

# PLUM BOROUGH SCHOOL DISTRICT POLICY COMMITTEE MEETING

DATE: February 10, 2015  
 TIME: Immediately following Education  
 LOCATION: *Board Room*  
 COMMITTEE: Loretta White-*Chair*, Michelle Stepnick, Mr. Tom McGough

**Citizens' comments on agenda items:**  
**Citizens' comments on non-agenda items:**

1. ACTION ITEMS
2. DISCUSSION ITEMS
  - a. Policy Review, [Summary](#)

Policy Number	Title
<a href="#">204</a>	Attendance To be consistent with State Board of Education regulations, 24 P.S. § 13-1329 was amended to permit a school district to excuse a student from school attendance to participate in an educational tour or trip not sponsored by the school district.
<a href="#">304</a>	Employment of District Staff
<a href="#">307</a>	Students Teachers & Interns
<a href="#">818</a>	Contracted Services

**Policies: 304-307-818**  
 These policies were updated to reflect the provisions of House Bill 1816, now Act 168 of 2014, which will be codified as 24 P. S. § 1-111.1. Act 168 requires an employment history review for all prospective school employees as it relates to any investigation concerning abuse or sexual misconduct.

The provisions apply to candidates for employment in a school entity and to applicants for employment with independent contractors of the school entity.  
 The candidate will be required to provide personal contact information, a listing of current and former employers, a written authorization for current and former employers to provide the required information, and a written statement disclosing any abuse or sexual misconduct investigations.

Prior to issuing an offer of employment to a candidate, the district/contractor is required to contact current and former employers of all applicants to determine whether the applicant has ever been investigated, discharged, disciplined, or had a license revoked for abuse or sexual misconduct. Current and former employers of the candidate must disclose the information requested within 20 days from receiving the request from the district/contractor. PDE is developing a form for the disclosure of required information. School entities and independent contractors may no longer enter into any contracts or agreements that have the effect of suppressing or expunging information related to employee sexual

misconduct, unless after the allegations are found to be false. The school entity may use the information received for the purpose of evaluating a candidate's fitness to be hired or for continued employment, if already hired, and may report the information as appropriate to the Pennsylvania Department of Education, a state licensing agency, law enforcement agency, child protective services agency, another school entity or prospective employer. Many of these policies also contained a reference to Title 22 Sec. 8.1 et seq. which has been removed from the left cite column because the language contained therein is largely out-of-date with current statutory requirements. Title 22 Sec. 8.1 was kept in the end references as a general reference.

[309](#)

Assignment & Transfer

[317](#)

Conduct & Disciplinary Procedures

*The amendments to the Educator Discipline Act, 24 P.S. § 2070.1a et seq., became effective February 16, 2014. The amendments to the Educator Discipline Act expand the basis for discipline and reporting to include reports of child abuse as well as “grooming” behaviors; shorten the time period for reporting to PDE; require an educator arrested, indicted for, or convicted of certain crimes to report the action to the employing school within 72 hours; prohibit schools from entering into confidential settlement agreements that interfere with the school entity’s mandatory reporting; and eliminate the current statute of limitations for the filing of misconduct complaints.*

[317-1](#)

Educator Misconduct

*Policies 309-317-317.1*

*These policies were updated to comply with the provisions of the Educator Discipline Act and the Child Protective Services Law (soon to be codified as 23 Pa. C.S.A. Sec. 6344.3, 6344.4 and 6344.9a) related to employee reporting requirements for arrests and convictions.*

[806](#)

Child Abuse

*In the last year, the Governor has signed 21 bills amending provisions of the Child Protective Services Law (CPSL). Most of these changes became effective December 31, 2014. Due to the significant breadth and number of changes, there will likely be more questions than answers, so stay tuned for additional information related to the changes and implementation. Policy 806 was completely redrafted based on changes in the law.*

Overview of Changes

- a. Eliminate the separate student abuse standard, which is reflected in the updated policy.
- b. Add several new terms and definitions.
- c. Expand the definition of child abuse, which is reflected in the updated policy.
- d. Expand the list of enumerated mandated reporters.
- e. Broaden the basis to report suspected child abuse, which is reflected in the updated policy.
- f. Change the reporting procedures, which is reflected in the updated policy.
- g. Require schools to immediately implement a plan of supervision or alternative arrangement for an individual under investigation, upon notification that an investigation involves suspected child abuse by a school employee.

**Child Abuse History Clearance and Background Checks:**  
**Employees**

	<p>Child Abuse History Clearance and Background Checks - The amendments require that school employees obtain a new child abuse history clearance and new state and federal criminal history checks every 36 months. This does not require new certifications immediately. If an employee's certifications are more than 36 months old, new certifications must be submitted by December 31, 2015. If the employee's certifications are less than 36 months old, the employee must submit new certifications within 36 months from the date the most recent certification was issued. Districts should establish a schedule and system to ensure clearances and background checks are up to date.</p>
<p>916</p>	<p><b>Volunteers</b>  <i>Enhanced background check requirements</i>  Beginning December 31, 2014, any new volunteers applying for a volunteer position in the district, who will have direct contact with children, need to submit a child abuse history clearance and a state criminal history check, and must swear or affirm in writing that s/he is not disqualified from service. A federal criminal history check is also required if the volunteer has not been a resident of the Commonwealth for the previous ten years.</p> <p>Beginning July 1, 2015, current volunteers already serving in volunteer positions shall be required to submit a child abuse history clearance and a state criminal history check, and must swear or affirm in writing that s/he is not disqualified from service. A federal criminal history check is also required if the volunteer has not been a resident of the Commonwealth for the previous ten years.</p> <p>The required clearances must be resubmitted every 36 months. The law does not prohibit districts from requiring federal criminal history checks regardless of how long the volunteer has lived in the Commonwealth. Additionally, aside from the 36-month requirement, the law does not specifically state how current the checks must be when applying for a volunteer position.</p>

### 3. INFORMATION ITEMS

- a. Policy 331