

**MONTROSE AREA SCHOOL DISTRICT**  
**POLICY COMMITTEE MEETING**  
**JUNIOR-SENIOR HIGH SCHOOL ADMINISTRATIVE OFFICES**  
**MEETING DATE DECEMBER 1, 2009 7:00 P.M.**

Mrs. Gloria Smith  
Chairperson, Policy Committee

Mr. Michael F. Ognosky  
Superintendent of Schools

December 1, 2009 Policy Committee Meeting began at 7:00 P. M. in the District Administrative Offices.

Board Members present included Gloria Smith

Administrators present included Mike Ognosky

The Policy Committee conducted the following business:

**OLD BUSINESS:**

- Mr. Ognosky reviewed the status of the policies that were approved on a first reading at the November meeting. He has not received public feedback on any of the policies that were approved on a first reading at the November 9, 2009 board meeting. Included in that group of policies are the following: 103.1 (Nondiscrimination – Qualified Students with Disabilities); 113 (Special Education); 113.1 (Discipline of Students with Disabilities); 113.2 (Behavior Support); 113.3 (Screening and Evaluations for Students with Disabilities); 114 (Gifted Education); 907 (School Visitors). It is recommended that all of the aforementioned policies be included on the December 7, 2009 agenda for approval as a second, and final, reading.

**NEW BUSINESS:** The following revised policy recommendations were received recently from the PSBA Policy News Network and recommended for consideration:

- **Policy 705 (Safety):** The State Fiscal Code has been revised to contain language requiring each school district to form and maintain a certified safety committee. Failure to do so would result in a funding reduction equal to the 5 % premium reduction that could have been realized. School Districts need to establish a safety committee that meets state certification requirements, fill out a committee certification application and have it approved by the Department of Labor and Industry. Safety committees must operate according to all certification requirements for a minimum of six full calendar months prior to applying for certification. Those certification applications must be filed at least 30 days prior to workers' compensation renewal dates (July 1<sup>st</sup> in our case). Committees must be formed and operating no later than December 1, 2009 (our committee is in place with a meeting scheduled for Wednesday, December 2<sup>nd</sup>.) Based on the information received from PSBA, it was recommended by the Policy Committee that revised Policy 705 should be presented for a first reading consideration at the December Board meeting.
- **Policy 718 (Service Animals in Schools):** PSBA has added a heading to clearly separate the section on admission of service animals in schools from admission of service animals to public events. Also, requests from parents/guardians of students with disabilities to bring a service animal to school shall be directed to the building principal or the Section 504 or IEP team. The IEP team or Section 504 service plan of a student with a disability who brings a service animal to school shall provide guidelines for the care and handling of a service animal while at school or a school-sponsored activity. Finally, the term "dog" has been broadened to include any type of potential service animal in the policy. Based on the information received from PSBA, it was recommended by the Policy Committee that revised Policy 718 should be presented for a first reading consideration at the December Board meeting.

**V. OPEN FORUM**

No items were discussed during the Open Forum.

Meeting adjourned at 7:15 p.m.

**Mike Ognosky**

	<b>705. SAFETY</b>
1. Purpose	The Board recognizes that district facilities must be maintained and operated in a condition that is safe for students, staff and visitors.
2. Authority	The Board directs that a district-wide safety program shall be maintained to ensure a safe and secure environment for all students, staff and visitors as well as to protect district buildings, equipment and property. The safety program shall provide: instruction for students and staff in safety and accident protection; protective devices where they are required for safety; and suitable and safe equipment necessary for the conduct of the educational program and operation of the schools.
3. Delegation of Responsibility	The Superintendent or designee shall prepare rules governing school safety and prevention of accidents and fire, which shall include the requirements of law and applicable regulations of various departments of state government.  The Superintendent or designee shall:
SC 1518	1. Ensure curriculum to instruct students in safety and fire prevention.
SC 1518	2. Provide required drills to instruct students in safety procedures.
<b>Policy 805</b>	3. Review and evaluate annually district safety rules and plans.  Administrators shall inform all staff and students of school safety rules at the beginning of the school year.  The Superintendent shall inform the Board of all procedures and rules dealing with the safety of students and staff, and the safe operation of school facilities.
<b>4. Guidelines</b>	<b><u>Certified Safety Committee</u></b>
<b>Title 34</b>	<b>A safety committee shall be established to promote the district's goals concerning safe schools.</b>
<b>Sec. 129.1001-129.1011</b>	
<b>72 P. S.</b>	
<b>Sec. 1722- J</b>	<b>The safety committee shall be composed of a minimum of four (4) members, including two (2) district administrators and two (2) employee representatives.</b>
<b>77 P. S.</b>	

**Sec. 1038.2**

**If the number of members on the safety committee exceeds four (4), the committee shall be composed of an equal number of administrators and employees unless otherwise agreed upon by both groups. The district administrators shall not constitute a majority of the safety committee.**

**It shall be the responsibility of the safety committee to:**

- 1. Evaluate the current safety program.**
- 2. Establish procedures for conducting and documenting the findings of periodic inspections to locate and identify safety and health hazards.**
- 3. Make recommendations to correct hazards.**
- 4. Review, in a timely manner, incident and accident report and investigation forms.**
- 5. Conduct follow-up evaluations on the effectiveness of new health and safety equipment or safety procedures.**

**A quorum of the safety committee members shall meet at least once a month.**

**The safety committee shall develop and maintain operating procedures, membership lists, committee meeting agendas, attendance lists and minutes of each meeting.**

**All decisions of the committee shall be made by majority vote of members present.**

**The Superintendent shall ensure that a qualified trainer provides all committee members with adequate, annual training in safety committee structure and operation, hazard detection and inspection, and accident and illness prevention and investigation.**

**The Superintendent shall maintain written records of safety committee training.**

**References:**

**School Code – 24 P. S. Sec. 510, 1517, 1518**

**Department of Labor and Industry Regulations – 34 PA Code Sec. 129.1001-129.1011**

**Fiscal Code – 72 P. S. Sec. 1722 – J**

**Certification of Safety Committee – 77 P. S. Sec. 1038.2**

**Board Policy - 805**

718. SERVICE ANIMALS IN SCHOOLS

1. Purpose

**The Board adopts this policy to ensure that individuals with disabilities are permitted to participate in and benefit from district programs, activities and services, and to ensure that the district does not discriminate on the basis of disability.**

2. Definition  
28 CFR  
Sec. 36.104

Service animal means any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability.

3. Authority  
29 U. S. C.  
Sec. 794  
42 U. S. C.  
Sec. 12101 et seq  
**43 P. S. Sec. 953**

The Board shall permit individuals with disabilities to use service animals in district buildings; on district property; and on vehicles that are owned, leased or controlled by the school district, upon request and submission of required documentation.

4. Guidelines

**Admission of Service Animals to Schools**

~~An individual~~ **A student or an employee** with a disability may submit a request to bring a service animal to school for educational or employment purposes. However, there is no automatic right to be accompanied by a service animal in the school setting.

**Pol. 103.1, 113**

**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 building principal or the Section 504 or IEP team. 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. 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.**

Before a service animal shall be allowed in a district building, or on district property

<p>5. Delegation of Responsibility</p>	<p>or vehicles, the owner or handler of the animal shall submit to the building principal a written request and the following documentation from a certified professional:</p> <ol style="list-style-type: none"> <li>1. Diagnosis of the specific disability.</li> <li>2. Verification of the need for a service animal.</li> <li>3. Description of the function(s) the service animal is expected to perform in relation to the individual's disability.</li> <li>4. Current license.</li> <li>5. Current veterinary health certificate.</li> <li>6. Proof of current vaccinations and immunizations of the service animal.</li> </ol> <p>Trained guide, hearing and service animals shall be permitted in district buildings and on district property and vehicles for noneducational reasons under the following circumstances:</p> <ol style="list-style-type: none"> <li>1. Totally or partially blind individuals may be accompanied by a trained guide <b>dog animal</b>.</li> <li>2. Deaf or hearing impaired individuals may be accompanied by a trained hearing <b>dog animal</b>.</li> <li>3. Mobility impaired or other disabled individuals may be accompanied by a trained service <b>dog animal</b>.</li> <li>4. Individuals conducting training of a <b>guide, hearing or</b> service <b>dog animal</b> may be accompanied for the purpose of school business by a <b>dog service animal</b> in training, but training shall not normally occur in the classroom during instructional time.</li> </ol> <p><u>Admission <b>Of Service Animals</b> to Public Events</u></p> <p>Individuals with disabilities may be accompanied by their service animals while on district property for events that are open to the general public. This right of access does not extend to the schools generally or to other activities that are not open to the general public.</p> <p>School administrators may inquire of the owner or handler of an animal whether the animal is a trained service animal and the specific tasks that the animal has been trained to perform, but shall not ask question about an individual's disability.</p> <p>The district shall not require an owner or handler of a service animal to pay an extra charge for the animal to attend events for which a fee is charged.</p> <p>The owner or handler of a service animal shall be solely responsible for:</p> <ol style="list-style-type: none"> <li>1. Supervision and care of the animal, including any feeding, exercising, clean up and stain removal.</li> <li>2. Leashing and properly restraining the animal at all times.</li> <li>3. Damages to district buildings, property and vehicles caused by the animal.</li> <li>4. Injuries to students, employees, volunteers and visitors caused by the animal.</li> <li>5. Annual submission of documentation of vaccinations and immunizations.</li> </ol>
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The building principal shall receive and forward to the Superintendent each completed request by an individual with a disability to be accompanied by a service animal. The Superintendent shall respond to the request. District staff shall not ask questions about an individual's disability.

District administrators 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 significantly disrupts or interferes with the educational process.
4. Presence of the animal would require a fundamental alteration to the program.

The Superintendent shall develop and disseminate administrative regulations to implement Board policy and accommodate individuals with disabilities requesting use of a service animal in district buildings and on district property and vehicles.

The designated administrator shall ensure that all individuals involved in a situation where a service animal will regularly accompany an owner or handler in district buildings or on district property or vehicles are informed of the Board policy and administrative regulations governing the issue. Involved individuals can include administrators, appropriate employees, student and parent/guardian.

References:

Section 504 of the Rehabilitation Act – 29 U. S. C. Sec. 794

Americans with Disabilities Act – 42 U. S. C. Sec. 12101 et seq.

Nondiscrimination of the Basis of Disability, Title 28, Code of Federal Regulations – 28 CFR Part 35, Part 36

**Pennsylvania Human Relations Act – 43 P. S. Sec. 953**

Federal Equal Employment Opportunity Commission Regulations, Title 29, Code of Federal Regulations – 29 CFR Part 1630

Board Policy – 000, 103, 104, 707, 904