Resources unless the CEO gives prior permission in writing.
8. My child and I shall not add any software to Charter School' Technology Resources unless the CEO gives prior permission in writing.
9. My child and I understand that the Technology Resources provided may be protected under copyright law. My child and I agree not to copy resources unlawfully and/or distribute any materials provided for our use without express prior permission by the CEO.
10. My child and I shall comply with all applicable state and federal laws and regulations regarding the use of Technology Resources, including but not limited to laws regarding child welfare and the Internet protection of minors, such as CIPA and N-CIPA.

By signing below, I agree to abide by the Acceptable Use and Internet Safety Policy and understand that failure to follow all rules as explained in this document may result in the loss of my and my child's privileges to Technology Resources; disciplinary action, including student disciplinary action up to and including expulsion from Charter School; charges for damages; and civil or criminal penalties.

X

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(User Signature)

(Date)

(MAINTAIN ONE COPY AND RETURN ONE COPY TO Charter School)

**Acknowledgement of the Acceptable Use and Internet Safety Policy  
(Administrator and Staff User Agreement)**

I, \_\_\_\_\_, a User of Central Pennsylvania Digital Learning Foundation Charter School's ("Charter School") Technology Resources, have read the entire Acceptable Use and Internet Safety Policy ("Policy"), which consists of 16 pages, understand it, and agree to comply with the Policy. In addition to complying with all terms of the Policy, when using any Charter School Technology Resources, as defined above, I accept the following basic rules:

1. I shall treat all Technology Resources with care and will leave them in good working condition when I am finished. I will not damage, deface, destroy, or render inaccessible Technology Resources.
2. I shall use appropriate language on all Technology Resources. If the language is obscene, vulgar, defamatory, harassing, degrading, sexually explicit, threatening, violent, insulting, demeaning, harmful to minors, child pornographic, pornographic, advocating illegal acts, or otherwise inappropriate as deemed by the CEO, I will not access it, use it, send it, share it, create it, or attempt to access, use, create, share, or send it.
3. I shall always treat people online with respect. I shall not use any Charter School Technology Resources to insult, harass, threaten, bully, or cyberbully other Users. I assume responsibility for the content of messages I send to others or that are sent to others via my account.
4. I shall respect the privacy of other Users and will not make any attempts to gain access into the private mailboxes or accounts of those Users. I shall not allow other Users access to my mailbox and will keep my password private.
5. I understand that Technology Resources are to be used for educational/professional/contractual use.
6. I understand that all Technology Resources belong to Charter School and I shall treat them with respect. I will not install or download any applications (games), programs, or materials from the Internet or from any Technology Resources unless the CEO gives me prior permission in writing.
8. I shall not add any software to Charter School' Technology Resources unless the Chief Executive Officer gives me prior permission in writing.
9. I understand that the Technology Resources provided to me for use may be protected under copyright law. I agree not to copy resources unlawfully and/or distribute any materials provided for my use without express prior permission by the CEO.
10. I shall comply with all applicable state and federal laws and regulations regarding the use of Technology Resources, including but not limited to laws regarding child welfare and the Internet protection of minors, such as CIPA and N-CIPA.

By signing below, I agree to abide by the Acceptable Use and Internet Safety Policy and understand that failure to follow all rules as explained in this document may result in the loss of my privileges to Technology Resources; disciplinary action, including termination of employment; charges for damages; and civil or criminal penalties.

X

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(User Signature)

(Date)

(MAINTAIN ONE COPY AND RETURN ONE COPY TO Charter School)

**Acknowledgement of the Acceptable Use and Internet Safety Policy  
(Vendor, Contractor, and/or Consultant Agreement)**

I, \_\_\_\_\_, a User of Central Pennsylvania Digital Learning Foundation Charter School. ("Charter School") Technology Resources, have read the entire Acceptable Use and Internet Safety Policy ("Policy"), which consists of 16 pages, understand it, and agree to comply with the Policy. In addition to complying with all terms of the Policy, when using any Charter School Technology Resources, as defined above, I, on behalf of myself and the entity that I represent, accept the following basic rules:

1. I shall treat all Technology Resources with care and will leave them in good working condition when I am finished. I will not damage, deface, destroy, or render inaccessible Technology Resources.
2. I shall use appropriate language on all Technology Resources. If the language is obscene, vulgar, defamatory, harassing, degrading, sexually explicit, threatening, violent, insulting, demeaning, harmful to minors, child pornographic, pornographic, advocating illegal acts, or otherwise inappropriate as deemed by the CEO, I will not access it, use it, send it, share it, create it, or attempt to access, use, create, share, or send it.
3. I shall always treat people online with respect. I shall not use any Charter School Technology Resources to insult, harass, threaten, bully, or cyberbully other Users. I assume responsibility for the content of messages I send to others or that are sent to others via my account.
4. I shall respect the privacy of other Users and will not make any attempts to gain access into the private mailboxes or accounts of those Users. I shall not allow other Users access to my mailbox and will keep my password private.
5. I understand that Technology Resources are to be used for educational/professional/contractual use.
6. I understand that all Technology Resources belong to Charter School and I shall treat them with respect.
7. I will not install or download any applications (games), programs, or materials from the Internet or from any Technology Resources unless the CEO gives me prior permission in writing.
8. I shall not add any software to Charter School Technology Resources unless the CEO gives me prior permission in writing.
9. I understand that the Technology Resources provided to me for use may be protected under copyright law. I agree not to copy resources unlawfully and/or distribute any materials provided for my use without express prior permission by the CEO.
10. I shall comply with all applicable state and federal laws and regulations regarding the use of Technology Resources, including but not limited to laws regarding child welfare and the Internet protection of minors, such as CIPA and N-CIPA.

By signing below, I, on behalf of myself and the entity that I represent, agree to abide by the Acceptable Use and Internet Safety Policy and understand that failure to follow all rules as explained in this document may result in the loss of my privileges to Technology Resources; disciplinary action, including termination of employment; charges for damages; and civil or criminal penalties.

X

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(User Signature)

(Date)

(MAINTAIN ONE COPY AND RETURN ONE COPY TO Charter School)

**Acknowledgement of the Acceptable Use and Internet Safety Policy  
(Learning Coach User Agreement)**

I, \_\_\_\_\_, Learning Coach of \_\_\_\_\_, a student(s) of Central Pennsylvania Digital Learning Foundation Charter School ("Charter School"), have read the entire Acceptable Use and Internet Safety Policy ("Policy"), which consists of 16 pages, understand it, and agree to comply with the Policy. In addition to complying with all terms of the Policy, when using any Charter School Technology Resources, as defined above, I accept the following basic rules:

1. I shall treat all Technology Resources with care and will leave them in good working condition when I am finished. I will not damage, deface, destroy, or render inaccessible Technology Resources.
2. I shall use appropriate language on all Technology Resources. If the language is obscene, vulgar, defamatory, harassing, degrading, sexually explicit, threatening, violent, insulting, demeaning, harmful to minors, child pornographic, pornographic, advocating illegal acts, or otherwise inappropriate as deemed by the CEO, I will not access it, use it, send it, share it, create it, or attempt to access, use, create, share, or send it.
3. I shall always treat people online with respect. I shall not use any Charter School Technology Resources to insult, harass, threaten, bully, or cyberbully other Users. I assume responsibility for the content of messages I send to others or that are sent to others via my account.
4. I shall respect the privacy of other Users and will not make any attempts to gain access into the private mailboxes or accounts of those Users. I shall not allow other Users access to my mailbox and will keep my password private.
5. I understand that Technology Resources are to be used for educational/professional/contractual use.  
I understand that all Technology Resources belong to Charter School and I shall treat them with respect.
6. I will not install or download any applications (games), programs, or materials from the Internet or from any Technology Resources unless the CEO gives me prior permission in writing.
8. I shall not add any software to Charter School Technology Resources unless the CEO gives me prior permission in writing.
9. I understand that the Technology Resources provided to me for use may be protected under copyright law. I agree not to copy resources unlawfully and/or distribute any materials provided for my use without express prior permission by the CEO.
10. I shall comply with all applicable state and federal laws and regulations regarding the use of Technology Resources, including but not limited to laws regarding child welfare and the Internet protection of minors, such as CIPA and N-CIPA.

By signing below, I agree to abide by the Acceptable Use and Internet Safety Policy and understand that failure to follow all rules as explained in this document may result in the loss of my privileges to Technology Resources; disciplinary action, including but not limited to charges for damages and civil or criminal penalties.

X

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(User Signature)

(Date)

(MAINTAIN ONE COPY AND RETURN ONE COPY TO Charter School)

**Attachment 89**  
Proof of Public Notice

**PROOF OF PUBLICATION OF NOTICE IN ALTOONA MIRROR**

NOTICE

The Central Pennsylvania Digital Learning Foundation Board of Trustees will be holding a board meeting on Monday, August 12, 2019 at 1:00 pm., at the IU8 Educational Development Center in Duncansville, Pa 16835.

August 10, 2019

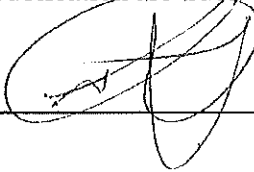
**STATE OF PENNSYLVANIA  
COUNTY OF BLAIR**

Ray Eckenrode, being duly sworn says: That he is the General Manager of the ALTOONA MIRROR, a newspaper of general circulation, published at Number 301 Cayuga Avenue, Township of Logan, City of Altoona, County of Blair, and State of Pennsylvania.

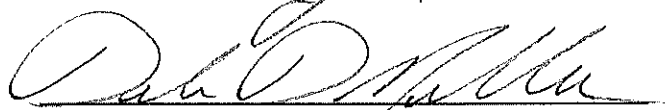
That said newspaper was established as a daily newspaper of general circulation on the Thirteenth Day of June 1874, since which date said newspaper has been published daily in the City of Altoona; that a copy of the printed notice, hereto attached, is exactly as the same was printed and published in the regular edition of the daily ALTOONA MIRROR published on the following date(s), viz:

August 10, 2019

The affiant further deposes and declares that he is not interested in the subject matter of the aforesaid notice of publication and that all allegations in the foregoing statement as to time, place and character of publication are true.



Sworn to and subscribed before me the 15 day of August, 2019.

  
Debra D. Miller, Notary Public

My Commission expires \_\_\_\_\_

Commonwealth of Pennsylvania  
Notarial Seal  
DEBRA D MILLER, Notary Public  
ALTOONA CITY, BLAIR COUNTY  
My Commission Expires July 25, 2021

Altoona Mirror Print Ad Proof

ADNo: 435741 Customer Number: L55314  
Customer Name: Company: CENTRAL PA DIGITAL L  
Address: 580 FOOT OF TEN ROAD  
City/St/Zip: DUNCANSVILLE, PA 16635  
Phone: (814) 682-5258 Solicitor: NU  
Category: 300 Class: 310 Rate: L-0 Start: 8-10-2019 Stop: 8-10-2019  
Lines: 13 Inches: 1.25 Words: 37

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Credit Card: Expire:  
Order Number:  
Cost: .00 Extra Charges: .00 Adjustments: .00  
Payments: .00 Discount: .00  
Balance: .00

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**NOTICE**

The Central Pennsylvania  
Digital Learning Founda-  
tion Board of Trustees will  
be holding a board meet-  
ing on Monday, August  
12, 2019 at 1:00 pm., at  
the IUE Educational  
Development Center in  
Duncansville, Pa 16635.

August 10, 2019

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*9/6/19  
M...  
S...*

|                  |                |
|------------------|----------------|
| Statement Number | Billing Date   |
| 027517           | 8/31/19        |
| Account Number   | Billing Period |
| L55314           | AUGUST 2019    |
| Total Amount Due |                |
| 51.41            |                |

Write Amount Enclosed

**Advertising Invoice/Statement**

| Bill Account Name And Address   | Remittance Address  |
|---|---|
| CENTRAL PA DIGITAL<br>LEARNING FOUNDATION<br>580 FOOT OF TEN ROAD<br>DUNCANSVILLE, PA 16635 | ALTOONA MIRROR<br>301 CAYUGA AVE<br>PO BOX 2008<br>ALTOONA PA 16603 |

Please Detach Upper Portion And Return With Payment

| Day | Reference | Description      | S-A-U Dimensions | Units | Rate  | Amount |
|-----|-----------|------------------|------------------|-------|-------|--------|
| 10  |           | PREVIOUS BALANCE |                  |       |       | 0.00   |
| 10  |           | Meeting 8/12     | 1X 1.50          | 1.5   | 29.44 | 44.16  |
|     |           | 1 Affidavit      |                  |       |       | 7.25   |

**Message**

| Totals  |               |         | Ageing  |         |         | Total Amount Due |
|---------|---------------|---------|---------|---------|---------|------------------|
| Display | Other Charges | Credits | Current | 30 Days | 60 Days | 90 Days          |
| 44.16   | 7.25          | .00     | 51.41   | .00     | .00     | .00              |
|         |               |         |         |         |         | 51.41            |

|                      |                |   |
|----------------------|----------------|---|
| Statement Number     | Billing Date   | Terms<br>Balance due upon receipt of this Invoice/Statement |
| 027517               | 8/31/19        |   |
| Account Number       | Billing Period |   |
| L55314               | AUGUST 2019    |   |
| Contract Information |                |   |
| Expiration Date      | Requirement    | Name Of Advertiser  |
|                      |                | CENTRAL PA DIGITAL  |
| Current Month        | Cumulative     | Salesperson   |
|                      |                | LEGALS  |

Advertising Invoice/Statement

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**Attachment 90**

AIU8 Management Agreement

July 2015 - June 2018

**Agreement to Provide Administrative Support To The Central Pennsylvania Digital Learning Foundation**

This Agreement made this 1<sup>st</sup> day of July, 2015 between Appalachia Intermediate Unit 8, organized and existing under the laws of Commonwealth of Pennsylvania, with a place of business at 4500 6<sup>th</sup> Avenue, Altoona, PA, hereafter referred to as IU8 and the Central Pennsylvania Digital Learning Foundation, a charter school organized and existing under the laws of the Commonwealth of Pennsylvania, with a place of business currently at 721 North Juniata Street, Hollidaysburg, PA 16648, hereafter referred to as CPDLF.

CPDLF desires to purchase through contract the necessary expertise to provide administrative services, including but not limited to curriculum and instruction, personnel compliance, confidential clerical support, fiscal expertise and technical assistance.

Additionally, CPDLF desires to purchase through contract the necessary expertise to provide special education consulting services only on an as needed basis.

The Board of Trustees and Administrative Officers of CPDLF shall maintain command of the day-to-day operations of CPDLF in addition to the long-term planning of CPDLF. No provision of this agreement shall be construed as a surrender of any power or authority of the Board of Trustees of CPDLF to the IU8. The CPDLF Board of Trustees shall be the final decision maker regarding all matters of CPDLF policy.

Both parties acknowledge and agree that neither party is an employee, partner, officer or agent of, or joint venture with the other party, and shall not be entitled to any benefits, (sick days, personal leave days, vacation days, healthcare coverage) whatsoever provided by the respective parties.

**Duties:**

In the performance of this contact, it is mutually understood and agreed that the IU8 is at all times acting and performing as an independent contractor for the CPDLF. The Sole interest and responsibility of the IU8 is to ensure that the contracted services shall be performed in accordance with applicable state and federal laws, the Pennsylvania School code of 1949, and recognized standards of professional practice.

**A. MANAGEMENT SERVICES:**

Appalachia IU8 agrees to provide the following management services to CPDLF:

1. Chief Executive Officer/Curriculum/Operations Management. IU8 agrees to provide a Chief executive officer to CPDLF. The duties of the Chief Executive Officer (hereinafter "CEO") shall be as follows:
  - Planning and initiating programs and policies concerning the organizational, operational, and education function of CPDLF as directed by the Board of Trustees with ultimate responsibility for the execution of these programs and policies.
  - Directing the daily operation of CPDLF by organizing, supervising, and coordinating CPDLF staff.

- Establishing internal administrative operational procedures, rules and regulations relating to the personnel, financial disbursements and accounting requirements, equipment/facilities operation and use, and staffing requirements.
- Performing other duties as deemed necessary and appropriate for the effective management and operation of CPDLF under the direction of the Board of Trustees.
- Performing other consultation services regarding the CPDLF operations as deemed necessary and appropriate by the Board of Trustees.
- Making Recommendations to the Board of Trustees regarding the educational Curriculum at CPDLF.
- Performing other consultation services regarding the CPDLF curriculum as deemed necessary and appropriate by the Board of Trustees.
- To assure that CPDLF policies are carried out successfully.
- Ensuring Administration is appraised of information related to CPDLF operations.
- Performing other duties as deemed necessary and appropriate for the effective management and operation of CPDLF.

**2. Technology Services:**

- Making recommendation to the Board of Trustees regarding the implementation and use of information technology at CPDLF.
- Ensuring the effective and efficient operation of CPDLF information technology under the direction of the Board of Trustees and/or the CEO.
- Performing other consultation duties related to CPDLF information technology as deemed necessary and appropriate under the direction of the Board of Trustees.
- Provide consultation and recommendations to the administration as to instructional technology techniques to improve the student services provided by CPDLF.
- As requested, provide consultation on the use of technology resources to administration, mentors and facilitators to assist with student needs.
- Performing other consultation duties as necessary and appropriate for the effective management and operation of CPDLF.
- Consultation on purchase of hardware and software to maximize cost savings.
- Consultation on network administration and internet connectivity.

**3. Student Services, Guidance, Teachers:**

- Consult on the use of student, family, school and community assessment to recommend appropriate interventions to improve student learning;
- Consult on intervention plans consistent with curriculum, students needs, strengths, social and cognitive functioning, and cultural experiences;
- Consult in the planning of therapeutic, remedial and behavioral modification activities provided by the education agency;
- Consult on direct interventions to students, including individual and group therapy, counseling, and educational and informational programs;
- Consult with providing parent counseling and training to help them acquire the necessary skills to support the implementation of their child's specialized educational program; agency and community that affect their educational

- experience;
- Consult and collaborate with educational agency personnel, parents, and community resources in areas that impact student learning (e.g. mental health, behavior management, school safety, diversity, crisis management, child abuse and neglect;
  - Consult staff in collaborating with community agencies and organizations.
4. **Special Education Consulting Services to CPDLF; Special Education Department:**
- If supervision is needed an additional cost by the IU will be incurred.
5. **Business Consultation Services:**
- Consult on concepts underlying funding, auditing, planning budgets, manage resources, expenditures and fiscal operations.
  - Consult on the regulations governing auxiliary services, including but not limited to consultation on PDE requirements for nursing services, insurance needs and use tools to effectively and efficiently manage building facilities and services.
6. **Use of Facilities:**
- CPDLF and IU8 agree that the IU8 will provide facilities for CPDLF starting in the 2016-2017 fiscal year. The parties agree that a separate agreement concerning the details of the facilities agreement including, but not limited to, rent for the facilities, shared cost for restructuring physical space, and moving expenses for equipment.

**B. COMPENSATION:**

The CPDLF has the option to use any and all services listed in this agreement. Coordination of services and facilities use will be coordinated by the office of the Executive Director of Appalachia Intermediate Unit 8.

The CPDLF recognizes that any expense incurred by the CPDLF is the sole responsibility of the CPDLF not of the IU8.

**C. TERM:**

The term of this Agreement shall continue until the end of the 2017-2018 fiscal year. Either party may terminate this Agreement with sixty (60) days written notice of intent to terminate, unless mutually agreed between the parties to waive the timeframe requirement.

**D. WORKERS COMPENSATION:**

The CPDLF agrees that is it responsible for its own worker's compensation coverage. Nothing in this Agreement shall be construed as an employment agreement.

The IU8 and CPDLF agree to hold each other harmless for all liabilities associated with their respective actions.

The parties will be responsible for all of their own insurances in connection with his or her employee's work.

**E. TERMINATION OF CONTRACT:**

Cancellation by Mutual Agreement: The parties may terminate this Agreement for any or no reason, upon mutual agreement of the parties.

Cancellation for Cause: The parties may terminate this Agreement for cause based upon the failure of the other party to comply with the Terms and/or Conditions of the Agreement provided that the non-breaching party shall give the breaching party written notice specifying the breaching party's failure. If within thirty (30) days after receipt of such notice, the breaching party shall not have either corrected such failure or proceeded diligently to remedy such failure, then the non-breaching party may, at its option, place the breaching party in default and the contract shall terminate on the date specified in such notice.

**F. INDEMNIFICATION:**

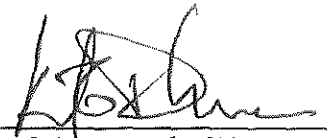
Each party shall perform the services under the Terms and Conditions of this Agreement at their own risk and responsibility . To the full extent permitted by law, the IU8 and CPDLF agree to hold each other harmless for all liabilities associated with their respective actions and shall indemnify, defend (at their own sole expense) and hold harmless each party including the Board of School Directors, Representatives, Members, Designees, Officers, Solicitors, Directors, Employees, Agents, Successors and Assigns ("Indemnified Parties") from and against any and all claims for bodily injury, death or damage to property, demands, damages, actions, causes of actions, suits, losses , judgments , obligations and any liabilities, costs and expenses (including but not limited to investigative costs, attorneys' fees and costs) ("claims") which arise or are in any way connected with the work performed, materials furnished , or services provided under this Agreement , by either party.

**G. RESTRICTIONS AND CONFIDENTIALITY:**

Unless either party specifically agrees in writing, confidential information obtained through the services performed should remain confidential in compliance with all FERPA and HIPAA standards and both parties will ensure and protect all information in compliance with their respective policies.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed and sealed on the day and year first above written.

CPDLF:



\_\_\_\_\_  
President of the Board of Trustees, CPDLF

IU8:



\_\_\_\_\_  
Executive Director, Appalachia Intermediate Unit 8



\_\_\_\_\_  
President, IU8 Board of Directors

**Appalachia IU 8 Agreement to Provide Administrative Support  
to the Central Pennsylvania Digital Learning Foundation Charter School**

Signed: July 1, 2015

**Addendum**

Signed: January 1, 2016

This addendum adds item A. 7. Business Management Services:

IU 8 agrees to provide a Business Manager to CPDLF. The duties of the Business Manager shall be as follows:

- Assist CEO with budget creation
- Work with the CEO to manage the Operations department
- Submit budget to PDE
- Create medical access billing budget
- Prepare Budget to Actual report for CPDLF Board Meetings
- Enter General Ledger entries in accounting software
- Complete Health Reimbursement report
- Verification of billing, deposits, and expenses
- Approve bills to pay
- Approve payroll
- Complete and submit AFR
- Complete the MD&A for yearly audit and oversee audit
- Provide financial information for reports
  - o Comprehensive Plan
  - o Charter Annual Report
- Perform other duties as deemed necessary and appropriate for the effective management and operation of CPDLF finances

**Updated Yearly Agreement Fee: \$210,000**

IN WITNESS WHEREOF, the parties have caused this Agreement Amendment to be signed and sealed on the day and year written above.

**Central Pennsylvania Digital Learning Foundation**

**Appalachia Intermediate Unit 8**

\_\_\_\_\_  
Chief Executive Officer, CPDLF

\_\_\_\_\_  
Executive Director, IU 8

\_\_\_\_\_  
President of the Board of Trustees, CPDLF


\_\_\_\_\_  
President, IU 8 Board of Directors

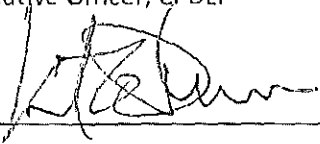
IN WITNESS WHEREOF, the parties have caused this Agreement Amendment to be signed and sealed on the day and year written above.

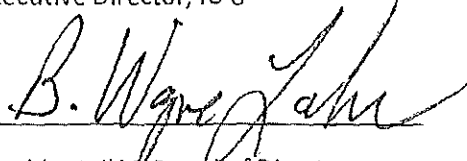
Central Pennsylvania Digital Learning Foundation

Appalachia Intermediate Unit 8

  
\_\_\_\_\_  
Chief Executive Officer, CPDLF

  
\_\_\_\_\_  
Executive Director, IU 8

  
\_\_\_\_\_  
President of the Board of Trustees, CPDLF

  
\_\_\_\_\_  
President, IU 8 Board of Directors



**Attachment 91**

AIU8 Management Agreement

July 2018 - June 2023

**AGREEMENT TO PROVIDE MANAGEMENT AND BUSINESS SERVICES FOR THE  
CENTRAL PENNSYLVANIA DIGITAL LEARNING FOUNDATION (CPDLF)**

This Agreement made this 1<sup>st</sup> day of July, 2018 between Appalachia Intermediate Unit 8, organized and existing under the laws of Commonwealth of Pennsylvania, with a place of business at 4500 6<sup>th</sup> Avenue, Altoona, PA, hereafter referred to as IU8 and the Central Pennsylvania Digital Learning Foundation, a charter school organized and existing under the laws of the Commonwealth of Pennsylvania, with a place of business currently at 580 Foot of Ten Road, Duncansville, PA 16635 hereafter referred to as CPDLF.

CPDLF desires to purchase through contract the necessary expertise to provide management and administrative services, including but not limited to curriculum and instruction, personnel compliance, confidential clerical support, fiscal expertise and technical assistance.

The Board of Trustees and Administrative Officers of CPDLF shall maintain command of the day-to-day operations of CPDLF in addition to the long-term planning of CPDLF. No provision of this agreement shall be construed as a surrender of any power or authority of the Board of Trustees of CPDLF to the IU8. The CPDLF Board of Trustees shall be the final decision maker regarding all matters of CPDLF policy.

**Duties:**

In the performance of this contact, it is mutually understood and agreed that the IU8 is at all times acting and performing as an independent contractor for the CPDLF. The Sole interest and responsibility of the IU8 is to ensure that the contracted services shall be performed in accordance with applicable state and federal laws, the Pennsylvania School code of 1949, and recognized standards of professional practice.

**A. MANAGEMENT SERVICES:**

Appalachia IU8 agrees to provide the following management services to CPDLF:

1. Chief Executive Officer/Curriculum/Operations Management. IU8 agrees to provide a Chief executive officer to CPDLF. The duties of the Chief Executive Officer (hereinafter "CEO") shall be as follows:
  - Planning and initiating programs and policies concerning the organizational, operational, and education function of CPDLF as directed by the Board of Trustees with ultimate responsibility for the execution of these programs and policies.
  - Directing the daily operation of CPDLF by organizing, supervising, and coordinating CPDLF staff.
  - Establishing internal administrative operational procedures, rules and regulations relating to the personnel, financial disbursements and accounting requirements, equipment/facilities operation and use, and staffing requirements.

- Performing other duties as deemed necessary and appropriate for the effective management and operation of CPDLF under the direction of the Board of Trustees.
- Performing other consultation services regarding the CPDLF operations as deemed necessary and appropriate by the Board of Trustees.
- Making recommendations to the Board of Trustees regarding the educational curriculum at CPDLF.
- Performing other consultation services regarding the CPDLF curriculum as deemed necessary and appropriate by the Board of Trustees.
- To assure that CPDLF policies are carried out successfully.
- Ensuring Administration is appraised of information related to CPDLF operations.
- Performing other duties as deemed necessary and appropriate for the effective management and operation of CPDLF.

**2. Business Services:**

- IU 8 agrees to provide a Business Manager to CPDLF. The duties of the Business Manager shall be as follows:
  - i. Assist CEO with budget creation
  - ii. Work with the CEO to manage the Operations department
  - iii. Submit budget to PDE
  - iv. Create medical access billing budget
  - v. Prepare Budget to Actual report for CPDLF Board Meetings
  - vi. Enter General Ledger entries in accounting software
  - vii. Complete Health Reimbursement report
  - viii. Verification of billing, deposits, and expenses
  - ix. Approve bills to pay
  - x. Approve payroll
  - xi. Complete and submit AFR
  - xii. Complete the MD&A for yearly audit and oversee audit
  - xiii. Provide financial information for reports
    1. Comprehensive Plan
    2. Charter Annual Report
- IU8 agrees to provide the following Business office services to assist the Business Manager in their duties:
  - i. billing
  - ii. accounts payable
  - iii. general ledger accounting
  - iv. budgeting and financial consulting.

**3. Student Services, Guidance, Teachers:**

- Consult on the use of student, family, school and community assessment to recommend appropriate interventions to improve student learning;
- Consult on intervention plans consistent with curriculum, student's needs, strengths, social and cognitive functioning, and cultural experiences;
- Consult in the planning of therapeutic, remedial and behavioral modification activities provided by the education agency;
- Consult on direct interventions to students, including individual and group therapy, counseling, and educational and informational programs;

- Consult with providing parent counseling and training to help them acquire the necessary skills to support the implementation of their child's specialized educational program; agency and community that affect their educational experience;
- Consult and collaborate with educational agency personnel, parents, and community resources in areas that impact student learning (e.g. mental health, behavior management, school safety, diversity, crisis management, child abuse and neglect;
- Consult staff in collaborating with community agencies and organizations.

**4. Use of Facilities:**

- CPDLF and IU8 agree that the IU8 will provide facilities for CPDLF at 580 Foot of Ten, Duncansville, PA per separate agreement.

**B. COMPENSATION:**

The CPDLF has the option to use any and all services listed in this agreement. Coordination of services and facilities use will be coordinated by the office of the Executive Director of Appalachia Intermediate Unit 8.

The CPDLF recognizes that any expense incurred by the CPDLF is the sole responsibility of the CPDLF, not of the IU8.

CPDLF agrees to pay Appalachia Intermediate Unit 8 \$240,000 per year during the term of this contract for management services.

**C. TERM:**

The term of this Agreement shall continue until the end of the 2022-2023 fiscal year. Either party may terminate this Agreement with sixty (60) days written notice of intent to terminate, unless mutually agreed between the parties to waive the timeframe requirement.

**D. WORKERS COMPENSATION:**

The CPDLF agrees that is it responsible for its own worker's compensation coverage. Nothing in this Agreement shall be construed as an employment agreement.

The IU8 and CPDLF agree to hold each other harmless for all liabilities associated with their respective actions.

**AGREEMENT TO PROVIDE MANAGEMENT AND BUSINESS SERVICES FOR THE  
CENTRAL PENNSYLVANIA DIGITAL LEARNING FOUNDATION (CPDLF)**

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed and sealed on the day and year first above written.

CPDLF: [Signature] 6-14-18  
President of the Board of Trustees, CPDLF Date

IU8: [Signature] 6/28/18  
Executive Director Date IU8 Board President Date

**Attachment 92**

May 2017 PLDC Assessment



## CPDLF ASSESSMENT

### Central Pennsylvania Digital Learning Foundation Influenced by Observations, Interviews, Practices and Policies

Dr. Malynda Maurer, CEO of the Central Pennsylvania Digital Learning Foundation (CPDLF) requested an assessment from the Pennsylvania Leadership Development Center (PLDC) to determine progress toward a Mass Customized Learning (MCL) ethos pervasive in the totally online virtual school. Subsequently, interviews of all employees, parents, and learners; observations; examinations of learning management systems; review of the technology, and review of policies and practices were completed. PLDC contracted Dr. Jay Scott because of his expertise in MCL and online virtual learning.

The assessment focused on four objectives. The objectives included:

- Enrollment Day
  - Includes observation, individual processes of LGs, and parent/student survey
- Orientation Week
  - Includes investigation of processes between LGs, Learner HUB, and parent/student survey
- Connects U!
  - Includes observations of LG, individual processes of LGs, investigation of Connects U! course, and parent/student survey
- Academics
  - Includes review of how grades are determined, progress is reported, and effectiveness of instructors as well as how does it all relate to determining authentic learning

A reflective interview methodology was used to gain information. The information gathered during these interviews generated the primary data for this report. Each employee was interviewed based on the merits of the above four categories. Questions were developed and shared with each employee to ensure that each employee was asked the same question. It was assumed that differing perspectives would have an impact on each question resulting in a variation of responses. Similar questions were asked of the parents and learners. All of this data has been synthesized and summarized for this report.

This assessment is intended to be constructive and to provide valuable information for implementing a clearly focused strategic design process. There is no doubt that CPDLF is making progress in transforming to a customized learning format. We present the findings as a constructive assessment geared to the future. Everyone at CPDLF is to be commended for their efforts in working toward a learning environment that they perceive as best for all learners.



### Appreciation and General Observation

The team at CPDLF, though small, is energized by the mission and future of CPDLF. The general attitude is one of optimism both in the leadership and the direction CPDLF is heading. On several occasions I heard comments like “our school is better than it was a year ago” and there is a genuine interest in pursuing the vision of reaching every learner at his or her learning level, connecting and engaging the learner, and creating a place where learners are continually motivated to learn.

### Designing a Mass Customized Learning Community

MCL encompasses seven key elements that provide Learning Guides and Learning Facilitators with substantive concepts and practices to create an optimal customized learning experience. At the center of this concept was the ideal that every child / learner without exception should have an Ideal Learning Experience.

The Ideal Learning Experience is the heart of the MCL philosophy and rests on the premise of an intrinsically motivated learner. MCL utilizes defined criteria that should be self-evident every hour of every day. The principles require that the learner:

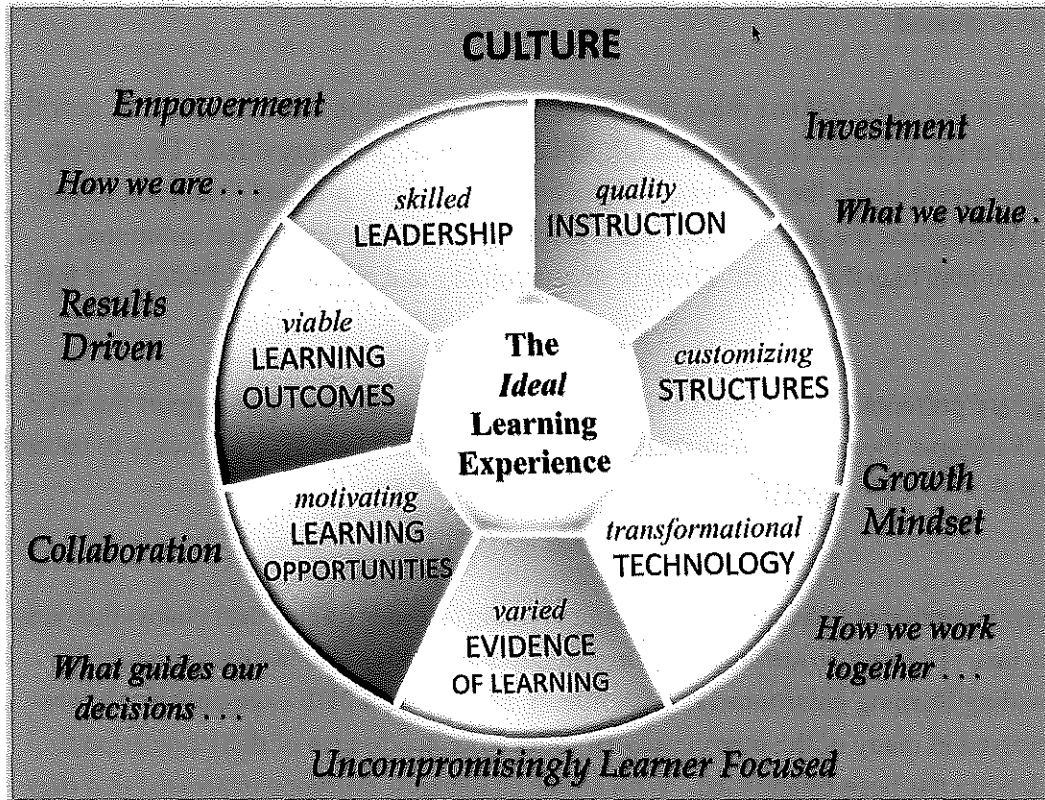
- *Is met at his/her level of learning*
- *Is using one of his/her best learning styles*
- *Is learning skills and concepts with content of high interest to him/her*
- *Understands the relevancy of what he/she is learning*
- *Is challenged and successful*
- *And, looks forward to coming back tomorrow.*

In the time allotted, it was impossible to conduct an extensive assessment of CPDLF relative to the criteria. This report is delimited by this fact. However, a set of generalized reflections and recommendations targeted at CPDLF was generated.



Figure A:

## Designing a MASS CUSTOMIZED LEARNING Community



*Driven by a Future-Focused Strategic Direction*

### CPDLF Observations and Comments

CPDLF serves several purposes. It provides various options for full time matriculated learners and provides an “open campus” concept for part-time learners within the IU 8 service area. Most of the learners are not performing well, are bullied, or have some disability which the staff acknowledges and is energized to serve.

This visit is a snapshot in time of a very complex organization. Although limited by time, these observations can reveal many nuances that will assist in an analysis of where the school is currently, will help to understand the culture of the organization and will also reveal the great progress CPDLF staff is making. Strengths and challenges with the organization can be found to better equip the leadership for developing a strong, coherent strategic design.

Virtual online schools, by their very nature, provide for an opportunity to personalize and



individualize. Each learner is provided a unique opportunity to connect and engage in an a virtual space providing opportunity for individual pacing and supports tailored to that individual. However, when any entity takes on customization, by its own definition, that entity takes on the current industrialized educational system and creates a “flipped” system where the ideal learning environment is created.

It must be noted that what follows draw from a very brief time in the life of the school, as with a focus on enrollment, orientation, Connects U!, and current academics provided. This brevity of time in some respects limits the following comments. Given the evaluators’ background and limited time strengthens the process since there is no opportunity to develop an emotional connection that may bias the report. There is strong validity and reliability in findings of this nature.

The findings are presented in a format of *Strengths*, those key indicators that support the MCL effort and *Challenges* those reflections that serve as obstacles or alternative pathways to success within CPDLF.

**Strengths:**

- ✓ Several comments indicated marked improvement in order (rather than chaos) this year over last. This can be attributed to Dr. Maurer’s leadership and her commitment to providing learning environments with fidelity aligned with PDE expectations. It was expressed in many of the interviews that order from an absence of daily operational leadership has been established. With all the challenges, everyone expressed that they were making progress; however, reiterated that there was still a long way to go. There is a camaraderie among the staff and they enjoy working together.
- ✓ To the person, everyone has believed that Connects U!, still in its infancy, has been a welcome addition and has had a positive impact on learner connection.
- ✓ The staff, both full time and part time, has shown a commitment to making CPDLF work and have been willing to try new things in order to create a mass customized learning environment. They have responded very well given the smallness of the organization and the number of different hats they need to wear. In fairness, though, all were told last summer that active participation would be required since everyone needed to be a part of building the mass customized learning environment. Again, most of the staff has accepted the challenge admirably.

- ✓ The Learning Management Systems have been chosen based on the need of certain levels of learners or for certain learning styles. As you will see, for different reasons, this will also be seen as a challenge.
- ✓ Learning Guides (LG's) have been a great addition and are believed to be the reason for a stronger connection to the learners.
- ✓ Infinite Campus (IC), currently as the student information system, is stable and currently provides accurate information for PIMS reporting and other reports for the Pennsylvania Department of Education. However, this may be seen as a challenge since IC has not been compared and contrasted with other student information systems which may be better suited for CPDLF.
- ✓ The leadership has worked very hard bringing and maintaining compliance with CPDLF and works hard to be legal and correct including all phases of the program including but not limited to special education, student assistance, English as a second language, etc.
- ✓ Through Dr. Maurer's networking, CPDLF engaged in the Summit PLP project to pilot the Personalized Learning Platform for each 7<sup>th</sup> and 8<sup>th</sup> grade learner.
- ✓ CPDLF is blessed with quality part time teachers who have remained at the school and are committed to the curriculum provided by the school.
- ✓ Open Campus is a unique part of CPDLF and has become a way of providing virtual services to schools within the IU 8 service area.
- ✓ A solid orientation program has been established.
- ✓ The enrollment process is understood by all and requires live attendance by the learner and learner coach
- ✓ Connects U!, a new program this year, has provided the basis for a consistent connection with the learner. Continued focus with the learner and expanded work with the learning coach will be expected as CPDLF continues to develop this great program.
- ✓ Odysseyware, Buzz, and Canvas have been welcome additions to the academic program this year. It should be noted, since CPDLF is customizing and personalizing, canned curricula and LMS's should be investigated.



- ✓ Own It!, a great initial program for learners 7<sup>th</sup> grade and above, provides learners the opportunity to self-explore and discover traits, learning styles, and gifts which will assist in career, college and work ready planning.
- ✓ All About Me is a chance for each learner to express his or her feelings, characteristics, gifts, and talents.
- ✓ Daily reflections has provided the staff with a way to encourage daily attendance and participation.
- ✓ Discipline is limited but handled where appropriate. Most issues relate to online attendance and engagement.

#### **Challenges:**

- ✓ Regulations keep schools very busy. Larger school systems can afford to place more personnel in positions to maintain accountability. In a small school like CPDLF, the degree of accountability does not change and the amount of staff is much smaller so employees have to WEAR NUMEROUS HATS! Although everyone has tried to meet this challenge, it has had an impact on time commitment and has displaced priorities. PIMS reporting, attendance, IEP writing and meetings, and testing (to name a few) have required everyone to keep taking on differing roles.
- ✓ CPDLF has been fortunate to connect to the Summit PLP project (through Dr. Maurer's efforts) a nationwide initiative to personalize learning. With that, CPDLF is strongly aligned to Dr. Butler's Ecosystem providing courses to participating schools within IU 8 through the Open Campus concept. As timely and important as these connections are, it has also added to the initiatives that CPDLF is taking on. In addition, CPDLF is connected to the MCL Alliance drawing resources from this great consortium. Although these programs do somewhat overlap and complement one another, because of the size of the school, careful judgment in training and development will be required.
- ✓ The effort to provide varying learning opportunities by adopting different learning management systems has been a two-edged sword. The accommodation is appreciated but, because of capacity and maximizing effort among all stakeholders, it may be better to settle on a minimum number of learner management systems.

- ✓ Enrollment – Although the enrollment process does go fairly smoothly, it is a lot for the Learner and Learner Coach to absorb in a short period of time. It seems most are ready to leave when the Learning Guide gets a chance to meet with them. Currently, the enrollment period live meeting lasts 3 hours.
- ✓ Orientation – Again, orientation is overall fairly well done but there is concern that some learners will need more time to orient than others. The staff may need to move from a check-list of activities to monitoring the learner onboarding process so that the learner success will be enhanced.
- ✓ Academics – Odysseyware, new this year, has been an overall positive experience for learners who are motivated and engaged. Many of CPDLF learners may not work well at a certain pace and may need more accommodations than the course provides. Also, the number of LMS's make it difficult to master one and provide customized learning experiences. The addition of Canvas may assist in the consolidation of learning management systems.
- ✓ State testing requires “all hands on deck” at times throughout the year which pulls staff from daily duties and check ins for the learners.
- ✓ Special Education population is over 30% of enrollment and requires additional work to provide learner success. Although tuition is more for these learners, the tuition does not provide the opportunity to hire more staff at this time.
- ✓ Student Assistance Program and all other PDE required programs are operational but are covered by limited staff

**Conclusion:**

CPDLF has strong leadership who is connected to state of the art programs that will help create environments conducive to student learning. In addition, most of the staff is committed, energized, and very qualified for the virtual experience. Efforts to provide an enhanced enrollment program, a customized orientation experience, personalized programs, customized programs, academics, and supports are underway. The challenge is selecting programs, training staff, and developing and implementing these programs efficiently and effectively. With such a small staff, it is important to build capacity that creates quality AND uniquely serves each learner in a way that challenges the learner and makes them want to come back for more. There is a spirit in CPDLF to get this accomplished and leadership to see it through.



**Essential Questions:** (some important questions but certainly not an exhaustive list)

- CPDLF has committed to Mass Customized Learning and its tenets. How will you continue to reinforce the language, develop personnel, and make system wide decisions to continue its implementation with fidelity?
- How does and will the Personalized Learning Platform within the Summit partnership add value to MCL?
- This year saw a lot important pieces of the puzzle like the PLP, Connects U!, the Canvas Hub, and MCL occur. This will provide ample resources to create the strategic design. A strategic design, outlining the ideal best for CPDLF, should be developed with action plans for the next three years. When and how will this be developed?
- What training and development activities should occur this summer?
- There is excellent curriculum already put together for free (like [Engage NY](#) and [pdesas.org](#)) that is available to bolster and develop excellent learning progressions. When and how will these be developed?

This first phase represents an overall assessment. We will now take this assessment, share it with the staff, and incorporate the elements of this report to begin brainstorm the essential questions above and focus on the best way to improve CPDLF before moving forward.

Submitted by

Dr. Jay Scott

Reviewed by

Dr. Malynda Maurer

**Attachment 93**

CPDLF Internal Inspections

|                     | St.* | Prog.* | Near.* | Comp.* | Report  |
|---------------------|------|--------|--------|--------|---|
| Enrollment          |      |        |        |        | Attended one full enrollment day, had Joan attend one full enrollment day. Minimal need for corrections thus far. Continuing to develop. Need to do a more in-depth investigation involving parents and students. |
| Orientation         |      |        |        |        | No time to start  |
| Connects U!         |      |        |        |        | Sent out survey. Need a more in-depth investigation involving parents and learners.   |
| Academics           |      |        |        |        | Collected progress reports. No time for formal investigation but comments indicate there are issues that need to be addressed.  |
| Attendance          |      |        |        |        | Needed complete overhaul. Most of the issues have been corrected. In final stages of process validation. Still need to address truancy.   |
| Special Ed          |      |        |        |        | The deeper the investigation, the more issues discovered. Brought in Rose to review IEPs and provide personal training for all LGs. All IEPs are being rewritten to bring into compliance.                        |
| Technology          |      |        |        |        | Held one meeting. Seems to be developing; however, further investigation is needed for official determination.  |
| Performance Reviews |      |        |        |        | Instrument created, one performance review conducted that resulted in overinflated reviews.   |
| Teams               |      |        |        |        | No time to start  |
| Marketing           |      |        |        |        | Watching but no official start  |
| Human Resources     |      |        |        |        | Started only with School Stream. Full investigation needed.   |
| Open Campus         |      |        |        |        | First review with school districts revealed issues. Changes made. Need to return for an update.   |
| State Testing       |      |        |        |        | Watching and part of the planning process.  |
| ESL                 |      |        |        |        | Discovered by chance that this was NOT being addressed properly. Heather is working on getting everything into compliance.  |
| Summit Model        |      |        |        |        | Chris is monitoring but the instructors are progressing slowly. Needs a thorough investigation.   |
| Health Services     |      |        |        |        | Not started   |
| Federal Programs    |      |        |        |        | Not started   |
| State Reporting     |      |        |        |        | Not started   |
| Business Operations |      |        |        |        | Reviewed GL   |

\*Started, Progressing, Nearing completion, and Completed

|          |                    |                  |          |
|----------|--------------------|------------------|----------|
| Critical | Started/incomplete | Warning/Watching | On Track |
|----------|--------------------|------------------|----------|



Critical programs

**Malynda** – Special ed processes – Added duty – no extra charge

**Malynda** – Attendance procedures – Added duty – no extra charge

**Malynda** – Summit Model – Part of new program implementation

**Malynda** – Performance Review Instrument development for all except LG – Part of new program implementation

**Malynda** – Federal Programs – Monitoring in May, Schoolwide plan due in June, Schoolwide Title I application – Due June 30

**Malynda** – Charter Annual report – Due August 1

**Heather** - ESL – Need to determine

**Rose** (already contracted) – Special Ed IEP writing – Services to include every IEP for compliance and train individual special education learning guides on how to write an effective and compliant IEP as well as how to properly progress monitor – approx. \$5,500

**Consultant Services** – Evaluate new initiatives to determine effectiveness of mission and vision development, the effectiveness of roll out, and the fidelity with which each was implemented as well as gather information for annual staff reviews related to the specific areas. Completed report to include recommendations for improvement. Work to be completed on site and off site through virtual meetings and should include the following (NOTE: may be adjusted to meet current needs as the evaluation progresses).

- Enrollment Day
  - Includes observations, individual processes of LGs as well as parent/student survey and focus groups
- Orientation Week
  - Includes investigation of processes between LGs, Learner HUB as well as parent/student survey and focus groups
- Connects U!
  - Includes observations of LG, individual processes of LGs, investigation of Connects U! course, and parent/student survey and focus groups
- Academics
  - Includes review of how grades are determined, progress is reported, and effectiveness of instructors as well as how does it all relate to determining authentic learning – requires focused inspection of learner needs and how those needs are being met
- Performance Reviews
  - Gather information to be considered in performance reviews of all CPDLF staff
- Recommendations
  - What is working well in these new initiatives and meeting the needs of learners?
  - What areas need further refinement – processes, procedures, and professional development?
  - What areas still need to be developed and implemented?

## January 2018 – CPDLF Internal Review

Percentage corresponds to the percentage of employees who rated the program at 4 or 5 on a 1-5 scale with 5 being the best on a survey of all employees on January 2, 2018.

| Initiative  | Status                   | Employee comments   |
|---|--------------------------|---|
| Enrollment  | 74%                      | "I think it is going well but there is always room for improvement."  |
| Onboarding  | 68%                      | "I think that while we have a great set up for onboarding through Google Classroom, there is still something missing...."   |
| Connects U!<br>Social/Emotional<br>Monitoring<br>Informing Parents<br>Educational Value | 63%<br>79%<br>58%<br>74% | "I think that most of the content in Connects U is important.... I also think that Connects U should be somewhat more uniform. I think there are a lot of discrepancies in how instructors are implementing Connects U. If it's worth a credit, it should definitely be somewhat rigorous. I think we have more success with new learners who did not participate in Connects U last year...."  |
| Academics - Rigor   | 79%                      | "I think the SLP provides more rigor and valuable learning experiences (we still need to create more of our own content). OW is very rigorous, but I don't think it provides a valuable learning experience. There are so many lessons and I don't think much actual learning is happening. I like that we added instructional launches, however, I'm still struggling to get full participation on the launches. I think the new grading policy will cause grades to be lower for a while, until learners realize the importance of remaining on pace and completing the launches. I think that by the end of the year, we will have more students with passing grades." |
| Attendance  | 89%                      |   |
| Grading   | 85%                      |   |
| Special Ed  |                          | Improved from last year, working on participation in direct instruction   |
| Technology  |                          | Improving processes   |
| Performance Reviews   |                          | Just starting in January  |
| Teams   |                          | PBIS, SAP, MTSS, SLP – all operating and starting to make progress  |
| Marketing   |                          | Waiting for website to launch   |
| Human Resources   |                          | Working on policies and procedures  |
| Open Campus   |                          | Improved from last year, continuing to improve  |
| State Testing   |                          | Improving processes   |
| ESL   |                          | Working on learner participation  |
| Summit Model  | 74%                      | "I definitely need to work on improving how I implement the Summit model. I am learning the basics this year but I feel the time factor has stopped me from really exploring Summit."<br>"I feel like the Summit model stretches me the most in attempting to fulfill many of our educational goals here at CPDLF."<br>"Summit Learning is providing us with a great tool to use with our learners as we progress to mastery based learning."   |
| Health Services   |                          | Improved from last year, working on processes   |
| Federal Programs  |                          | Improving processes   |
| State Reporting   |                          | Improving accuracy  |
| Business Operations   |                          | Improving processes   |

Critical
Started/incomplete
Warning/Watching
On Track

**Attachment 94**

CEO Board Reports 2015-16

## CEO Updates – October 2015

### Intro

- Honor to be here
- Meeting with board members – please see me
- In the midst of full assessment – don't have all the answers – please be patient – projected release December board meeting
- No disrespect to past CEOs
- Staff is hard working – did the best that they knew how
- Receiving Updates from me?
- Any issues with draft agenda and documents email?
- Agenda order
- Go through agenda

### Updates:

- Insurance renewal coming – will need to call an emergency meeting – collecting rates now
- Vacation – Out of the country – October 16 through October 25
- Policy Review
- Current status

### 200 enrollments

7 withdrawals

### 193 active enrollments

4 pending with one of those being a special ed student

61 special ed student and having 8 of them under review

### 15 Open Campus students

1 withdrawal

14 active Open Campus Students



**CPDLF Mission Statement**

*The Central Pennsylvania Digital Learning Foundation (CPDLF) engages its students in a highly motivational, student-centered, educational program that relies on basic educational principles while utilizing the latest information and communications technology to promote student achievement while fostering higher-order-thinking and problem-solving skills. The Central Pennsylvania Digital Learning Foundation interacts with students via technology but also uses technology to teach students to conduct in-depth research, to collaborate with other students and faculty, and to seek guidance from experts around the world.*

*CPDLF assures students have the opportunity to master essential content and skills and provides them the opportunity to build a strong foundation to compete in the workforce of today and tomorrow. Our school also utilizes its technology to provide additional learning activities to students of local schools who do not have access to certain educational opportunities. The goal of the Central Pennsylvania Digital Learning Foundation is to utilize its technological resources to provide educational learning opportunities across the Commonwealth.*

**CEO Vision**

*To build CPDLF into an academic and financially viable and sustainable educational organization that provides students with an ideal learning experience and districts with best practices to be able to provide their students with an ideal learning experience.*

**CEO Goals for 2015-16**

1. Complete the assessment of CPDLF by June 30, 2016
2. Produce a plan for the 2016-17 school year by June 30, 2016
3. Implement a change process to prepare CPDLF for the 2016-17 plan

***Mantra: Effectively and Efficiently***

**Enrollment Trends**

| <b>Date</b>   | <b>CPDLF</b> | <b>Spec Ed</b> | <b>Open Campus</b> |
|---------------|--------------|----------------|--------------------|
| <b>Dec 9</b>  | 215          | 67 (4 pending) | 16                 |
| <b>Jan 15</b> | 213          | 70             | 18                 |



**Updates**

**1. Finances**

- a. Cash on hand – Valerie Wyper
- b. Fund Balance – Valerie Wyper
- c. Findings of examination of transactions
- d. **Not** recommending a forensic audit at this time
- e. FNB did **not** approve the loan
- f. Draft Revised 2015-16 Budget
  - i. Includes increase for business management services from IU 8
  - ii. Revised budget to be approved in February
- g. Budget for 2016-17
  - i. Preliminary April, Draft May, Final June
  - ii. Redesign of classifications reported
  - iii. Classifications calculated as percentage of income

**2. Academics**

- a. 2014-15 SPP – See handout
- b. 2015-16 Programming Focus
  - i. Increase academic achievement
  - ii. Decrease student attendance issues
  - iii. Increase student awareness from both staff and student perspective

**3. Projected CPDLF Board Timeline January through June 2016**

|                                    |                                   |
|------------------------------------|-----------------------------------|
| <b>January</b>                     | <b>May</b>                        |
| Draft 2015-16 Budget Revision      | Draft 2016-17 Budget              |
|                                    | Board Policies Part 3             |
| <b>February</b>                    | 2016-17 Regular Education Program |
| 2015-16 Budget Revision            | 2016-17 Special Education Program |
| Board Policies Part 1              | 2016-17 Employee Handbook         |
| <b>March</b>                       | <b>June</b>                       |
| No scheduled meeting at this time  | Final 2016-17 Budget              |
|                                    | Board Policies Part 4             |
| <b>April</b>                       | 2016-17 Student Handbook          |
| Preliminary 2016-17 Budget         |                                   |
| Board Policies Part 2              |                                   |
| 2016-17 School Calendar            |                                   |
| 2016-17 Employee Compensation Plan |                                   |



*Aiko Malynnda Maurer*  
*CEO – CPDLF*  
*Board Report – January 21,*  
*2016*



**Revised Organizational Chart**  
**Revised Job Descriptions**



CPDLF

*Aiko Malyrda Maurer, CEO –*

*Board Report – February 11, 2016*



### **CEO Vision**

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***Mantra: Effectively and Efficiently***

### **Updates**

1. **Finances – Valerie Wyper**
  - a. Fund Balance Reconciliation
  - b. FNB Credit Card Limit reduced to \$5,000 from \$25,000
  - c. 1<sup>st</sup> Summit approved a Line of Credit on an as needed basis
  - d. Revised 2015-16 Budget
    - i. Method for calculation tuition revenue
2. **Academics**
  - a. Enrollment Trends
  - b. Attendance Percentages
  - c. Grade report
3. **Board Retreat – March 10 or another date?**
  - a. Bylaws
  - b. Mission/Vision/Goals
  - c. Projected plan for 2016-17 for discussion
4. **Update on Space**





CPDLF

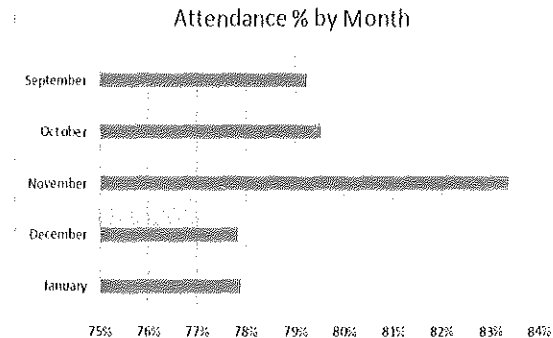
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**Enrollment Trends**

| Date   | CPDLF               | Spec Ed        | Open Campus |
|--------|---------------------|----------------|-------------|
| Dec 9  | 215                 | 67 (4 pending) | 16          |
| Jan 15 | 213                 | 70             | 18          |
| Feb 5  | 223<br>(+9 Pending) | 75             | 23          |



|                | Marking Period 1 |     |      | Marking Period 2 |     |      |
|----------------|------------------|-----|------|------------------|-----|------|
|                | K-5              | 6-8 | 9-12 | K-5              | 6-8 | 9-12 |
| Total Students | 58               | 51  | 104  | 63               | 60  | 115  |
| D's            | 18               | 26  | 69   | 19               | 37  | 79   |
| Students       | 16               | 17  | 49   | 13               | 26  | 41   |
| % D's          | 28%              | 33% | 47%  | 21%              | 43% | 36%  |
| F's            | 20               | 55  | 307  | 25               | 133 | 357  |
| Students       | 11               | 20  | 75   | 16               | 36  | 90   |
| % F's          | 19%              | 39% | 72%  | 25%              | 60% | 78%  |

**CPDLF Mission Statement**

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# Central Pennsylvania Digital Learning Foundation

*Proven Successful Cyber Education*

## Board Retreat

Wayfinding: Directions and Aspirations for CPDLF

Monday, March 21, 2013

9 a.m. to 3 p.m.

Wayfinding is to successfully navigate from the present place to a destination, even if the location of the destination is imprecisely known. There are three criteria that determine the navigability of the journey.

1. Knowing where you are now,
2. Discovering various waypoints to the destination be found
3. Exploring the waypoints to arrive at the destination.

Goals of the retreat:

1. To carefully consider CPDLF historical route to its current position.
2. To gather appropriate waypoints for consideration
3. To involve the Board in exploring the waypoints and general direction of travel

## Agenda

Session One: 9 – 10:20 a.m.

- |      |                         |   |
|------|-------------------------|---|
| I.   | Welcome & introductions | Malynda Maurer, CEO   |
| II.  | Overview & Group Norms  | Patrick Crawford, Facilitator   |
| III. | Building the Vision     |   |
|      | a.                      | How did CPDLF get here – what happened? Who made it happen? What was done right? What should we do more of? |

Session Two: 10:30 – 12:00 noon

- I. Perspectives
  - a. What was accomplished in the last year? What make you proud? Who benefits? In what way did they benefit (and what evidence do you have to support it)?
- II. Waypoints
  - a. What are the waypoints to consider in CPDLF journey? Are there any routes that should be avoided?



# Central Pennsylvania Digital Learning Foundation

*Proven Successful Cyber Education*

Session Three: 12:45 – 3:00 p.m.

## I. The Five Most Important Questions

1. What is our mission?
  - a. Why do you do what you do; the organization's reasons for begin, its purpose.
2. Who is our customer?
  - a. The primary customer is the person whose life is change through the organization's work.
  - b. Supporting customers are volunteers, members, partners, funders, referral sources, employees, and others.
3. What does our customer value?
  - a. That which satisfies customers' needs, want (where, when and how service is provided), and aspirations (desired long-term results).
4. What results do we seek?
  - a. The organization's bottom line. Defined in changed lives – people's behavior, circumstances, hopes, competence or capacity.
  - b. Results are always outside the organization
5. What is our plan?
  - a. Defines the particular place you want to be and how you intend to get there.
  - b. In the next 14 years.

## II. By-laws

Notes:



CPDLF

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### **CEO Goals for 2015-16**

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## ***Mantra: Effectively and Efficiently***

### **Updates**

1. **Finances – Valerie Wyper**
  - a. Fund Balance Reconciliation
  - b. Budget to Actual
  - c. New money – Title I and Title IIA - \$36,791.00
2. **Academics**
  - a. Enrollment Trends
  - b. Attendance Percentages
  - c. Academic Reports by Grade Span
3. **Mission Statement**
4. **Building Lease**
5. **Bonding**
6. **Policies**
7. **Technology Plan - Inshore**
8. **School Stream**
9. **Summit Public**
10. **Tentative Meeting Dates for May Agenda**
  - a. **2016-17: August 11, October 13, December 8, February 9, April 13, May 11, June 8**
11. **403B**
12. **Focus Groups**
  - a. **Competency Based Learning – A learning experience**



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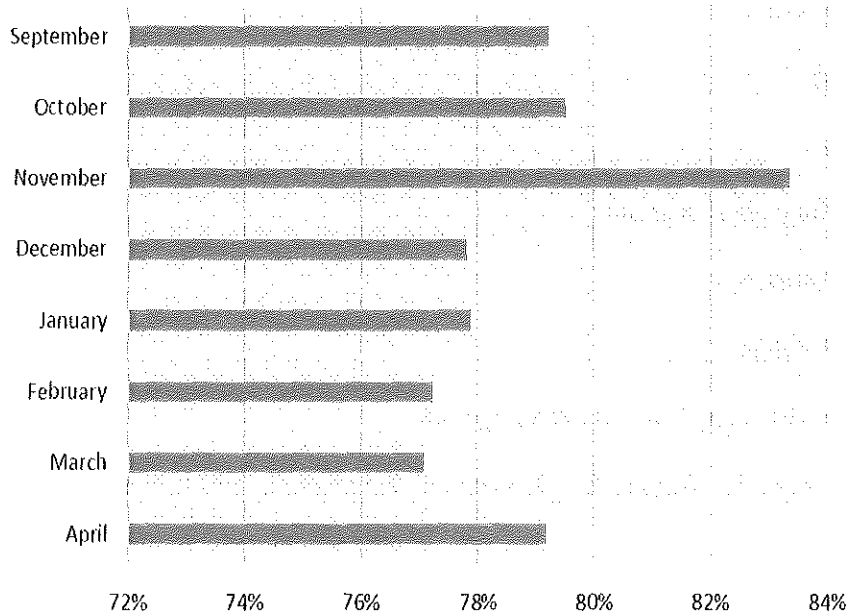
b. **Sharing Resources – Brainstorming for action**

**Enrollment Trends**

| <b>Date</b>   | <b>CPDLF</b>        | <b>Spec Ed</b> | <b>Open Campus</b> |
|---------------|---------------------|----------------|--------------------|
| <b>Dec 9</b>  | 215                 | 67 (4 pending) | 16                 |
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| <b>April</b>  | 249                 | 72             | 22                 |

**Attendance Percentages**

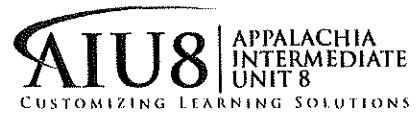
Attendance % by Month





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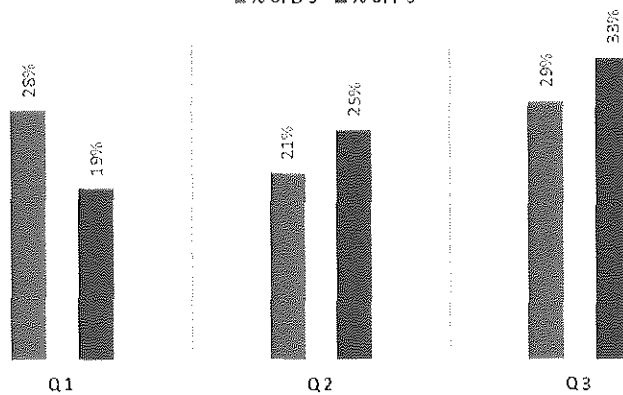
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### Academic Reports by Grade Span

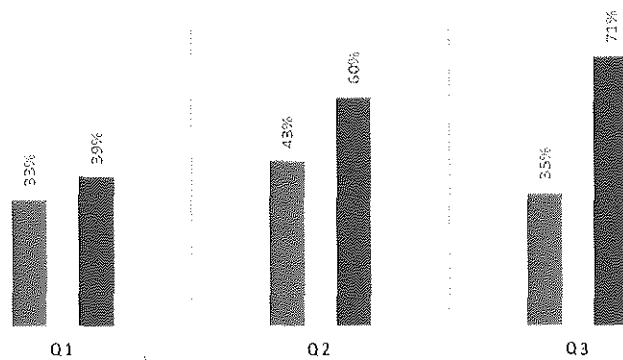
#### K - 5

■ % of D's ■ % of F's



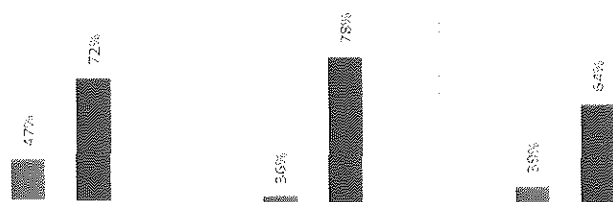
#### 6-8

■ % of D's ■ % of F's



#### 9 - 12

■ % of D's ■ % of F's





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*Board Report – June 9, 2016*



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## ***Mantra: Effectively and Efficiently***

### **Updates**

1. **Finances – Valerie Wyper**
  - a. Fund Balance Reconciliation
  - b. Budget to Actual
  
2. **Academics**
  - a. Enrollment Trends
  - b. Attendance Percentages
  - c. Academic Reports by Grade Span
    - i. 121 Academic Warning letters sent
    - ii. 31 Second Academic Warning letters sent
    - iii. 20 students dropped for lack of attendance (and work), 1 for lack of work
  
3. **Agenda Review**
  - a. Loaning of computers on hold
  - b. Contracts in progress – Special Education Services, Dr. Judy DiLeo for student records
  - c. Marketing – reviewing proposals submitted
  - d. School Calendar – includes professional development days as well as parent meeting nights
  - e. Personnel – Selection in process
  - f. Curriculum – Open Campus or direct – Odysseyware and K12/FuelEd
  - g. Technology changes – moving to Canvas from Bb, replacing laptops with Chromebooks



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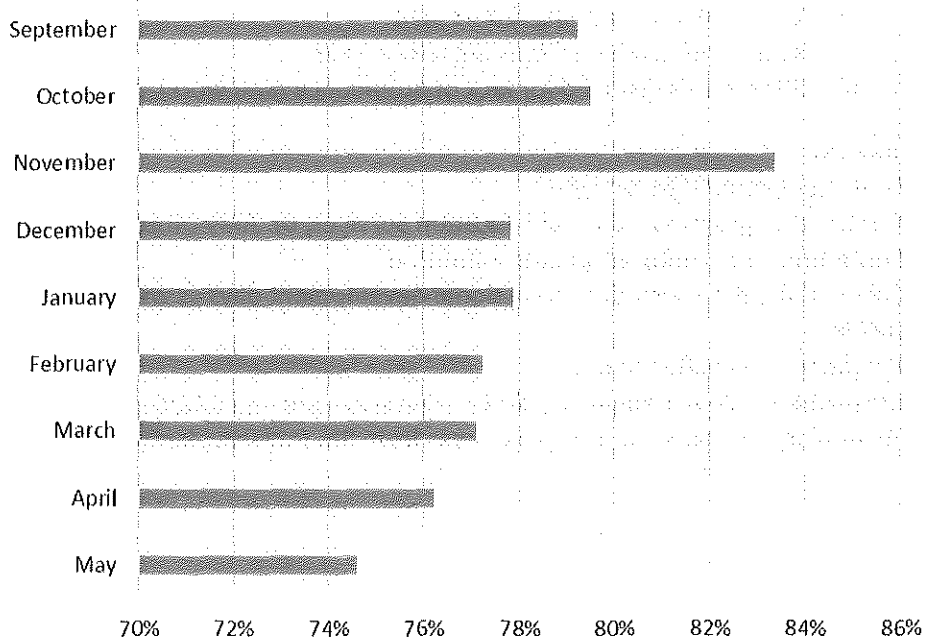


**Enrollment Trends**

| Date                | CPDLF               | Spec Ed        | Open Campus |
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| <b>April</b>        | 249                 | 72             | 22          |
| <b>May</b>          | 248                 | 69             | 22          |
| <b>June - Final</b> | 251                 | 75             | 22          |

**Attendance Percentages**

Attendance % by Month







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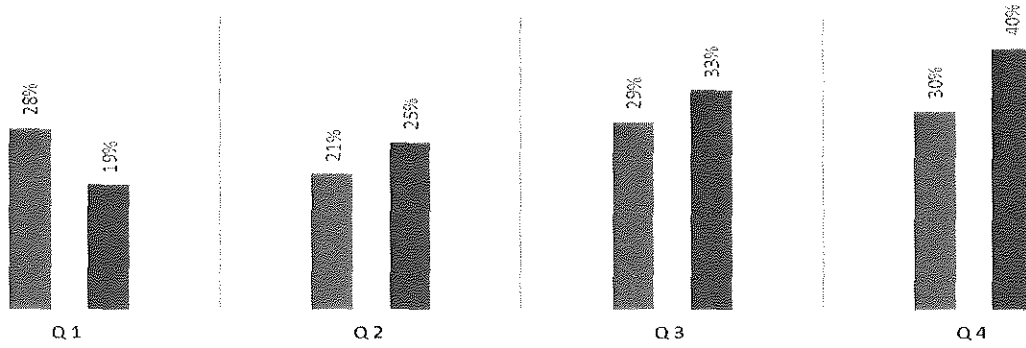
Board Report - June 9, 2016



**Academic Reports by Grade Span**

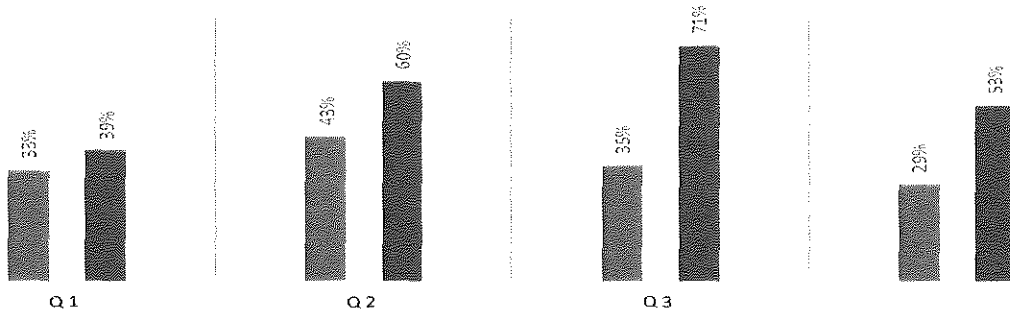
**K - 5**

■ % of D's ■ Series2



**6-8**

■ % of D's ■ % of F's





CPDLF

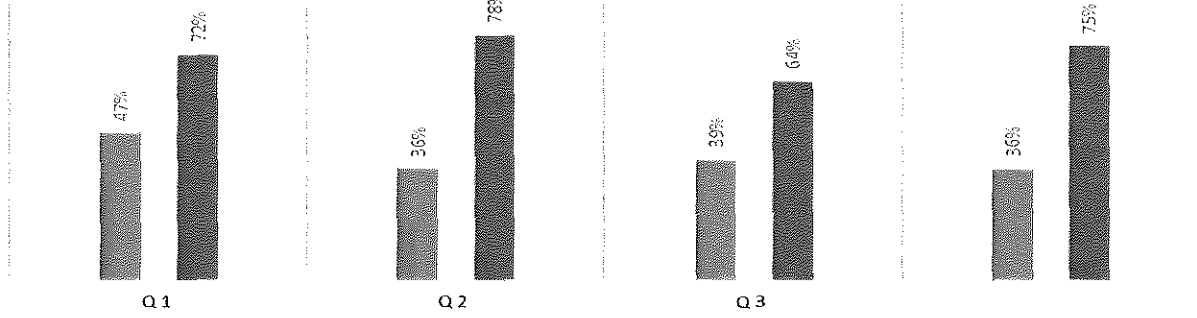
Aiko Malynnda Maurer, CEO -

Board Report - June 9, 2016



9 - 12

■ % of D's ■ % of F's



**Attachment 95**

CEO Board Reports 2016-17

# **CPDLF CEO August 2016 Board Report**

Aiko Malynda Maurer

# Introductions

## Welcome!

- Michele Snowberger – Board Recorder
- Patrick Baney – Innovative Learning Leader

## Coming in September

- Principal Goals
- Innovative Leader Goals

# General Updates

- **Important Dates**

- Lunch and Learn – Own It! – August 18th
- Open Campus – Sharing Resources FG – Unit Council dates
- Open Campus/MCL Consortium - Competency Based FG – October
  - IU 8 is entering a partnership with Summit Public Schools to Recruit, Train, a schools and teachers who wish to implement the concept

- **Open Campus**

- 3 schools committed to using CPDLF resources (especially Learning
- Others purchasing content (VHS)

# Program Updates

- Professional Development
  - Book studies
  - Scheduled asynchronous and synchronous Instructor and Learning Coaching
  - Regularly scheduled coaching for Principal and Innovative Learning

# Program Updates

- Board Agenda points of interest
  - Google Calendar Invite
  - Google Drive Organization – links to supporting documents on agenda
  - Personnel
    - Promotions
      - Brandon Kelley (Technology Coordinator)
      - Heather Jancula (FT Learning Guide)
    - Resignations – Bethany Mickel, Amanda Holtz
  - Curriculum – Structure in course scheduling, better management of



# Operations

## Attendance

- Associated with work progress

## Grading Scale

A 93% - 100%

B 85% - 92%

C 77% - 84%

D 70% - 76%

F 69% and below

## Anticipated Graduation Requi

| Subject Area              | Total Units |
|---------------------------|-------------|
| Communications            | 4           |
| Mathematics               | 4           |
| Natural Sciences          | 4           |
| Social Sciences           | 4           |
| Arts and Humanities       | 2           |
| Physical Education        | 2           |
| Health                    | .5          |
| Career Education and Work | 2           |
| Electives                 | 4           |

# Personalized Learning

## Connects U!

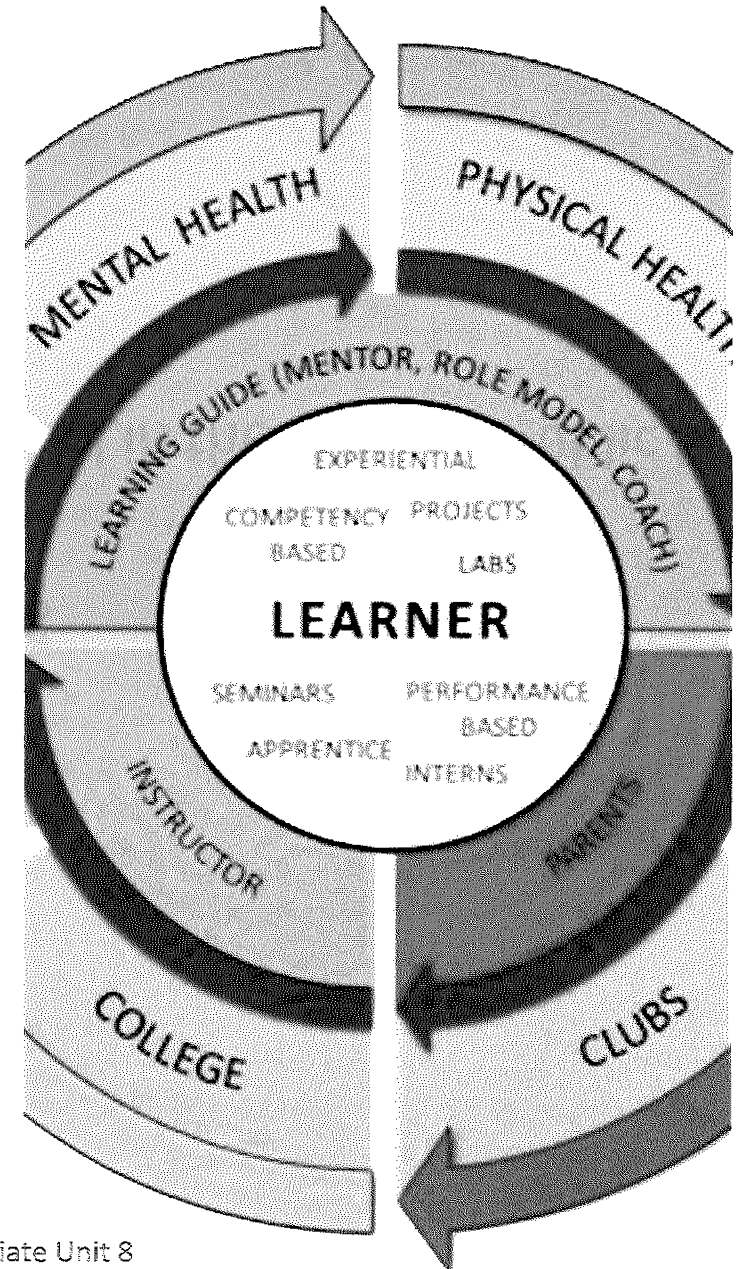
- Grade K – 12
- Learning Guides
- Learner Profiles (grades 7-12)
- The HUB
- Weekly check ins
- Summit Schools concept of mentoring

## *Competency Based Learning (CBL)*

- CPDLF is a Cohort 2 model virtual school in the Summit Public Schools participating schools group
- Implementing in grades 7 and 8

# CPDLF

## Connects U!

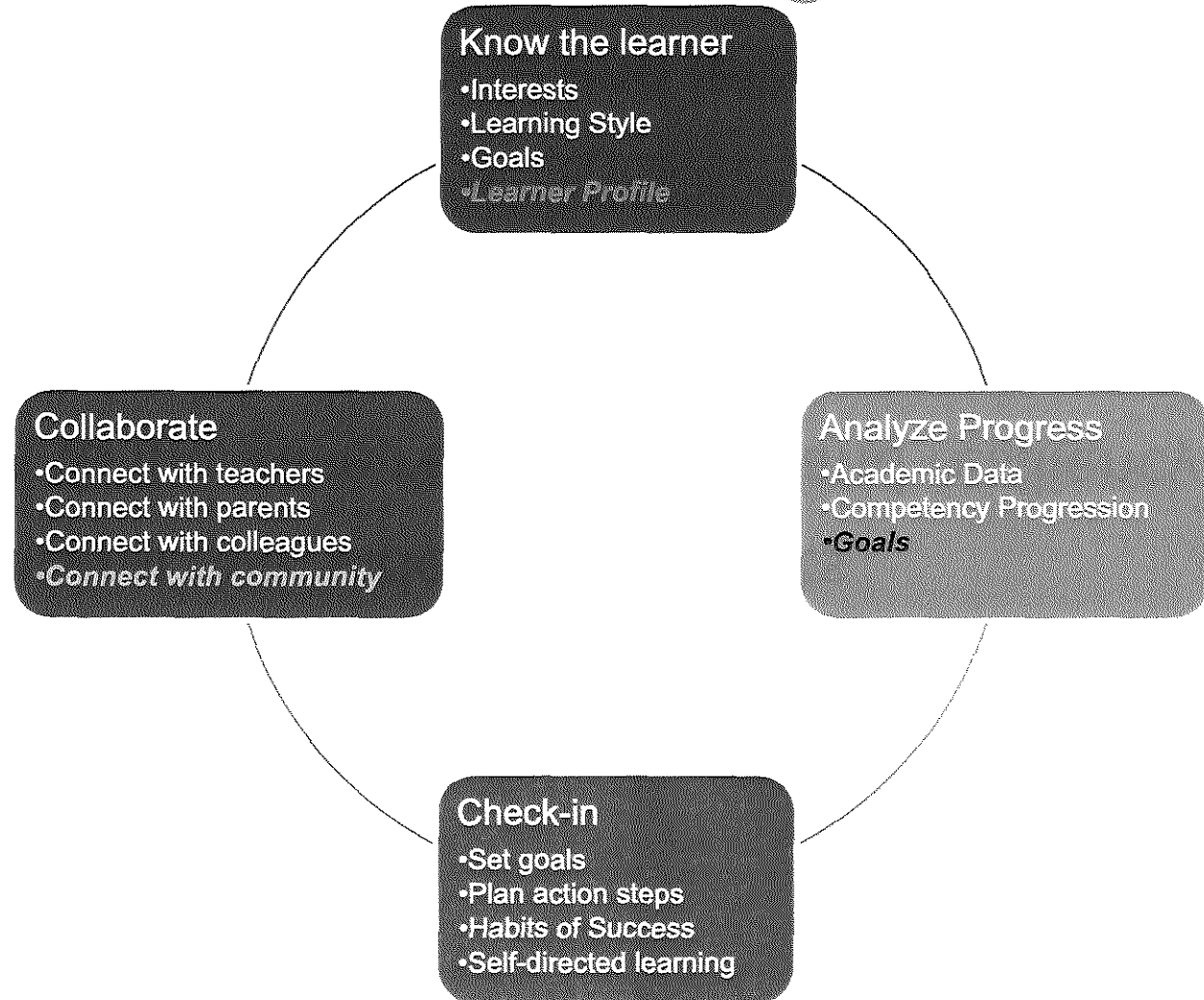


8/11/2016

Appalachia Intermediate Unit 8

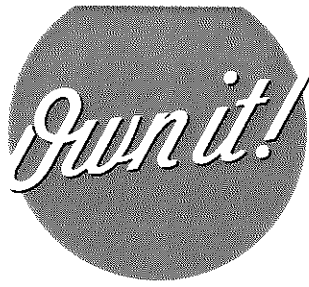
# Connects U!

## CPDLF Learning Guides



8/11/2016

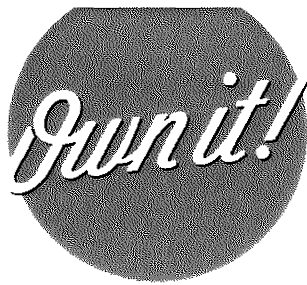
Appalachia Intermediate Unit 8



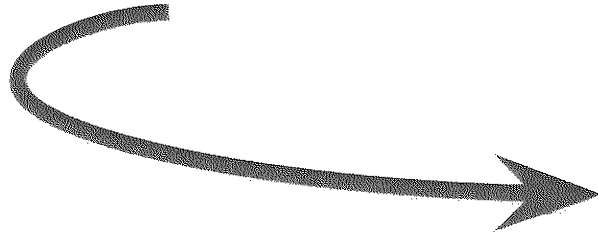
Train students  
to *own* their learning:



- 10 interactive, video-based units
- Skills to increase responsibility and resiliency
- Write goals to drive college and career success
- Learner profile enables schools to personalize learning
- Completion certificate and letter of recommendation



# The Profile



## 4 Sections

- Career
- Learning
- Personality
- Ownership

### Career Ambition Composite Materials

#### Interests

Your results are listed in order of strongest scores. You can use these to guide your further exploration.



##### Precision/Hands-on

Precision/Hands-on people want to understand how things work and always work it out. They enjoy using equipment and trying new tools to find solutions.

Score: 45



##### Social/Service

Social/Service people are energized by helping others, and want to contribute. They learn from their experiences, especially teaching, training and helping.

Score: 40



##### Research/Breakthrough

Research/Breakthrough people are the best problem solvers. They enjoy the risks, discovery and creative exploration. They question the status quo and like to take on long-term projects.

Score: 39



##### Artistic/Interpretive

Artistic/Interpretive people express ideas in creative ways, such as drawing, writing, music, acting, video art and design. They often work abstractly to their own interests.

Score: 38



##### Business/Entrepreneur

Business/Entrepreneur people like to make things happen. They are motivated to take on new challenges, especially in business or entrepreneurship.

Score: 38

### Ownership Spirit

Your activities revealed strengths in these areas most associated with personal responsibility. The deeper the color, the greater your estimated strength in that aspect.

#### Flexibility and Adaptability



#### Initiative and Accountability



#### Leadership and Responsibility



You identified 1 environment:

Group



Your response: Preferences:

Learning come Drawings, map, you make sense

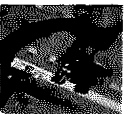


Learning come Drawings, map, you make sense

P

Your response: comfortable ar

Academic



You love to study interactions, growth development. You are intrigued by the scientific principles that govern how things work.

- Science 28
- Math 17
- History 13
- English 20

Intr

Introvert = 38

You prefer to v carefully before very thoughtful

Ur

Of all Own it p chose these so

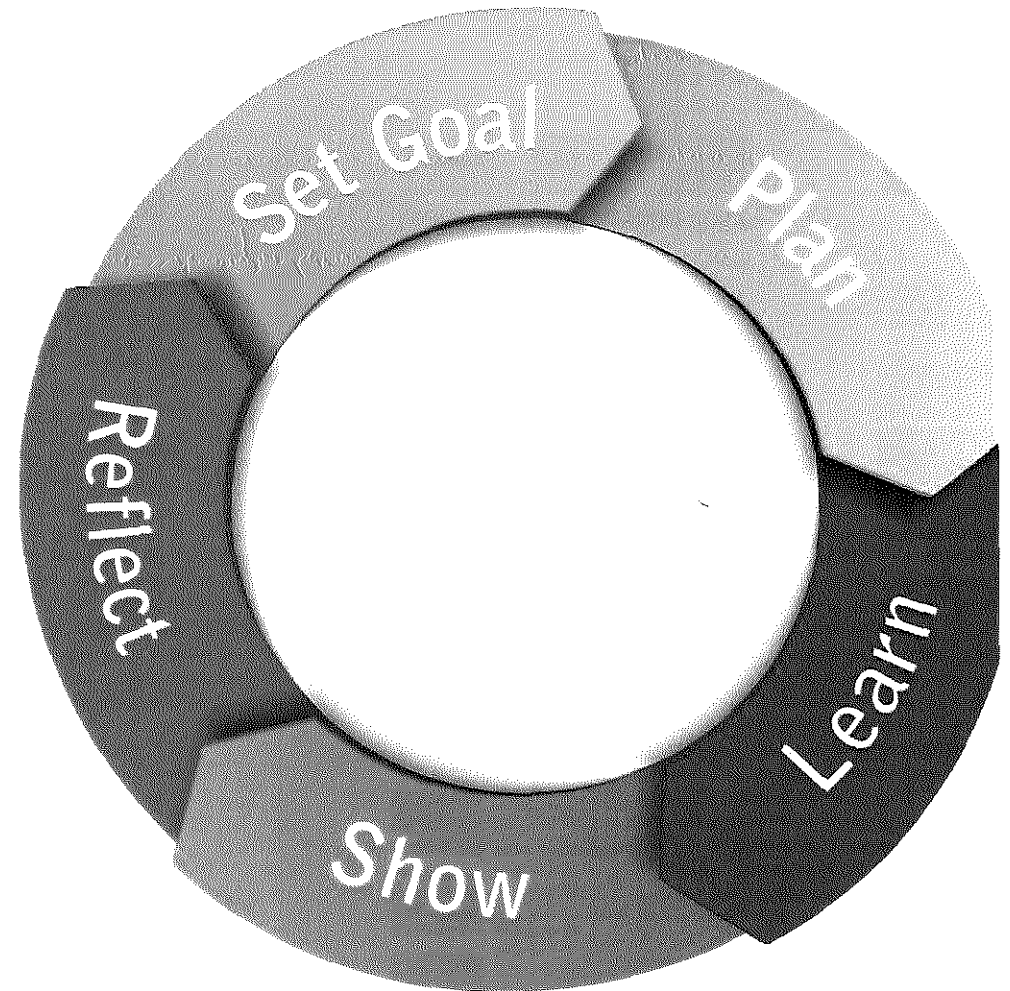


Life

# Self-Directed Learning Cycle

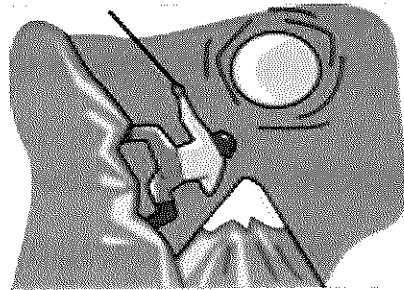
This cycle guides our learners through the learning process.

This provides a process for setting and achieving goals while learning from the process.

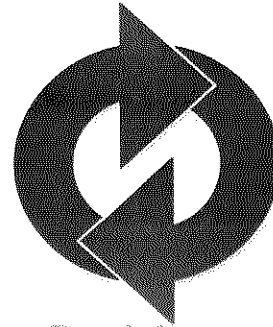


# Self-Directed Learning Behaviors

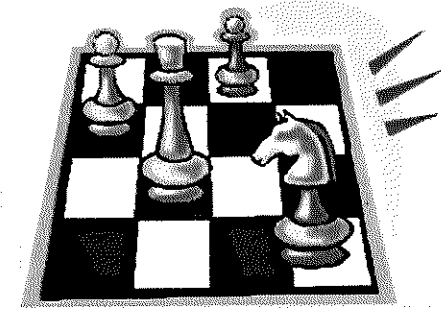
Students are encouraged by their learning guides and instructors to develop in the Elements of Self-directed Learning. These are the behaviors that will enable our students to achieve their goals:



Challenge - Seeking



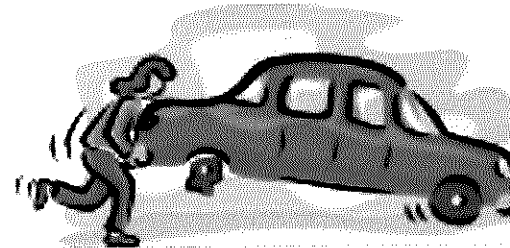
Persistence



Strategy - Shifting



Appropriate  
Help Seeking



Response to Setback



# Habits of Success

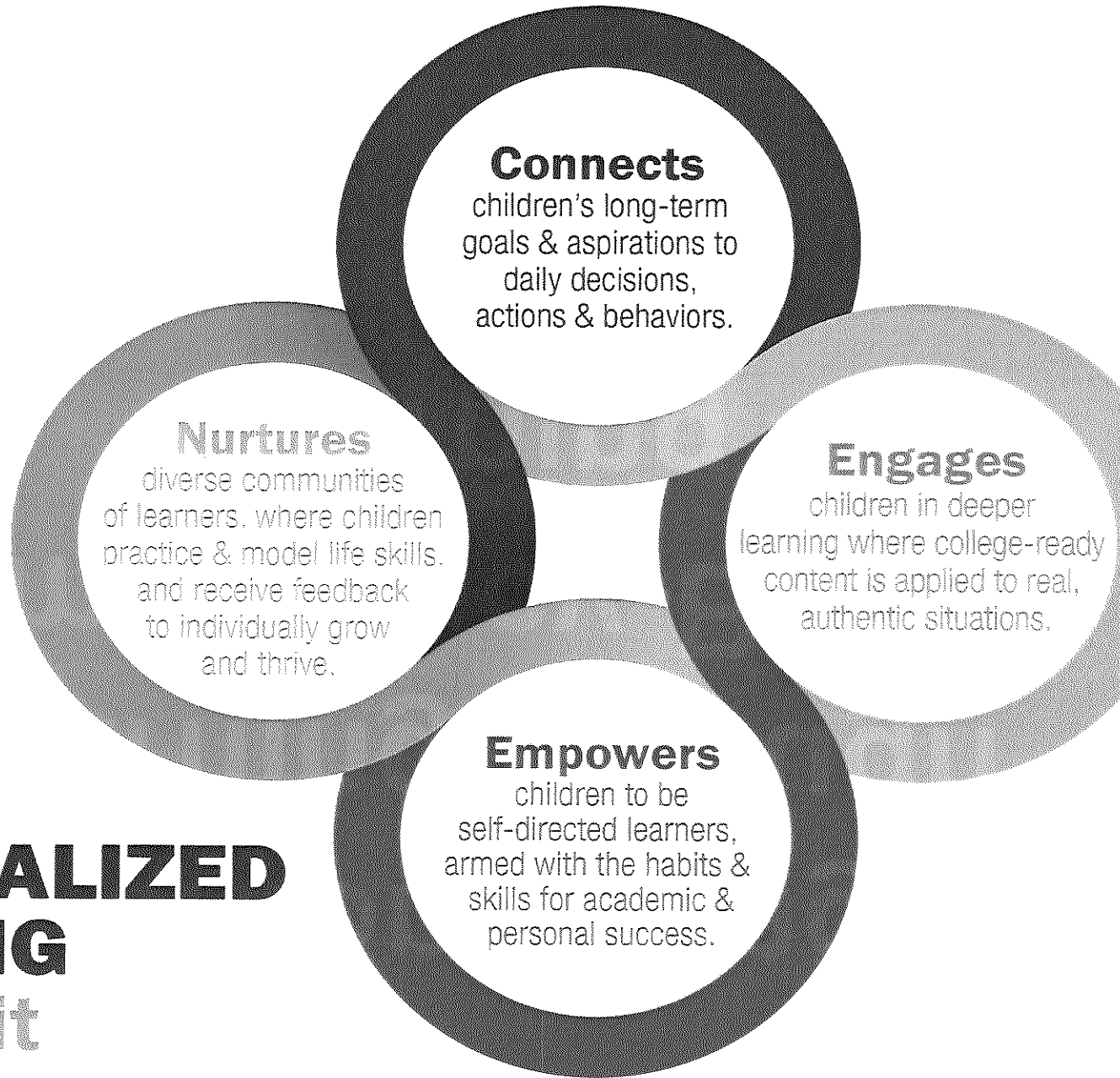
Weekly check-ins empower learners by training them to use the Habits of Success (der from Next Gen and CASEL) and Behaviors of Self-Directed Learning to succeed.

- **Self-awareness:** accurately recognize one's emotions and thoughts and their influence on behavior
- **Self-management:** regulate one's emotions, thoughts, and behaviors effectively in different situations.
- **Social awareness:** take the perspective of and empathize with others.
- **Relationship skills:** establish and maintain healthy and rewarding relationships.
- **Responsible decision making:** make constructive and respectful choices about personal behavior and social interactions.



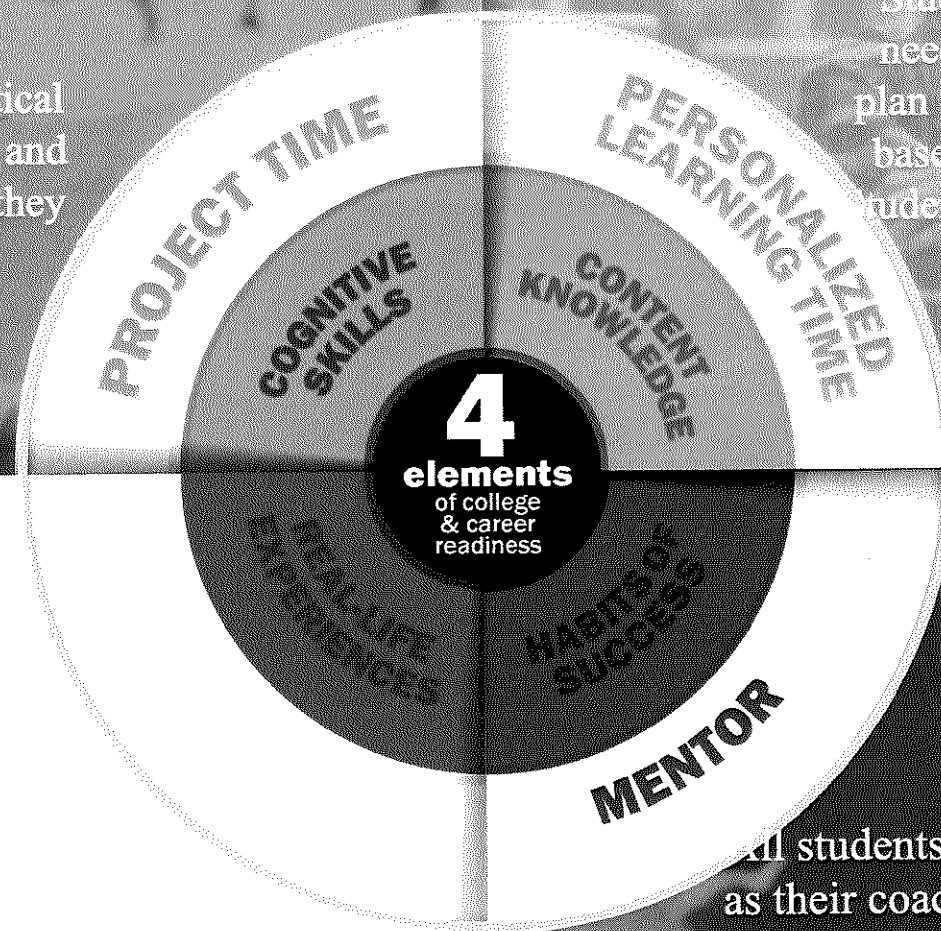
**Personalizing  
Learning through  
Competency-Based  
Learning**

# **PERSONALIZED LEARNING** at Summit



Students develop deeper learning skills, such as critical thinking, problem-solving and Communication skills, as they work collaboratively on rich project-based experiences.

Students learn the content need to be college-ready, plan and prioritize their learning based on their individual needs. Students move at their own pace and receive support from their teacher and mentor and



All students have a mentor who acts as their coach and advocate, supporting them as they develop strong character, life and self-directed learning.

# CPDLF September 2011 Board Report

Aiko Malynda Maurer

# General Updates

- Important Dates
  - Open Campus – Sharing Resources FG – First Meeting Sept 9 after L Council, at IU 8 Executive Offices
  - Open Campus/MCL Consortium - Competency Based FG – October
  - Board meeting dates
    - November 10 – IU 8 Executive
    - January 12 – IU 8 Duncansville
    - March 9 – IU 8 Duncansville
    - May 11 – TBD
    - June 8 – IU 8 Duncansville

# General Updates

## Open Campus

- Enrollment: 29

## CPDLF

- Overall Enrollment: 183 (Budgeted at 220)
  - Special Education: 60 with 6 under review

# 2016-17 Principal's Goals

Develop, implement and enforce a schoolwide student attendance plan

- Establish incentive plan(s) for attendance
- Ensure implementation of Truancy Elimination Plans
- Work in collaboration with family base/counselors/social workers

Develop implement and enforce a plan to increase the number of external oppc related to post secondary schools, military, skilled jobs (Career Link, OVR)

- Establish "College Night" virtually for high school learners
- Organize programming to encourage participation courses in CTC courses
- Increase the incorporation of career awareness into the school level activities

Increase, build and maintain positive relationships with the brick and mortars at charter/cyber schools

- Develop and enforce a coordinated effort to increase positive sources of information



# 2016-17 Innovative Learning Leader's Goals

Goal 1 - Nurture and develop lasting relationships with local school districts by providing excellence in distance education.

Goal 2- Empower Open Campus learners with the opportunity to compete and succeed in global economy by providing meaningful learning experiences.

# Operations

## **Comprehensive Plan**

- Results by Design PD Days
  - Saturday, September 17 from 8:00 am to 12:00 pm
  - Saturday, October 1 from 8:00 am to 12:00 pm
- Plan due to PDE by November 30
- Board approval on November 10
- Draft for public review by October 22

## **Attendance Guidelines – published in the HUB**

- Daily log in to Canvas Learner HUB and associated learning platforms  
AND
- Progress in course work reflected on a daily journal submitted weekly  
AND
- Attendance at weekly check in

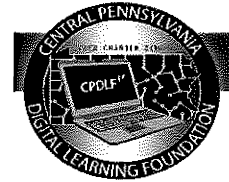
# Board Agenda Points of Interest

- Personnel
  - Last Year
  - Proposed this year
  - Organizational chart
  - Creation of Project Coordinator position
    - Approve to hire but start date dependent on enrollment meeting budgeted number
  
- Curriculum spreadsheet
- Professional development for Brandon
- Graduation Requirement Policy

When students harness  
the power within themselves, there's  
no limit to what they can achieve.

- Summit Baseca





**CEO Vision**

*To build CPDLF into an academic and financially viable and sustainable educational organization that provides students with an ideal learning experience and districts with best practices to be able to provide their students with an ideal learning experience.*

**CEO Goals for 2016-17**

1. Be a highly functioning Virtual Team with no barriers of time and space
2. Build relationships and make connections for learners and their families that lead to academic success
3. Implement the Competency Based Learning Program with virtual fidelity

***Mantra: It's All NEW!***

**1. Staff Introductions**

- a. Joan Dodge – Project Coordinator (now includes Open Campus Learning Guide)
- b. Brandon Kelley – Technology Coordinator
- c. Cassie Grassmyer – Tentative Interim Principal

**2. Finances – Valerie Wyper**

- a. Fund Balance Reconciliation
- b. Budget to Actual

**3. Academics**

- a. Enrollment Trends
- b. Academic Reports by Grade Span

**4. Updates**

- a. First Meet and Greet November 7– FULL house!
  - i. 64 Parents and Learners
- b. We are moving!
  - i. Lease with Skyward will be concluded on December 31
  - ii. Lease requires professional cleaners (Agenda item #6D)
  - iii. New Networking equipment (Agenda item #F1)
  - iv. InShore Technologies for assistance with the move (Agenda item #F2)
  - v. Available furniture – see Google Drive
- c. Comprehensive Plan – due November 30
  - i. Enrollment Policy needed to be updated
- d. Health Insurance – new rates not released yet – due January 1
- e. SPP

| 2014-15 | 2015-16 |
|---------|---------|
| 39.3    | 47.6    |





**Enrollment Trends**

|                    | 12/9/15<br>11/9/16 | 1/15/16 | 4/2016 | 5/2016 | 6/2016 | Seniors |
|--------------------|--------------------|---------|--------|--------|--------|---------|
| <b>CPDLF</b>       | 215<br>213         | 213     | 223    | 248    | 251    | 22      |
| <b>Spec Ed</b>     | 67<br>63           | 70      | 72     | 69     | 75     |         |
| <b>Open Campus</b> | 16<br>35           | 18      | 23     | 22     | 22     |         |

**Academic Reports by Grade Span**

|                       | K-5 |    |    |    | 6-8 |    |    |    | 9-12 |    |    |    |
|-----------------------|-----|----|----|----|-----|----|----|----|------|----|----|----|
|                       | Q1  | Q2 | Q3 | Q4 | Q1  | Q2 | Q3 | Q4 | Q1   | Q2 | Q3 | Q4 |
| <b>Total Students</b> | 43  |    |    |    | 22  |    |    |    | 112  |    |    |    |
| <b># of D's</b>       | 24  |    |    |    | 8   |    |    |    | 32   |    |    |    |
| <b># of Students</b>  | 16  |    |    |    | 5   |    |    |    | 28   |    |    |    |
| <b>% D's</b>          | 37% | 0% | 0% | 0% | 9%  | 0% | 0% | 0% | 25%  | 0% | 0% | 0% |
| <b># of F's</b>       | 50  |    |    |    | 25  |    |    |    | 87   |    |    |    |
| <b># of Students</b>  | 22  |    |    |    | 8   |    |    |    | 77   |    |    |    |
| <b>% F's</b>          | 51% | 0% | 0% | 0% | 14% | 0% | 0% | 0% | 69%  | 0% | 0% | 0% |

**HAPPY NEW YEAR!!!**

**CPDLF Board CEO Report  
January 12, 2017**

**Refocus, Regroup, Reconnect  
The Workings of CPDLF**

**Aiko Malynda Maurer, CEO**

**CPDLF Mission Statement and Vision**

**The IDEAL Virtual Learning Experience**  
Customized – Rigorous – Flexible

Providing all students across the state of PA access to quality customizable virtual learning experiences with a personal touch

Providing districts with opportunities for successful asynchronous virtual learning experiences for learners

## **CEO Goals**

### ***ADD: Build Relationships and Make Connections Staff - Learners - Learning Coaches***

1. Be a highly functioning Virtual Team with no barriers of time and space
2. Implement the Competency Based Learning Program with virtual fidelity
3. Be a model virtual school in the Summit Public Schools program

## **The CPDLF Team**

### **Building an Organization on Strengths**

Draft Organizational Chart

Tentative Board Approval: June 2017

Page 1 - Administration and Support

Page 2 - Academics

**Other Documents being revised**

Job Descriptions and Responsibilities

Employee Handbook

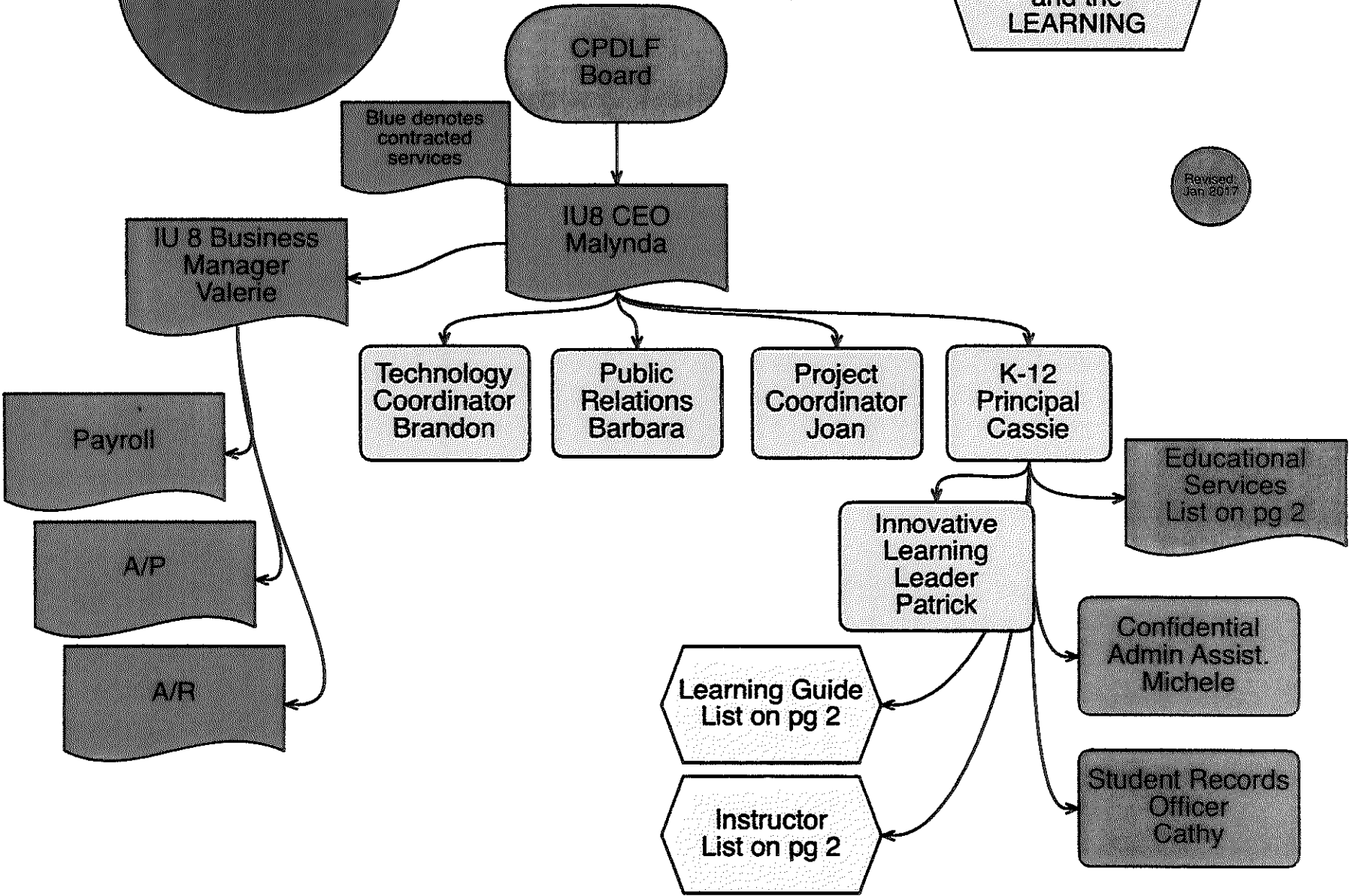


Draft

2016-17  
CPDLF Updated  
Organizational Chart

FOCUSED  
on the  
LEARNER  
and the  
LEARNING

Revised  
Jan 2017



FOCUSED  
on the  
LEARNER  
and the  
LEARNING

Blue denotes  
contracted  
services

Student Services

Social Worker

Special Ed  
services

School Nurse

Instructors

Elementary  
Cassie

MS Math  
Amy

MS Science  
Kylie

English/SS  
Leslie

Sec. English  
Lindsay

Sec. Math  
Wesley

Sec. Math  
Briana

Sec. SS  
Chelsea

Gen Sci/Physics  
Paul

Bio/Chem  
Greg

PE/Health  
Patti

Learning Guides

Elementary  
Cassie

Special Ed  
Elem/MS  
Amy

Special Ed  
Elem/HS  
Melissa

Middle School  
Leslie

HS/Seniors  
Heather

HS Transition  
Special Ed  
Kylie

HS Special Ed/  
Open Campus  
Chelsea

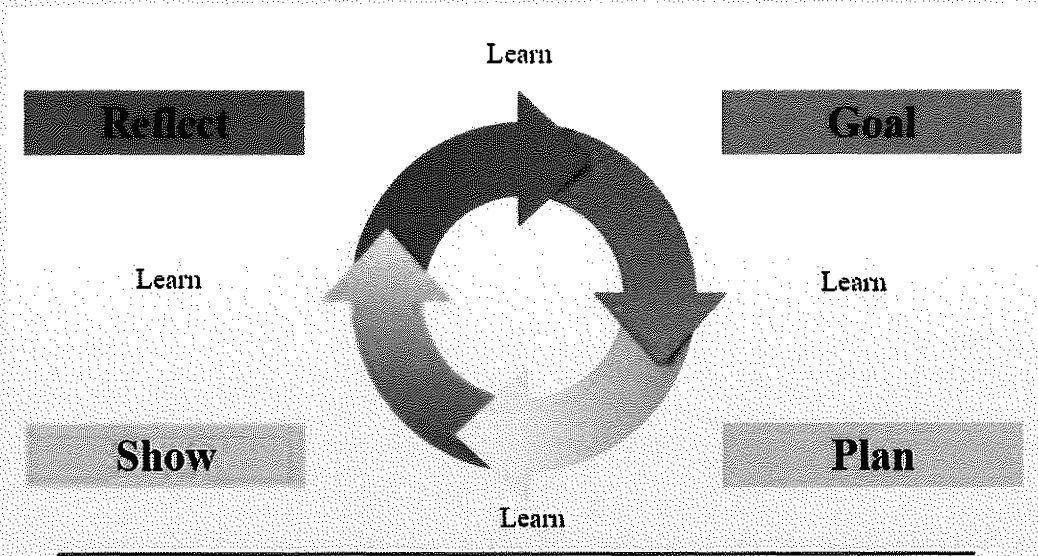
High School  
Barbara

Open Campus  
Joan

Revised  
Jan 2017

Draft

## CPDLF Performance Review Cycle



## CPDLF Performance Review Cycle

### Performance Review Cycle Tool

- Currently Instructors only
- Instructor completes
- Principal completes
- Principal and Instructor Conference
  - Evidence provided
  - Goals set
- Cycle continues - at least two times per year

Name:  
Reviewer:

Date of review: 1/6/2017  
Year 1 Cycle 1

# Performance Review Cycle Tool

[ no evidence | minimal evidence | developing evidence | strong evidence | exemplary evidence ]

## SKILL 1 | Empowering Environment

### Teacher Look Fors

**1.1 High expectations** Holds high expectations by proactively and consistently addressing students who are not meeting academic or behavioral expectations.

**1.2 Inclusive and Equitable** Ensures that all learners feel included, respected, empowered, and able to make meaningful progress in the learning environment.

**1.3 Learners own the process** Provides structures and feedback that enable learners to practice and develop the self-directed learning skills of goal- setting, planning, accessing resources, and reflecting on learning.

**1.4 Relationships** Builds strong personal relationships that demonstrate genuine care for each learner and promptly responds to relationships in need of repair through restorative practices.

### Evidence

### Next Steps

CPDL DRAFT

Skill 1 Rating \_\_\_\_\_

[ no evidence | minimal evidence | developing evidence | strong evidence | exemplary evidence]  
**SKILL 2 | Planning Learning Experiences**

| Teacher Look Fors   | Evidence   | Next Steps |
|---|--|------------|
| <p><b>2.1 Aligned</b> The learning tasks and activities are fully aligned with the instructional outcomes and are designed to support students to build accurate conceptual understandings and develop cognitive skills.</p>                              |  |            |
| <p><b>**2.2 Skills-focused</b> Cognitive skills dimensions, models, and resources are visible and accessible, to help students understand and grow toward different levels on the rubric</p>  | <p><b>**PLP only</b></p>   |            |
| <p><b>*2.3 Questioning</b> The instructor plans questions that advance students' thinking about the task by prompting cognitive challenge or meaningful discourse.</p>  | <p><b>*not required this time but will need evidence next time</b></p> |            |
| <p><b>2.4 Learners construct understanding</b> Plans learning experiences that are designed to challenge learner thinking, inviting students to make their thinking visible.</p>  |  |            |
| <p><b>*2.5 Authentic Experiences</b> Enables learners to practice and explain the work of professionals in the field, generating and evaluating new ideas and novel approaches, seeking inventive solutions to problems, and developing original work</p> | <p><b>*not required this time but will need evidence next time</b></p> |            |
| <p><b>*2.6 Backwards Plan</b> Creates backwards plans that build learners' understanding and application of cognitive skills, and anticipate misunderstandings and skill- specific challenges, in the context of learning experiences.</p>                | <p><b>*not required this time but will need evidence next time</b></p> |            |

CPDL F DRAFT

**2.7 Planning Interventions**

Creates backwards plans that includes interventions for anticipated student misunderstandings and skill-specific challenges, and includes "triggers" for various interventions.

**Skill 2 Rating** \_\_\_\_\_

[ no evidence | minimal evidence | developing evidence | strong evidence | exemplary evidence ]

**SKILL 3 | Facilitating Learning**

**Teacher Look Fors**

**3.1 Focus on learning** Constantly assesses the learners, using observational data and intentional questions, to make instructional decisions and coach learners toward learning objectives.

**3.2 Flexible instructor role** Instructor varies role (instructor, facilitator, coach, audience), and works with individuals or small groups, based on the objectives and assessment data, and other staff

**3.3 Resources** Provides and enables learners to use resources to make progress and/or allows learners to work together and give each other feedback.

**3.4 Skills-focused questioning** Engages all learners to develop cognitive skills by effectively asking and responding to a variety or series of questions or prompts to elicit and advance high-level thinking and discourse.

**3.5 Self-directed and personalized** Engages learners in assessing progress and make plans for learning that build on learners' learning styles and strengths.

**Next Steps**

CPDL F DRAFT

**3.6 Clear Expectations** The instructor's expectations are scaffolded, clear, and accurate and connects with the learner's knowledge, experience, and needs.

**3.7 Clear Communication** Promotes student success through prompt responses and regular effective feedback.

**3.8 Pacing** The pacing of learning experiences is appropriate, providing most learners the time and resources needed to be intellectually engaged.

Skill 3 Rating \_\_\_\_\_

[ no evidence | minimal evidence | developing evidence | strong evidence | exemplary evidence]

**SKILL 4 | Assessing Learner Needs**

**Teacher Look Fors**

**Evidence**

**Next Steps**

**4.1 Systems** Uses effective and efficient systems for tracking and analyzing learner performance data

**\*4.2 Long-term** Uses data from standardized testing (MAP, State Testing) to understand learner needs.

**4.3 Pedagogy** Demonstrates knowledge of pedagogy as it pertains to the needs of learners.

**\*4.4 Reflection on Instruction** Makes an accurate assessment of the effectiveness of a learning experience and the extent to which it achieved its instructional outcomes based on qualitative and quantitative data.

[ no evidence | some evidence | strong evidence]

\*not required this time but will need evidence next time

\*not required at this time

Skill 4 Rating \_\_\_\_\_

[ no evidence | minimal evidence | developing evidence | strong evidence | exemplary evidence ]

**SKILL 5 | Professional Responsibilities**

**Teacher Look Fors**

**Evidence**

**Next Steps**

**5.1 Work Ethic** Effectively manages unstructured work time, duties, and responsibilities.

**5.2 Learner Records** Maintains accurate and organized electronic learner records while maintaining privacy and confidentiality.

**5.3 Professional Development** Grows and develops professionally as an individual and as part of the CPDLF Team.

**5.5 Interactions** Interactions are professional and effective with respect to colleagues, parents, and other members of the community to support students' success.

**5.6 Communication** Communicates learner progress with families and CPDLF administration.

**5.7 Mission/Vision** Contributes to the growth and culture of the organization while supporting the mission and vision of CPDLF.

**5.8 Ethics** Models, guides, and encourages legal, ethical, and safe behavior including the use of technology.

**5.9 Technology** Understands and is able to use a range of technologies, both existing and emerging, that effectively support learning and engagement in the online environment.

CPDLF DRAFT

Use of incident report

**Skill 5 Rating** \_\_\_\_\_

*\*stop here, do not complete below at this time*



Overall Rating \_\_\_\_\_

**Comments**

**Goals**

| Goals        |  |
|--------------|--|
| Personal     |  |
| Professional |  |
| Maintenance  |  |

**Supervisor  
Signature**

\_\_\_\_\_

Date:

\_\_\_\_\_

**Employee  
Signature**

\_\_\_\_\_

Date:

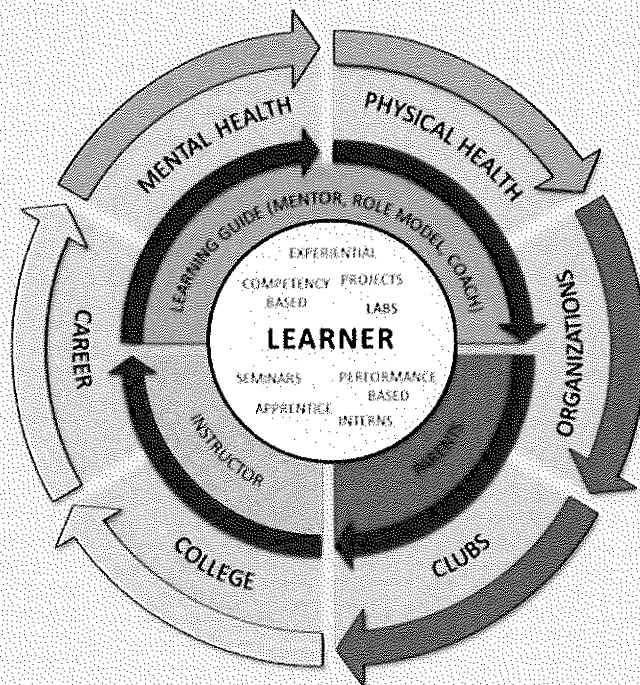
\_\_\_\_\_

**Date of Next  
Review**

\_\_\_\_\_

CPDLE DRAFT

CPDLF  
Connects U!



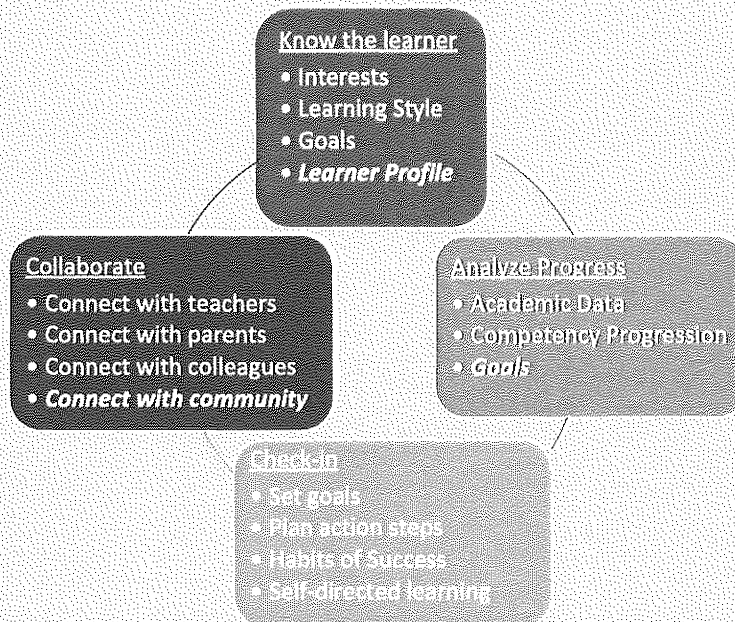
## CPDLF Learning Guides

### Develop relationships and make connections

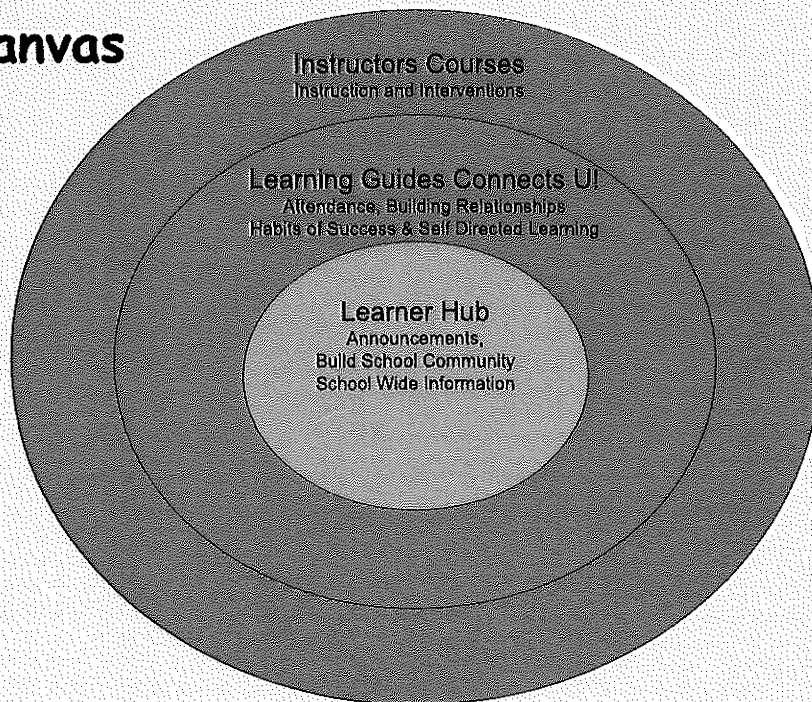
- A Learning Guide is a professional who is trained in designing and implementing a learning path for each individual learner. The Learning Guide's role is to guide and support learners who are seeking instruction in a virtual environment. Learning Guides collaborate and maintain open communication with the Learning Coach (Parent) and the Learner's Instructors.

Learning Guides do what it takes to set the Learner up for SUCCESS!

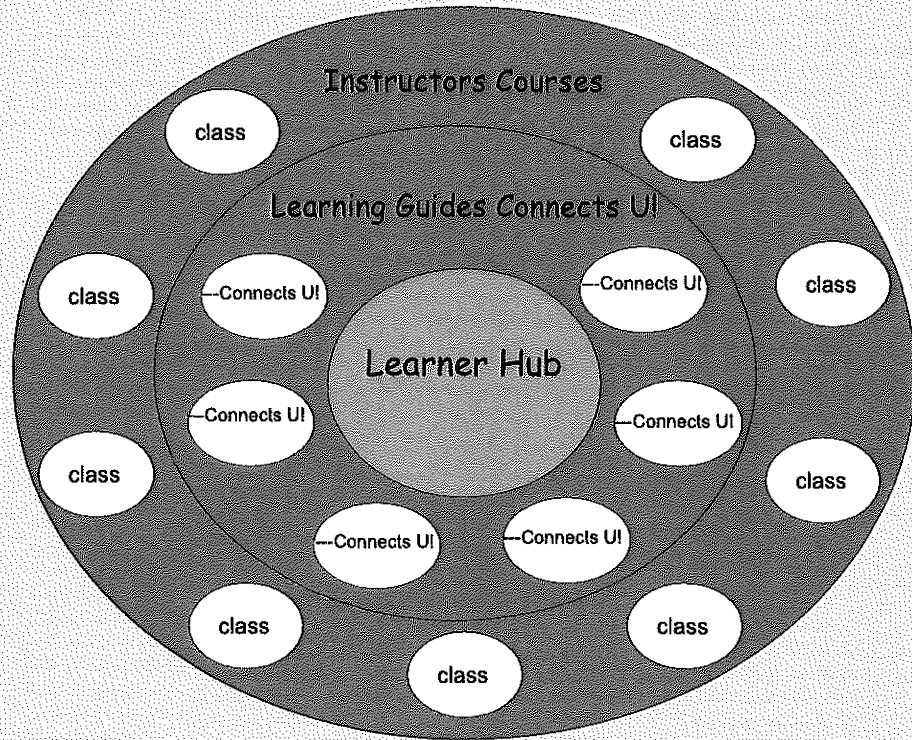
# CPDLF Learning Guides



# Vision for Canvas



# Vision for Canvas



## Public Relations



## Technology Support



## January Theme



- Moving Enrollment Day toward original plan to create a strong connection and learn more about the prospective learner
- Improving the Orientation period to build a relationship with the learner and set them up for success in a virtual world
- Creating a Connects U! course for each Learning Guide to continue to foster relationships, make connections, and set the learner up for success
- Staff Portfolios - Performance Review Cycle
- Reaching and engaging more Learning Coaches in the Ideal Virtual Learning Experience

## January Assignment

- Read another book – NOT!
- Throughout the month of January find ways to incorporate the ideas, lessons, and principles learned from reading Mindset into your daily routine
- At the end of the month, write a reflection to post in Canvas.
  - How did you apply the principles and lessons learned from Mindset into your daily routine?
  - How will you continue the application process throughout the rest of the year?

## **Policies and Procedures Updating**

### **Policies**

- Attendance
- Graduation Requirements
- Graduation Project
- Internet Reimbursement
- Policies for Employees

## **Program Planning**

- Personalized Learning Platform
  - Expand to Grades 6 and 9 (after educating and collecting surveys)
  - Train all full time Academic staff in the Summit Model
- Review K - 6 curriculum providers
- Build K-8 Health/PE courses
- Interventions - MTSS, SWPBIS

## **Tentative Board Agenda Items by Month**

January - 2015-16 Audit, 2016-17 Review, 2017-18 Planning

March - 2016-17 Budget Revision, 2017-18 Calendar

May - 2017-18 Budget Draft

June - 2017-18 Budget approved

## **Two Questions**

1. BMC Insurance Broker - Would you be interested in changing brokers
2. Board Retreat
  - a. Program
  - b. Financial

## Updates

- Grades and Academic updates emailed after marking period ends 1/17/17
- New Comprehensive Plan Due Date: November 30, 2017
- Next Meet and Greet is January 24
- Surveys being planned
- Open Campus School District Supports realigned

## Enrollment Trends

|                        | 12/9/15<br>11/9/16 | 1/15/16<br>1/11/17 | 4/2016 | 5/2016 | 6/2016 | Seniors<br>2016<br>2017 | Drop<br>2016<br>2017 |
|------------------------|--------------------|--------------------|--------|--------|--------|-------------------------|----------------------|
| <b>CPDLF</b>           | 215                | 213                | 223    | 248    | 251    | 22                      | 20                   |
|                        | 213                | 191                |        |        |        | 24                      | 15                   |
| <b>Spec Ed</b>         | 67                 | 70                 | 72     | 69     | 75     |                         |                      |
|                        | 63                 | 61                 |        |        |        |                         |                      |
| <b>Open<br/>Campus</b> | 16                 | 18                 | 23     | 22     | 22     |                         |                      |
|                        | 35                 | 45                 |        |        |        |                         |                      |



## Financial Updates

### Valerie Wyper - Business Manager

- Fund Reconciliation Report
- Budget to Actual

### Dave Scott - Young, Oakes, and Brown Inc.

- CPDLF 2015-16 Audit Report

*Thank you*  
**FOR YOUR SUPPORT**



# CPDLF Board CEO Report March 9, 2017



Aiko Malynda Maurer, CEO

## CPDLF Mission Statement and Vision

**The IDEAL Virtual Learning Experience**  
Customized – Rigorous – Flexible

Providing all students across the state of PA access to quality customizable virtual learning experiences with a personal touch

Providing districts with opportunities for successful asynchronous virtual learning experiences for learners

## CEO Goals

### ***ADD: Build Relationships and Make Connections Staff - Learners - Learning Coaches***

1. Be a highly functioning Virtual Team with no barriers of time and space
2. Implement the Competency Based Learning Program with virtual fidelity
3. Be a model virtual school in the Summit Public Schools program

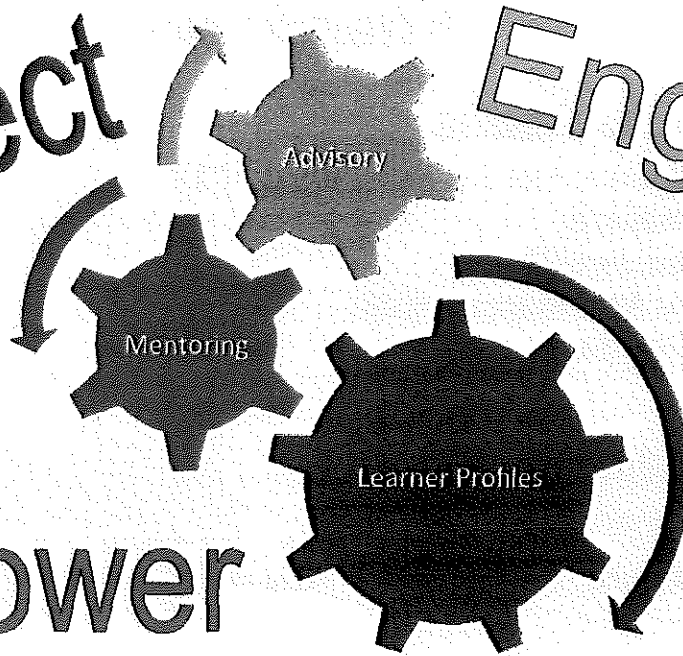
## Enrollment Trends

|                        | 12/9/15 | 1/15/16 | 4/2016 | 5/2016 | 6/2016 | Seniors<br>2016 | Drop<br>2016 |
|------------------------|---------|---------|--------|--------|--------|-----------------|--------------|
|                        | 11/9/16 | 1/11/17 | 3/9/17 |        |        | 2017            | 2017         |
| <b>CPDLF</b>           | 215     | 213     | 223    | 248    | 251    | 22              | 20           |
|                        | 213     | 191     | 194    |        |        | 24              | 16           |
| <b>Spec Ed</b>         | 67      | 70      | 72     | 69     | 75     |                 |              |
|                        | 63      | 61      | 65     |        |        |                 |              |
| <b>Open<br/>Campus</b> | 16      | 18      | 23     | 22     | 22     |                 |              |
|                        | 35      | 45      | 47     |        |        |                 |              |

Connect

Engage

Empower



## Attendance

| Implementation % |     |     |     |  |
|------------------|-----|-----|-----|--|
| 25%              | 35% | 60% | 95% | Guidelines (Pilot)   |
|                  |     |     |     | Attendance at weekly check in with Learning Guide (Connect)        |
|                  |     |     |     | Complete daily tasks in Learning Guide Connects U! course (Engage) |
|                  |     |     |     | Progress in coursework (Empower)                                   |

# Attendance

## Attendance Recalibration

- Tracking date reset to February 1, 2017
- Staff retrained
- Reviewed weekly
- February Attendance - 85%
- Drop: 1 Student

## Progress Defined

Progress = % of course completed

Progress Report = Progress x 40% + Course Grade x 60%

# Progress

## Progress Reporting Defined

Progress = % of course completed

Progress Report = Progress x 40% + Course Grade x 60%

## Weekly progress reporting from LG

- No Progress - When nothing has been done at all in the platform.
- Inadequate Progress - Progress that is insufficient to be on pace and is causing the learner to be further behind.
- Some Progress - When the learner has completed a sufficient amount of work but is not on pace with courses or if the learner isn't working 5.5 hours a day.
- Adequate Progress - When the learner is on pace and doing enough work to stay on pace each week.

## Open Campus Learning Guide

**Meet  
Joan Dodge**



**District Assessment  
Coordinator**

**CPDLF Board Recorder  
Executive Assistant**

9

## CEO Updates

### ***CEO Additional Roles***

- Federal Programs Coordinator
- Special Education Director
- Attendance Officer (Temporary)

### **Summit Summer Training**

- July 24 - 28 in Washington D.C.
- Untrained Staff only - Heather Jancula, Paul Longwell, Chelsea Gibbons, Cassie Grassmyer, Patrick Baney, Kylie Magargi
- Cost unknown at this point

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## Special Education

- **Special Education Trainings scheduled**
  - 2 with Roxanne Oswald, SPOC - Writing an IEP
  - 2 with Dr. Erica Kaurudar on goal setting and monitoring
- **IEP Review**
  - ALL IEPs are being reviewed
  - Additional trainings, policies, and procedures will follow

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## Tentative Board Agenda Items by Month

March - 2017-18 Calendar, State Testing

May - 2016-17 Budget Revision, 2017-18 Budget Draft, Policies

June - 2017-18 Budget approved, Policies, Handbooks

12

# Financials

## **Valerie Wyper - Business Manager**

- Fund Reconciliation Report
- 4B - Budget to Actual

13

# Board Business - 6A1

## **Board Retreat**

- Goals
- Policies
- Program
- Financial

## **Dates - 9:00 am to 1:00 pm**

- March 23, Thursday
- March 24, Friday
- March 27, Monday
- March 28, Tuesday

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# General Operations - 6B1

## School Calendar

- 183 Student Days
- 195 LG/Instructor Days
  - 192 days
  - 24 hours through year
- 17 Holidays (Full Time)

## Board Meeting Dates

- Back of School Calendar

# State Testing

General Operations 6B2

Personnel 6C1, 6C2, 6C3

## PSSA Planning - Spring Keystones TBD

- 6C1 - Personnel Job Description
- 6C2 - Compensation
- 6C3 - State-Required Testing Administrators/Proctors Listing
- 6B2 - Proposed locations including estimated costs

# Curriculum E1

## Summer School - Credit Recovery and ESL

- Dates: June 12 - July 21
- Offerings - Math, Science, Social Studies, English
- Parent Cost - \$100 per course, per student
- Exemption - Learners in Summit Pilot may continue with no charge

17

# Technology

- F1, F2 - Purchase of additional Chromebooks
  - Note: Procedure developed to retrieve equipment
- F3 - Equipment disposal list
  - Note: Internal equipment audit

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*Thank you*  
**FOR YOUR SUPPORT**



# CPDLF Board CEO Report May 9, 2017



Dr. Aiko Malynda Maurer, CEO

## CPDLF Mission Statement and Vision

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## CEO Goals

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1. Be a highly functioning Virtual Team with no barriers of time and space
2. Implement the Competency Based Learning Program with virtual fidelity
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3

## Enrollment Trends

|                        | 12/9/15 | 1/15/16 | 4/2016 | 5/2016 | 6/2016 | Seniors<br>2016 | Drop<br>2016 |
|------------------------|---------|---------|--------|--------|--------|-----------------|--------------|
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|                        | 213     | 191     | 194    | 197    |        | 23              | 17           |
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|                        | 63      | 61      | 65     | 61     |        |                 |              |
| <b>Open<br/>Campus</b> | 16      | 18      | 23     | 22     | 22     |                 |              |
|                        | 35      | 45      | 47     | 52     |        |                 |              |

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# Attendance

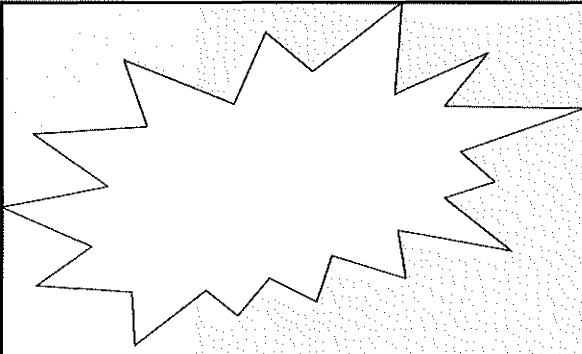
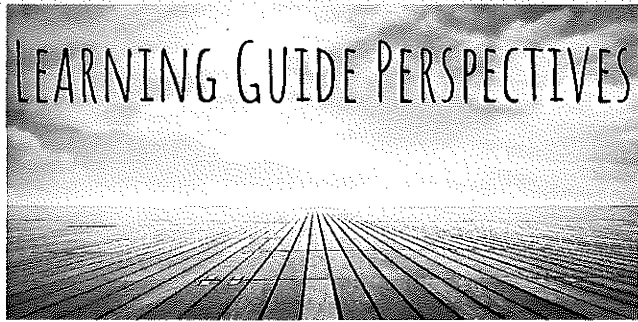
| Implementation %   |     |     |                        |  |
|--|-----|-----|------------------------|--|
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|  |     |     | 100%                   | Attendance at weekly check in with Learning Guide (Connect)        |
|  |     |     | Daily Reflections only | Complete daily tasks in Learning Guide Connects U! course (Engage) |
| Lacks consistency beyond staff<br>Course Completion: 80%<br>complete with at least 70%<br>assignment grade |     |     |                        | Progress in coursework (Empower)                                   |

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## Preliminary 2017-18 CEO Goals

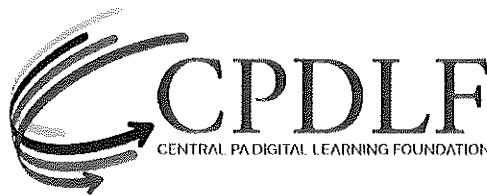
1. Ongoing: Be a highly functioning Virtual Team with no barriers of time and space
2. Refined job responsibilities and duties to address workload issues and PDE/IDEA regulations
3. Focus on academics

6



**TESTING - TESTING - TESTING!!!!**

# LOGO WORK



**CONNECTS U!**  
Relationships • Opportunities • Partnerships

## **CEO Updates**

### ***Updates***

- Special Education - revising IEPs
- Federal Programs - monitoring complete, corrective action items
- ESL - Planned instruction for remainder of year
- PLDC Review
- Congressman Glenn Thompson Visit

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## **CEO Updates**

### ***CEO Projects***

- Interviews - recommendations for June board meeting
- Performance reviews for all staff
- Policies and procedures for working virtually
- Staffing positions and responsibilities
- PD plan for next year
- Insurance quotes
- Internet Reimbursement policy and procedures
- Schoolwide Plan - due June 30
- Consolidated Application - due June 30
- Comprehensive Plan updates

10



## **Tentative Board Agenda Items by Month**

May - 2016-17 Budget Revision, 2017-18 Budget Draft, Policies

June - 2017-18 Budget approved, Policies, Handbooks

11

## **Financials**

**Valerie Wyper - Business Manager**

### **Informational Items**

- Fund Reconciliation Report
- Draft 2017-2018 Budget Assumptions
  - 220 students
  - Personnel COLA: 2.4%
  - CEO Goals
- Reservation of Funds
  - Furniture
  - Staff Technology
- New Business Manager starting July 1, 2017

### **Agenda Voting Items**

- 4B - Revised Budget to Actual

12

## **General Operations - 6B**

- 6B1 - 2017- 18 Summit Learning Participation Agreement
  - Expanding to 6th and 9th grades
- 6B2 - Keystone Testing

## **Personnel - 6C**

- 6C1 - Translator/Interpreter Job Description
  - Recommendation on an as needed basis
- 6C3 - ESL Instructor Job Description
  - Recommendation for remainder of school year
- 6C5 - Summer School Teachers - Math/Science

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## **Contracted Services**

- 6D1 - PLDC Review Contract

## **Curriculum E1**

- 6E1 - Class of 2017 recommendations

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## Technology

- F1 - Renewal for Domain Name
- F2 - Web Filtering Renewal

## Policies

*Implementing new procedure: First read unless emergency*

- 6HFR1, 2, 9 - Federal Programs
- 6HFR3, 4, 5, 6, 7, 8 - Updated policies

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*Thank you*  
**FOR YOUR SUPPORT**



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# CPDLF Board Report June 8, 2017



Dr. Aiko Malynda Maurer, CEO

# CPDLF Mission Statement and Vision

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# CEO Goals

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1. Be a highly functioning Virtual Team with no barriers of time and space
2. Implement the Competency Based Learning Program with virtual fidelity
3. Be a model virtual school in the Summit Public Schools program

# Draft 2017-18 CEO Goals

1. Ongoing: Be a highly functioning Virtual Team with no barriers of time and space
2. Refined job responsibilities and duties to address workload issues and PDE/IDEA regulations
3. Focus on academics
  - Attendance
  - Achievement
  - Engagement

# **Reschinni Presentation**

**Matt Bernini**

**Ray Mullen**



# Enrollment Trends

|                        | <b>12/9/15</b><br>11/9/16 | <b>1/15/16</b><br>1/11/17 | <b>4/2016</b><br>3/9/17 | <b>5/2016</b><br>5/2017 | <b>6/2016</b><br>6/2017 | <b>Seniors<br/>2016<br/>2017</b> | <b>Drop<br/>2016<br/>2017</b> |
|------------------------|---------------------------|---------------------------|-------------------------|-------------------------|-------------------------|----------------------------------|-------------------------------|
| <b>CPDLF</b>           | 215                       | 213                       | 223                     | 248                     | 251                     | 22                               | 20                            |
|                        | 213                       | 191                       | 194                     | 197                     | 188                     | 19/2                             | 22                            |
| <b>Spec Ed</b>         | 67                        | 70                        | 72                      | 69                      | 75                      |                                  |                               |
|                        | 63                        | 61                        | 65                      | 61                      | 60                      |                                  |                               |
| <b>Open<br/>Campus</b> | 16                        | 18                        | 23                      | 22                      | 22                      |                                  |                               |
|                        | 35                        | 45                        | 47                      | 52                      | 51                      |                                  |                               |

# Attendance

| Implementation %  |     |     |                        |   |
|---|-----|-----|------------------------|---|
| 25%   | 35% | 60% | 95%                    | Guidelines (Pilot)  |
|   |     |     | 100%                   | Attendance at weekly check in with Learning Guide (Connect)           |
|   |     |     | Daily Reflections only | Complete daily tasks in Learning Guide<br>Connects U! course (Engage) |
| Lacks consistency between staff<br>Course Completion: 90% complete with at least 70% assignment grade |     |     |                        | Progress in coursework (Empower)                                      |

# Attendance

February 28, 2017 - 86.4%

May 26, 2017 - 90.1%

# CEO Updates

## ***CEO Projects***

- Interviews - recommendations for June board meeting - Completed
- Performance reviews for all staff - TBC June
- PLDC Initiatives Review - TBC June
- Policies and procedures for working virtually - TBC August
- Internet Reimbursement policy and procedures - TBC August
- Updated Attendance Policy - TBC August
- Student Handbook - TBC August
- Employee Handbook - working on
- Update Job Descriptions - TBC August
- PD plan for next year - TBC August

TBC = To Be Completed

# CEO Updates

## ***CEO Projects***

- Insurance quotes - TBC August
- Education Services Contracts - TBC August
- Curriculum Contracts - TBC August
- New Technology for Staff - TBC August
- Schoolwide Plan - due June 30
- Consolidated Application - due June 30
- Comprehensive Plan updates - due Nov 30

Summit Train the Trainer and School Leaders: June 19 - 28

Summit Full Team Training: July 25 - 28

# Financials

**Valerie Wyper - Business Manager**

## **Informational Items**

- Fund Reconciliation Report
- List of Payments
- Budget to Actual

## **Agenda Voting Items - General Operations, Personnel**

- 6B4 - 2017-18 Budget
- 6B5, 6B7 - Money Market Account
- 6B8 - Reservation of Funds
- 6C6 - Fund HSA accounts

## **General Operations - 6B**

- 6B1 - HASD Rental Agreement
- 6B2, 6B3
- 6B2 - Keystone Testing

## **Personnel - 6C**

- 6C1, 6C2 - Summit Summer PD - Travel and Stipends
- 6C3, 6C4, 6C5 - Changes in positions, salaries, and days
  - Create Learning Services Coordinator position
  - Hire Principal and LSC (Special Ed and Regular Ed)
  - Move Patrick to Secondary Learning Guide position

## **Contracted Services**

- None

## **Curriculum**

- 6E1 - Class of 2017 Final List
- 6E2 - Contract with VHS



# Technology

- F1, F2, and F3 - Infinite Campus, Leader Services, Microsoft Office

## Policies

*Same as May First Read List*

- 6HFR1, 2, 9 - Federal Programs
- 6HFR3, 4, 5, 6, 7, 8 - Updated policies

*Thank you*  
**FOR YOUR SUPPORT**

