

General Exhibits

October 12, 2022

Part 2

State required Reclassification, Monitoring, and Re-designation of English Learners (ELs)

State required reclassification criteria

Districts must employ uniform procedures in accordance with state requirements for reclassifying English learners (ELs) as former ELs (FELs) when they attain proficiency. This document outlines the procedure and rules for doing so.

An EL must demonstrate the ability to access challenging academic content and interact with other students and teachers both academically and socially in an English language setting in order to be considered for reclassification. Evidence of this ability is demonstrated by the student on the annual English language proficiency assessment, ACCESS for ELLs®, and gathered by teachers using standardized language use inventories (Appendix A).

Using the following system, the ACCESS for ELLs® and the language use inventory together produce a single score. If that score exceeds the state-defined threshold, then the student is eligible to be reclassified.

See Appendix D for a sample reclassification cover sheet. Districts are free to develop their own form of documenting the reclassification decision for ELs, but it must, at a minimum, include the information contained on the sample form.

Two language use inventories must be completed. An ESL teacher must complete one of the inventories when possible. The other inventory may be completed by a single content teacher or a team of content teachers. In cases in which an ESL teacher cannot complete an inventory (e.g. students whose parents have refused services and who are not seen by an ESL teacher or ELs in higher proficiency levels who do not work with an ESL teacher regularly), both inventories may be completed by content teachers or teams of teachers. If only one teacher can accurately complete the inventory (e.g. elementary classes in which the classroom teacher is ESL certified and provides both content and language instruction and there is no other teacher or administrator who can accurately complete the inventory), one inventory may be completed and the single score is multiplied by two. **The two inventories do not need to agree.**

The language use inventories must be completed prior to the release of ACCESS scores each year for students who, based on teacher input and previous ACCESS scores, are likely to reach the threshold. Once ACCESS scores are released, the points are added to the points from the rubrics to determine if students are eligible to be reclassified.

NOTE: In some cases, students who were not identified as likely to reach the ACCESS score threshold and for whom no language use inventories were completed will unexpectedly achieve a score exceeding the threshold. Language use inventories may be completed after ACCESS scores are released in these limited cases, but they must be completed prior to October 1 of the following school year.

The reclassification window begins when ACCESS scores are published and ends on October 1 of the following school year. Although language use inventories must be completed as part of the reclassification decision-making and evidence-gathering process prior to the opening of the window, no changes to a student's status can be made in local data systems or in PIMS between October 1 and the date on which the district receives ACCESS scores each year.

Districts must develop local plans for how to:

- select content teachers who will complete the inventories
- manage the decision-making/reporting process using this procedure and these criteria
- train staff to use the rubrics and evaluate the students' language use
- hold teachers accountable for completing the inventories
- select students for whom inventories will be completed in anticipation of qualifying ACCESS scores

Each language use inventory produces a single score and the sum of the two inventory scores is added to the ACCESS for ELLs® *points assigned* to determine if the student meets the minimum threshold for reclassification.

The following tables display the points possible from the ACCESS for ELLs® and the language use inventories:

ACCESS Proficiency Level Score	Points Assigned
4.5-4.7	3.6
4.8-5.0	4.5
5.1-5.3	5.8
>5.3	8.4

Language Use Inventories		ESL Teacher			Content Teacher		
		Low	Moderate	High	Low	Moderate	High
Rubric 1	Interaction	0	0.3	0.5	0	0.3	0.5
	Listening	0	0.3	0.5	0	0.3	0.5
	Speaking	0	0.3	0.5	0	0.3	0.5
	Reading	0	0.3	0.5	0	0.3	0.5
Rubric 2	Writing: Cohesion	0	0.2	0.3	0	0.2	0.3
	Writing: Word/Phrase	0	0.2	0.3	0	0.2	0.3
	Writing: Grammar/Sentences	0	0.2	0.3	0	0.2	0.3
	Writing: Genre - Narrative	0	0.2	0.3	0	0.2	0.3
	Writing: Genre - Report & Essays	0	0.2	0.3	0	0.2	0.3
	Writing: Genre - Arguments	0	0.2	0.3	0	0.2	0.3

Total possible points from both inventories 7.6

Total Possible Points from all components: 16

Threshold for reclassification: 10.5

When this reclassification score is equal to or greater than the cutoff, then a student *should* be reclassified. However, if there is compelling evidence to suggest that a student should remain identified as an EL when his/her score exceeds the cutoff, and this evidence is documented along with the ACCESS for ELLs® score report and language use inventory forms, then the EL status may be retained.

ELs with Disabilities - taking the ACCESS for ELLs®

An EL with a disability who has not met the criteria outlined above may be considered for reclassification if:

1. The student has an IEP, **AND**
2. The student has been continuously enrolled in an LIEP for at least four years, **AND**
3. The student's overall composite proficiency level score* on the ACCESS for ELLs® has not increased by more than 10% between any two years or total over the three most recent testing cycles, **AND**
4. The school has documented evidence** that the student has been provided with the appropriate level of language support, including ELD instruction, throughout his/her enrollment in the LIEP, **AND**
5. A school-based team recommends reclassification. *See below for team composition and recommendation protocol.*

* for students who cannot complete all four domains of the test as a direct documented result of their disability, an overall composite proficiency level can be calculated with fewer than all four domains by using the tool provided on the [Reclassification, Monitoring, and Redesignation of ELs webpage](#).

** Documented evidence can include schedules indicating ELD instructional times, specific language supports used, ELD curriculum indicating areas of language instruction covered, language use evaluations based on WIDA rubrics or PA reclassification rubrics, modifications made to assessments, IEP addressing ELD instruction or language needs, etc.

To calculate the percent difference between scores, use the following formula:

$$\Delta \text{OCPL} / \text{OCPL1} (100) = \% \text{ change}$$

Δ OCPL: *Difference between the overall composite proficiency level from year one and year two, year two and year three, or year one and year three*

OCPL1: *overall composite proficiency level from the first of the two years being compared*

For example, the percent difference between a score of 4.3 and 4.5 is $(.2/4.3)*100$, which is 4.65%.

School-based team composition and recommendation protocol:

The following individuals must be included on the team that considers the body of evidence and determines whether to reclassify an EL with a disability:

- At least one expert on the student's English language acquisition
- At least one expert on the student's special education goals and services
- At least one expert on the student's general education content achievement
- At least one family member (and any requisite interpreters/cultural liaisons)
- Any related service providers who work with the student

A single team member may fill more than one of the roles identified above.

High Priority Evidence to consider:

- Standardized or curriculum-based assessments special education teachers and related service providers use to monitor students' progress towards IEP goals that are relevant to developing English language proficiency
- Classroom observations of students' language use
- Language samples demonstrating listening, speaking, reading, and writing skills
- Student work samples or portfolios
- Teacher input on students' English language development progress

- Family input on students' language development and use at home
- Data related to how the student was initially identified as an EL
- Review of English learner services across the most recent four years to ensure the student has received adequate English language development instruction and language support for content learning during that time

Evidence to consider if available:

- Assessments that evaluate students' proficiency in their home/primary language
- Language use inventories
- Comparable data from similar EL peer group (other ELs with similar profiles)

Questions that must be addressed by the team:

1. Has the student received adequate ELD instruction and language supports commensurate with his/her ELP level for the most recent four years?
2. Is this student able to effectively communicate in English?
3. Is the EL making progress toward meeting PA Core Standards in listening, speaking, reading, and writing on par with ELs who have similar profiles?
4. Are any ACCESS for ELLs domain scores that affect the student's ability to reach an overall composite proficiency level of 4.5 directly related to the student's disability?

If the answer to any of these questions is 'no', then the team must carefully consider the student's continued participation in the LIEP until such time that the student will no longer benefit from continued specialized English language development instruction and supports.

See Appendix E for a sample reclassification cover sheet. Districts are free to develop their own form of documenting the reclassification decision for ELs with disabilities, but it must at a minimum include the names of the team members involved, the evidence that was analyzed, the student's current ACCESS scores, and answers to the four questions above. The form should be filed with the student's permanent record.

ELs with Disabilities (taking the Alternate ACCESS for ELLs®)

ELs who are eligible for and take the Alternate ACCESS for ELLs® may be considered for reclassification when:

1. they achieve a score of at least P2 on two consecutive administrations of the test **OR** achieve the same score for three consecutive administrations of the test*, **AND**
2. the IEP team, with input from an ESL/bilingual education professional, recommends reclassification.

* for students who cannot complete all four domains of the test as a direct documented result of their disability, a proficiency level can be calculated with fewer than all four domains by using the tool provided on the [Reclassification, Monitoring, and Redesignation of ELs webpage](#).

Although language use inventories are not required for ELs with disabilities as part of the reclassification process, teachers should consider completing them in cases where it is appropriate as a way to document language proficiency at the time of reclassification and for future reference if needed.

For more detailed guidance related to ELs with disabilities, please see the guidance contained on the Bureau of Special Education website at www.pattan.net.

Monitoring of former ELs

Districts must include in their LIEP uniform procedures in accordance with state requirements for actively monitoring the progress of former ELs (FELs) for a period of two years after reclassification and reporting FELs to the state for an additional two years (total of four years of monitoring status).

Active Monitoring Period – first two years after reclassification

Districts must ensure that ELs in the first two years after reclassification do not struggle academically as a result of persistent language barriers. In order to do this, districts must develop and implement a process for actively monitoring students' progress and achievement in the general academic program delivered without specialized, planned language supports.

Districts are free to create their own process, but it must, at a minimum, include tracking student progress in all core academic classes and soliciting feedback from core academic teachers periodically throughout the school year with sufficient frequency to preclude a student falling significantly behind.

Additional monitoring period – third and fourth years after reclassification

Districts are required to continue reporting FELs to the state in PIMS for an additional two years after the active monitoring period. Districts are not required to actively monitor the progress and academic achievement of ELs in the general education program during these years. At the end of the fourth year after reclassification, ELs are coded as *Former ELs – no longer monitored* for the remainder of their time in school.

Re-designating former ELs

If it is determined during the active monitoring phase that an EL is struggling academically as a result of persistent language barriers, then the district must have plans in place to re-designate that former EL as an active EL and re-enroll him/her in the LIEP. The district must demonstrate that the FEL is struggling as a result of persistent language acquisition needs and not academic needs, which require academic supports and/or interventions.

FELs who have been re-designated as active ELs must meet the state-required criteria to be reclassified as FELs. In cases such as these, the monitoring process starts over from year 1 upon the second reclassification.

Grade: Kindergarten

Rubric 1 - Interaction, Listening, Speaking, and Reading Language Use Inventory

Student:

PASID:

Date:

Evaluator's name:

Content Area:

Observation Date(s) (range of dates during which the observation information was gathered):

This rubric should be used to evaluate a student's use of language as part of the reclassification process. The evaluation must consist of multiple observations, although it is not necessary to complete multiple inventories. It is recommended that the teacher who will complete this inventory be well-trained in the use of the rubric and begin to make notes of the students' language use in enough time to develop a firm evaluation before completing this inventory.

Interaction:

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can engage in very short social exchanges, and sustain the conversation with substantial support. Can communicate in simple and routine tasks requiring a simple and direct exchange of information on familiar topics and activities, possibly using provided language frames or structures.	Can function in most social situations in the classroom. Can enter unprepared in conversation on topics that are familiar, of personal interest, or connected to everyday life. Can use provided language frames or structures as models for original expression.	Can use language spontaneously, flexibly, and effectively for social and academic purposes. Can formulate ideas and opinions with precision and relate contributions skillfully to those of other speakers.	

Listening:

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can understand the main point in simple messages in slow and clear standard speech. Can understand phrases and high frequency vocabulary related to familiar topics.	Can understand the main points in slow and clear standard speech on familiar topics in discussions, presentations, and educational videos.	Can understand extended speech even when it is not clearly structured and when relationships are only implied and not signaled explicitly.	

Speaking:

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can use a series of connected phrases and short, simple sentences to talk in simple terms about familiar topics.	Can use a series of connected phrases and short, simple sentences to talk in simple terms about familiar and academic topics.	Can present clear, expanded discourse about a familiar or academic topic using some content-specific vocabulary.	

Reading:

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can apply grade-level phonics and word analysis skills in decoding with substantial support or inability.	Can apply grade-level phonics and word analysis skills in decoding with limited prompting and support.	Can apply grade-level phonics and word analysis skills in decoding.	

Total Points:

Grade: Kindergarten

Rubric 2 - Written Expression Language Use Inventory

Expansion of Repertoires: Cohesion

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can use drawings and/or labels to link some or most details in a story.	Can use drawings OR words to link details in a story.	Can use drawings, words AND simple phrases to link details in a story.	

Accuracy: Word/ Phrase

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can sequence some letters needed to produce frequently used sight words, but with significant errors that hinders readability. Not able to be to produce phrases or sentences.	Can sequence most letters needed to produce recognizable frequently used/sight words. May include inventive spelling. Can produce phrases and some simple sentences.	Can sequence most letters needed to produce recognizable words. May include inventive spelling following recognizable conventions. Can produce simple sentences.	

Accuracy: Grammar/

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Consistent errors that may hinder the meaning of the writing regarding grammar.	Regularly contains some grammatical inaccuracy in either capitalization of "I" and beginning of sentence, people names, ending punctuation.	Maintains some grammatical accuracy in capitalization of "I" and beginning of sentence, people names, ending punctuation.	

Accuracy: Genre Narratives

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Draw a picture with some labels to describe the picture or story.	Draw a picture and write labels or simple phrases to describe the picture or story.	Draw a picture and write several connected sentences to describe the picture or story.	

Accuracy: Genre Information

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Draw a picture with some labels to describe a single familiar topic with minimal detail or elaboration.	Draw a picture and write labels or simple phrases about a single familiar or academic topic with limited detail or elaboration.	Draw a picture and write several connected sentences about a single familiar or academic topic with detail or elaboration such as form and function.	

Accuracy: Genre Arguments

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Draw and label to explain likes or dislikes about a familiar topic.	Can express an opinion about a familiar topic or a book. May draw and uses labels or a simple sentence to explain reasons. May use conjunction words such as "because" to support their opinion.	Can express an opinion about a familiar topic or a book. May draw and use 1 or more written sentences to explain reasons. Uses conjunction words such as "because" to support their opinion.	

Total Points:

Grade: 1**Rubric 1 - Interaction, Listening, Speaking, and Reading Language Use Inventory**

Student:

PASID:

Date:

Evaluator's name:

Content Area:

Observation Date(s) (range of dates during which the observation information was gathered):

This rubric should be used to evaluate a student's use of language as part of the reclassification process. The evaluation must consist of multiple observations, although it is not necessary to complete multiple inventories. It is recommended that the teacher who will complete this inventory be well-trained in the use of the rubric and begin to make notes of the students' language use in enough time to develop a firm evaluation before completing this inventory.

Interaction

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can engage in very short social exchanges, and sustain the conversation with substantial support. Can communicate in simple and routine tasks requiring a simple and direct exchange of information on familiar topics and activities, possibly using provided language frames or structures.	Can function in most social situations in the classroom. Can enter unprepared in conversation on topics that are familiar, of personal interest, or connected to everyday life. Can use provided language frames or structures as models for original expression.	Can use language spontaneously, flexibly, and effectively for social and academic purposes. Can formulate ideas and opinions with precision and relate contributions skillfully to those of other speakers.	

Listening

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can understand the main point in simple messages in slow and clear standard speech. Can understand phrases and high frequency vocabulary related to familiar topics.	Can understand the main points in slow and clear standard speech on familiar topics in discussions, presentations, and educational videos.	Can understand extended speech even when it is not clearly structured and when relationships are only implied and not signaled explicitly.	

Speaking

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can use a series of connected phrases and short, simple sentences to talk in simple terms about familiar topics.	Can use a series of connected phrases and short, simple sentences to talk in simple terms about familiar and academic topics.	Can present clear, expanded discourse about a familiar or academic topic using some content-specific vocabulary.	

Reading

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can apply grade-level phonics and word analysis skills in decoding with substantial support or inability.	Can apply grade-level phonics and word analysis skills in decoding with limited prompting and support. Read grade level text with support for purpose and understanding.	Can apply grade-level phonics and word analysis skills in decoding. Read grade-level text with purpose and understanding.	

Total Points:

Rubric 2 - Written Expression Language Use Inventory

Expansion of Repertoires: Cohesion

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can produce groups of words with little to no structure and little to no use of organizational patterns.	Can produce sentences with limited structure. Shows limited use of organizational patterns, and simple connectors like "and" and "because".	Can produce clear, structured sentences, showing some use of a range of organizational patterns, and connectors.	

Accuracy: Word/ Phrase

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can use basic sentence patterns with memorized phrases, groups of a few words, and formulate in order to communicate limited information in familiar situations.	Can use more varied vocabulary that extends beyond the everyday to include some content-specific vocabulary. Can express him/ herself with some hesitation and circumlocutions.	Can select language to express him/ herself clearly using content-specific vocabulary.	

Accuracy: Grammar/ Sentence

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Frequent grammatical errors that may hinder the meaning of the writing.	May produce errors in grammar that do not hinder the meaning of the writing. Mostly writes frequently used grammatical patterns (S-V-O or "I ...").	Maintains a high degree of grammatical accuracy (capitalization of "I", beginning of sentence, people names/ places, ending punctuation, simple tenses. May use a variety of sentence structures.	

Accuracy: Genre Narratives

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can produce a series of simple phrases and sentences on familiar topics with limited to no sequential flow. Writes minimal description or elaboration.	Can produce linearly structured narrative story with limited descriptions and limited sequential words. Uses some language to delineate either beginning, middle or end.	Can produce linearly structured narrative story with details explaining the experience with elaborations and some sequential words. Uses language to delineate beginning, middle, and end. May use pictures to illustrate their familiar story.	

Accuracy: Genre Information

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can produce a series of simple phrases and sentences on familiar topics with limited to no factual details. Writes minimal description or elaboration.	Can present with limited connection some factual information with an introduction using details on a familiar topic, but not an academic topic.	Can present connected factual information with an introduction using details from a source on an academic topic.	

Accuracy: Genre Arguments

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can express a point of view on a familiar topic in words or simple phrases without use of a conjunction word and no supporting reasons.	Can express a single-stance on a familiar topic in a single sentence stating a reason with a conjunction word such as "because".	Can express a single-stance on a familiar topic in multiple sentences with a supporting reason. May use conjunction words such as "because" to support their opinion.	

Total Points:

Grades 2-3**Rubric 1 - Interaction, Listening, Speaking, and Reading Language Use Inventory**

Student:

PASID:

Date:

Evaluator's name:

Content Area:

Observation Date(s) (range of dates during which the observation information was gathered):

This rubric should be used to evaluate a student's use of language as part of the reclassification process. The evaluation must consist of multiple observations, although it is not necessary to complete multiple inventories. It is recommended that the teacher who will complete this inventory be well-trained in the use of the rubric and begin to make notes of the students' language use in enough time to develop a firm evaluation before completing this inventory.

Interaction

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can engage in very short social exchanges, and sustain the conversation with substantial support. Can communicate in simple and routine tasks requiring a simple and direct exchange of information on familiar topics and activities, possibly using provided language frames or structures.	Can function in most social situations in the classroom. Can enter unprepared in conversation on topics that are familiar, of personal interest, or connected to everyday life. Can use provided language frames or structures as models for original expression.	Can use language spontaneously, flexibly, and effectively for social and academic purposes. Can formulate ideas and opinions with precision and relate contributions skillfully to those of other speakers.	

Listening

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can understand the main point in simple messages in slow and clear standard speech. Can understand phrases and high frequency vocabulary related to familiar topics.	Can understand the main points in slow and clear standard speech on familiar topics in discussions, presentations, and educational videos.	Can understand extended speech even when it is not clearly structured and when relationships are only implied and not signaled explicitly.	

Speaking

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can use a series of connected phrases and short, simple sentences to talk in simple terms about familiar topics with little to no content-specific vocabulary.	Can use a series of connected phrases and short, simple sentences to talk in simple terms and some content-specific vocabulary about familiar and academic topics.	Can present clear, expanded discourse about a familiar or academic topic using content-specific vocabulary.	

Reading

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can read very short, simple texts and find specific, predictable information with illustrations. Limited understanding of words/phrases with multiple meanings.	Can understand grade-level fiction and non-fiction texts on unfamiliar topics with some support. Use grade-level phonics and word analysis skills in decoding. Begins to understand words/phrases with multiple meanings.	Can understand grade-level fiction and non-fiction texts on unfamiliar topics. Use grade-level phonics and word analysis skills in decoding. Begins to understand idiomatic expressions and words/phrases with multiple meanings.	

Total Points:

Grade: 2-3

Rubric 2 - Written Expression Language Use Inventory

Expansion of Repertoires: Cohesion

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can produce groups of words with little to no structure and little to no use of organizational patterns.	Can produce linear sequence of sentences in writing with limited structure. Shows some use of organizational patterns, and simple connectors like "and", "but", and "because".	Can produce clear, structured language, showing some use of a range of organizational patterns, connectors, and cohesive devices (such as causal, sequential or comparative).	

Accuracy: Word/ Phrase

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can use basic sentence patterns with memorized phrases, groups of a few words, and formulate in order to communicated limited information in familiar situations.	Can use more varied vocabulary that extends beyond the everyday to include some content-specific vocabulary. Can express him/ herself with some hesitation and circumlocutions.	Can select language to express him/ herself clearly using content-specific vocabulary.	

Accuracy: Grammar/ Sentence

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Frequent grammatical errors that may hinder the meaning of the writing.	May produce errors in grammar that do not hinder the meaning of the writing. Mostly writes frequently used grammatical patterns (S-V-O or "I ...").	Maintains a high degree of grammatical accuracy (capitalization, punctuation, simple tenses, and simple subject-verb agreement). May use a variety of sentence structures.	

Accuracy: Genre Narratives

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can produce a series of simple phrases and sentences on familiar topics with limited to no sequential flow. Writes minimal description or elaboration.	Can produce linearly structured narrative story with limited elaborations and some sequential words. Uses some language to delineate beginning, middle and end.	Can produce linearly structured narrative story giving robust descriptions of experiences with elaborations and sequential words. Uses language to delineate beginning, middle and end.	

Accuracy: Genre Informative

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can produce a series of simple phrases and sentences on a research topic. Uses linked sentences to provide very short descriptions of details with little to no use of organizational structure.	Can present information using limited grouping with vague connections. Either the introduction or conclusion is omitted. Uses minimal facts with evidence of phrases or text taken directly from other sources.	Can present information grouped and connected logically with an introduction and conclusion using facts from text or other sources in their own words.	

Accuracy: Genre Opinion/Argument

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can express a point of view on a familiar topic in a series of simple sentences which may present supporting details. Uses no conjunction words.	Can express a single-stance on a familiar subject in a text with a delineated introduction or conclusion with 2 or fewer supporting reasons. Uses some conjunction words to link supporting details.	Can express a single-stance on a familiar or academic subject in a clear, well-structured text with delineated introduction and conclusion with 3 or more supporting reasons. Uses conjunction words to link supporting details.	

Total Points:

Grades: 4-12**Rubric 1 - Interaction, Listening, Speaking, and Reading Language Use Inventory**

Student:

PASID:

Date:

Evaluator's name:

Content Area:

Observation Date(s) (range of dates during which the observation information was gathered):

This rubric should be used to evaluate a student's use of language as part of the reclassification process. The evaluation must consist of multiple observations, although it is not necessary to complete multiple inventories. It is recommended that the teacher who will complete this inventory be well-trained in the use of the rubric and begin to make notes of the students' language use in enough time to develop a firm evaluation before completing this inventory.

Interaction

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can engage in very short social exchanges, and sustain the conversation with substantial support. Can communicate in simple and routine tasks requiring a simple and direct exchange of information on familiar topics and activities, possibly using provided language frames or structures.	Can function in most social situations in the classroom. Can enter unprepared in conversation on topics that are familiar, of personal interest, or connected to everyday life. Can use provided language frames or structures as models for original expression.	Can use language spontaneously, flexibly, and effectively for social and academic purposes. Can formulate ideas and opinions with precision and relate contributions skillfully to those of other speakers.	

Listening

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can understand the main point in simple messages in slow and clear standard speech. Can understand phrases and high frequency vocabulary related to familiar topics.	Can understand the main points in slow and clear standard speech on familiar topics in discussions, presentations, and educational videos.	Can understand extended speech even when it is not clearly structured and when relationships are only implied and not signaled explicitly.	

Speaking

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can use a series of connected phrases and short, simple sentences to talk in simple terms about familiar topics.	Can connect phrases to talk about familiar topics using simple sentences. Can briefly give reasons and explanations for reactions, opinions, and plans.	Can present clear, detailed descriptions of complex subjects integrating subthemes, developing particular points, and finishing with an appropriate conclusion.	

Reading

LOW (0)	MODERATE (.3)	HIGH (.5)	Value
Can read very short, simple texts and find specific, predictable information in everyday materials (such as advertisements, letters, schedules, and menus).	Can understand texts with a familiar organization that include high frequency content-specific language. Begins to understand some idiomatic expressions and words/phrases with multiple meanings.	Can understand long and complex fiction and non-fiction texts on unfamiliar topics, appreciating distinctions of style.	

Total Points:

In the event that a teacher finds it challenging to distinguish between two levels in the Interaction, Listening, Speaking, and Reading Inventory rubric, the extension rubric in Appendix B can be used to assist in deciding. It offers a finer level of detail. That rubric is only for reference. It is not completed as part of the inventory.

Grades: 4-12

Rubric 2 - Written Expression Language Use Inventory

Expansion of Repertoires: Cohesion

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can link groups of words with simple connectors like "and," "but," and "because."	Can link simple and discrete elements into a connected, linear sequence of points. Uses similar language to describe different relationships between ideas (such as additive, causal, sequential, comparative, or conditional).	Can produce clear, smoothly flowing, well-structured speech, showing controlled use of a range of organizational patterns, connectors, and cohesive devices.	

Accuracy: Word/ Phrase

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can use basic sentence patterns with memorized phrases, groups of a few words, and formulae in order to communicate limited information in familiar situations.	Can use more varied vocabulary that extends beyond the everyday to include some content-specific vocabulary. Can express him/ herself with some hesitation and circumlocutions on familiar topics.	Can strategically select language to express him/ herself clearly in an appropriate style on a wide range of academic topics without having to restrict what he/she wants to say.	

Accuracy: Grammar/ Sentence

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can employ some simple structures with minimal or partial consistency. Formulates short, simple sentences with a predictable structure.	Uses reasonably accurately a repertoire of frequently used grammatical patterns associated with predictable situations. Uses mostly simple sentences.	Maintains a high degree of grammatical accuracy; errors are rare, difficult to spot, and generally corrected when they occur. Uses a variety of sentence structures.	

Accuracy: Genre Narratives

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can use a series of simple phrases and sentences on familiar topics. Can use linked sentences to provide very short, basic descriptions of events and experiences.	Can produce straightforward, detailed descriptions on a range of familiar subjects. Can narrate experiences and events, describing feelings and reactions in simple connected text.	Can put forth clear, smoothly flowing stories and descriptions of experiences in a style appropriate to the genre adopted. Uses language effectively to draw in the reader	

Accuracy: Genre Reports & Essays

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can use a series of simple phrases and sentences on familiar topics. Can use linked sentences to provide very short, basic descriptions of known opinions and phenomena.	Can summarize, report, and give his/her opinion about accumulated factual information on familiar topics and following a standardized format.	Can present information on complex subjects in clear, well structured text, underlining relevant salient issues. Can expand and support interpretations at some length with subsidiary points, reasons, and relevant examples.	

Accuracy: Genre Arguments

LOW (0)	MODERATE (.2)	HIGH (.3)	Value
Can express a point of view on a familiar topic in a series of simple sentences. Can exchange basic factual information and discuss solutions to familiar problems using simple linked sentences.	Can pass on routine factual information and state reasons for actions in brief text following a standardized format.	Can present arguments on complex subjects in clear, well-structured text that may include counter argumentation. Can support arguments at some length with subsidiary points, reasons, and relevant examples.	

Total Points:

In the event that a teacher finds it challenging to distinguish between two levels in the Written Expression Inventory rubric, the rubric in Appendix C can be used to assist in deciding. It offers a finer level of detail. That rubric is only for reference. It is not completed as part of the inventory.

Appendix B

Grades: 4-12

The student's command of language indicates to most audiences that he/she:

Interaction

LOW	LOW+	MODERATE	MODERATE+	HIGH	HIGH+
Can interact in a simple way provided the other person is prepared to repeat or rephrase things at a slower rate of speech and help formulate what the learner is trying to say. Can ask and answer simple questions in areas of immediate need or on very familiar topics.	Can engage in very short social exchanges, and sustain the conversation with substantial support. Can communicate in simple and routine tasks requiring a simple and direct exchange of information on familiar topics and activities, possibly using provided language frames or structures.	Can function in most social situations in the classroom. Can enter unprepared in conversation on topics that are familiar, of personal interest, or connected to everyday life. Can use provided language frames or structures as models for original expression.	Can interact with a degree of fluency and spontaneity (without relying on provided language frames or structures) that makes regular interaction with others possible. Can take an active part in academic discussions in familiar contexts and on familiar topics, accounting for and sustaining his/her views.	Can use language spontaneously, flexibly, and effectively for social and academic purposes. Can formulate ideas and opinions with precision and relate contributions skillfully to those of other speakers.	Can use language spontaneously, flexibly, and effectively for social and academic purposes. Can formulate ideas and opinions with precision and relate contributions skillfully to those of other speakers.

Listening

LOW	LOW+	MODERATE	MODERATE+	HIGH	HIGH+
Can recognize familiar words and basic phrases on familiar topics when people speak slowly and clearly.	Can understand the main point in simple messages in slow and clear standard speech. Can understand phrases and high frequency vocabulary related to familiar topics.	Can understand the main points in slow and clear standard speech on familiar topics in discussions, presentations, and educational videos.	Can understand extended speech and lectures, presentations, and videos and follow even complex lines of argument provided the topic is reasonably familiar.	Can understand extended speech even when it is not clearly structured and when relationships are only implied and not signaled explicitly.	Has no difficulty in understanding any kind of spoken language, whether live or broadcast, even when delivered at fast speed.

Speaking

LOW	LOW+	MODERATE	MODERATE+	HIGH	HIGH+
Can use simple phrases and sentences to describe familiar topics.	Can use a series of connected phrases and short, simple sentences to talk in simple terms about familiar topics.	Can connect phrases to talk about familiar topics using simple sentences. Can briefly give reasons and explanations for reactions, opinions, and plans.	Can present clear, detailed descriptions on a wide range of familiar subjects. Can explain a viewpoint on a topical issue giving the advantages and disadvantages of various options.	Can present clear, detailed descriptions of complex subjects integrating sub-themes, developing particular points, and finishing with an appropriate conclusion.	Can present clear, smoothly flowing description or argument in a style appropriate to the context and with an effective structure, which helps the recipient notice significant points.

Reading

LOW	LOW+	MODERATE	MODERATE+	HIGH	HIGH+
Can understand familiar names, words, and very simple sentences, for example on visual representations with little text (such as in posters and ads).	Can read very short, simple texts and find specific, predictable information in everyday materials (such as advertisements, letters, schedules, and menus).	Can understand texts with a familiar organization that include high frequency content-specific language. Begins to understand some idiomatic expressions and words/ phrases with multiple meanings.	Can understand non-fiction texts on unfamiliar topics in which the writer adopts a particular attitude or viewpoint. Can identify relevant details in contemporary fiction.	Can understand long and complex fiction and nonfiction texts on unfamiliar topics, appreciating distinctions of style.	Can read with ease virtually all forms of written language, including structurally or linguistically complex texts.

Appendix C

Grades: 4-12

Expansion of Repertoires: Cohesion

Low	Low+	Moderate	Moderate+	High	High+
Can link words or groups of words with very basic linear connectors like "and" or "then."	Can link groups of words with simple connectors like "and," "but," and "because."	Can link simple and discrete elements into a connected, linear sequence of points. Uses similar language to describe different relationships between ideas (such as additive, causal, sequential, comparative, or conditional).	Can use a growing number of cohesive devices to link his/her statements into clear, coherent discourse, though there may be some "jumpiness" in a longer text.	Can produce clear, smoothly flowing, well-structured speech, showing controlled use of a range of organizational patterns, connectors, and cohesive devices.	Can create coherent and cohesive discourse making full and appropriate use of a variety of organizational patterns and wide range of connectors and other cohesive devices.

Accuracy: Word/Phrase

Low	Low+	Moderate	Moderate+	High	High+
Can use high frequency words and simple phrases related to personal details and particular concrete situations.	Can use basic sentence patterns with memorized phrases, groups of a few words, and formulae in order to communicate limited information in familiar situations.	Can use more varied vocabulary that extends beyond the everyday to include some content-specific vocabulary. Can express him/herself with some hesitation and circumlocutions on familiar topics.	Has sufficient range of language to give clear descriptions, express viewpoints on most general topics, without much conspicuous searching for words.	Can strategically select language to express him/herself clearly in an appropriate style on a wide range of academic topics without having to restrict what he/she wants to say.	Shows great flexibility in reformulating ideas to effectively convey finer shades of meaning, emphasize, differentiate, and clarify. Uses appropriately many idiomatic expressions.

Accuracy: Grammar/Sentence

Low	Low+	Moderate	Moderate+	High	High+
Has some control of a few simple grammatical structures and sentence patterns in a memorized repertoire.	Can employ some simple structures with minimal or partial consistency. Formulates short, simple sentences with a predictable structure.	Uses reasonably accurately a repertoire of frequently used grammatical patterns associated with predictable situations. Uses mostly simple sentences.	Shows relatively high degree of grammatical control. Does not make errors that cause misunderstanding and can correct most of his/her mistakes. Uses simple and some complex sentences.	Maintains a high degree of grammatical accuracy; errors are rare, difficult to spot, and generally corrected when they occur. Uses a variety of sentence structures.	Maintains grammatical accuracy when using complex language, even when attention is otherwise engaged (e.g., in forward planning or monitoring others' reactions). Uses a range of grammar and sentence structures strategically.

Accuracy: Genre Narrative

Low	Low+	Moderate	Moderate+	High	High+
Can use simple phrases and sentences about familiar topics.	Can use a series of simple phrases and sentences on familiar topics. Can use linked sentences to provide very short, basic descriptions of events and experiences.	Can produce straightforward, detailed descriptions on a range of familiar subjects. Can narrate experiences and events, describing feelings and reactions in simple connected text.	Can produce clear, detailed descriptions of experiences and events. Can follow established genre conventions in marking relationships between ideas and organizing the text.	Can put forth clear, smoothly flowing stories and descriptions of experiences in a style appropriate to the genre adopted. Uses language effectively to draw in the reader.	

Accuracy: Genre Reports & Essays

Low	Low+	Moderate	Moderate+	High	High+
Can use simple phrases and sentences about familiar topics.	Can use a series of simple phrases and sentences on familiar topics. Can use linked sentences to provide very short, basic descriptions of known opinions and phenomena.	Can summarize, report, and give his/her opinion about accumulated factual information on familiar topics, following a standardized format.	Can develop an idea with appropriate highlighting of significant points and relevant supporting detail. Can evaluate different ideas or solutions to a problem and synthesize information from a number of sources.	Can present information on complex subjects in clear, well-structured text, underlining relevant salient issues.	Can expand and support interpretations at some length with subsidiary points, reasons, and relevant examples.

Accuracy: Genre Arguments

Low	Low+	Moderate	Moderate+	High	High+
Can use simple phrases to express an opinion on a familiar topic.	Can express a point of view on a familiar topic in a series of simple sentences. Can exchange basic factual information and discuss solutions to familiar problems using simple linked sentences.	Can pass on routine factual information and state reasons for actions in brief text following a standardized format.	Can develop an argument, giving reasons in support of or against a particular point of view and explain the advantages and disadvantages of various options. Can synthesize arguments from a number of sources.	Can present arguments on complex subjects in clear, well-structured text that may include counter argumentation. Can support arguments at some length with subsidiary points, reasons, and relevant examples.	

Reclassification Cover Sheet

Student Name:

PASID:

DATE:

Grade:

School District:

School:

ACCESS for ELLs® Proficiency Level (overall composite)	Reclassification Points
4.5-4.7	3.6
4.8-5.0	4.5
5.1-5.3	5.8
>5.3	8.4

ACCESS for ELLs® Proficiency Level:

ACCESS for ELLs® Reclassification Points:

Points from language use inventory #1:

Points from language use inventory #2:

TOTAL Points for Reclassification:

Does the total number of points meet or exceed the threshold of 10.5?

Based on the student's ACCESS for ELLs® overall proficiency level score and use of language as observed by his/her teachers, this student **is recommended / is not recommended** for reclassification as a former EL.

If the student's score is equal to or exceeds the threshold of 10.5, but the student is not recommended for reclassification, then provide an explanation below:

Notes:

ESL Teacher/Coordinator Signature:

ESL Teacher/Coordinator Printed Name:

Reclassification Cover Sheet
(for ELs with an IEP only)

Student Name:

PASID:

DATE:

Grade:

School District:

School:

Overall composite proficiency level:

Listening proficiency level:

Speaking proficiency level:

Reading proficiency level:

Writing proficiency level:

Team members present for recommendation discussion:

Required criteria

The student is only eligible for reclassification if all the answers to the following questions are YES.

1. Does the student have an IEP? **YES / NO**
2. Has the student been continuously enrolled in an ESL/bilingual education program for at least four years? **YES / NO**
3. Has the student's overall composite proficiency level score on the ACCESS for ELLs® **NOT** increased by more than 10% at any point or total over the three most recent testing cycles?
YES / NO
 List the three most recent ACCESS overall composite proficiency level scores:
 - 1.
 - 2.
 - 3.
4. Is there documented evidence that the student has been provided with the appropriate level of language support, including ELD instruction, throughout his/her enrollment in the LIEP?
YES / NO

Evidence that was evaluated by the team in making the recommendation for reclassification:

EXHIBIT - G3

1. Has the student received adequate ELD instruction commensurate with his/her ELP level for the most recent four years? **YES / NO**
2. Is this student able to effectively communicate in English? **YES / NO**
3. Is the EL making progress toward meeting PA Core Standards in listening, speaking, reading, and writing on par with ELs who have similar profiles? **YES / NO**
4. Are any ACCESS for ELLs domain scores that affect the student's ability to reach an overall composite proficiency level of 4.5 directly related to the student's disability? **YES / NO**

If yes, explain:

If the answer to any of the above questions is "no", then the notes must contain a description of compelling evidence that the student should be reclassified as a former EL in spite of the fact that there is an indication that he/she may benefit from continued participation in the LIEP.

Based on the student's ACCESS for ELLs® overall proficiency level score and use of language as observed by his/her teachers, this student **is recommended / is not recommended** for reclassification as a former EL.

Notes:

ESL Teacher/Coordinator Signature:

ESL Teacher/Coordinator Printed Name:



ADMINISTRATIVE REGULATION

APPROVED: October 4, 2022

REVISED:

218-AR-0. DISCIPLINE IN SCHOOLS

The Board has the authority to adopt **fair**, reasonable and necessary rules governing student conduct **at all times when students are under the supervision of the school or at any time while on school property, while present at school-sponsored activities, and while traveling to or from school and school-sponsored activities or at other times while riding in school-provided means of transportation.**

The administration has the authority to implement the adopted rules, **including the Code of Student Conduct and Board policies**, and to assign **consequences** for violations of established rules.

Application of rules and assignment of consequences will also apply to student conduct that occurs off school property or off-campus or during nonschool hours to the same extent as outlined in the Board policy on student discipline.

A rule is generally considered reasonable if it uses a rational and neutral means of accomplishing some legitimate school purpose. School rules are assumed to be reasonable. **Students who believe a rule is not reasonable still must obey such rule until it is amended, rescinded or waived, even though working through appropriate channels to help change such rule.**

Student **and staff** awareness of established rules minimizes **student conduct** problems and **helps to provide students with an understanding of the boundaries of acceptable conduct.** School rules **and the Code of Student Conduct** will be published and distributed to students and parents/guardians **through the student handbook, district website, and other appropriate methods.** Rules may be posted in prominent locations throughout the schools.

District employees will recognize and **safeguard** a student's rights to due process.

The primary goal of disciplinary and other measures is not to punish misbehavior, but instead is to correct breaches of the rules, achieve compliance and reinforce within the school community that misbehavior will result in consequences. Nonexclusionary disciplinary actions such as in-school or after-school detentions should be considered before disciplinary actions such as suspension, expulsion or other measures that remove a student from school. Restorative or corrective approaches that may be adequate to address a student's breach of the rules should be considered prior to initiating formal disciplinary action. Special consideration should be given to counseling **and student assistance** as an alternative to or in conjunction with assigned discipline.

The Board, administration, staff and parents/guardians are interested in the welfare, rights and educational success of district students. Confrontations, individual **incidents of misconduct** and violations of the established Code of Student Conduct create disruptive and **potentially harmful** situations. A consistent and cooperative effort by the school community must be exercised to prevent such occurrences. It is vital that **all members of the school community** realize the importance of sound relationships that are based upon mutual support and respect.

{X} Restorative Practices and School-Wide Strategies

{X} The district will integrate student discipline strategies with the Multi-Tiered System of Supports (MTSS) model to address student conduct and behavior.

{ X} The district will integrate student discipline strategies within the School-Wide Positive Behavior Interventions and Supports model.

{X} The following types of restorative practices will be integrated with the Code of Student Conduct. Staff will be trained on appropriate consideration and implementation of these practices in the school environment:

1. **{X} Conferences with student.**
2. **{X} Restorative circles.**
3. **{X} Reassignment of seating, peer work group, transportation or other school environmental change related to student behavioral concern.**
4. **{X} Assignment to refocus area.**
5. **{X} Contact and conference with parent/guardian.**
6. **{X} Community service to the school.**
7. **{X} Restitution.**
8. **{X} Youth/Peer court.**
9. **{ } _____ (Other).**

Building Administration Responsibilities for Student Conduct

As the educational leaders of the school, building administrators must set the climate for **appropriate conduct** for the students and staff. The building administrators are expected to:

1. **Know all the rules and regulations for student **conduct** established by the Board and administration, and seek interpretation of items not understood.**

2. Promote a **school** climate of mutual **support and** respect and assume responsibility for dissemination, explanation and enforcement of the Code of Student Conduct **and other established school rules**.
3. Ensure that new students enrolling in district schools receive the Code of Student Conduct.
4. Implement the district **Emergency Preparedness Plan and school rules related to health and safety**, to ensure the health and safety of all members of the school community.
5. Be available to staff, students and parents/guardians to promptly **address** discipline problems and prevent problems **where possible**.
6. Comply with pertinent laws, **regulations and Board policy** governing hearings, suspensions and student rights.
7. Recommend to the district administration and Board appropriate policies **or policy revisions and implementation** to achieve optimum conditions for a positive learning environment.
8. Provide orientation, **assemblies and/or inservice** programs to implement and maintain the **Code of Student Conduct and established school rules**.

The Superintendent may directly handle referrals of **disciplinary cases, where appropriate**, or may advise the **building principal** in the proper disposition of the case. If expulsion is indicated, the Superintendent will refer the case to the Board, **in accordance with Board policy**.

Training for School Administrators and Staff

The Superintendent will ensure that **building principals, administrators and school staff** receive training regarding applicable standards and procedures for implementation of student discipline in accordance with Board policy, the Code of Student Conduct and applicable laws and regulations.

Special emphasis will be given to understanding the limitations on school officials' authority to regulate off-campus student conduct, as well as the need to articulate in detail the nature and extent of a disruption to or interference with the school environment thought to be caused by on or off-campus student conduct and the specific manner by which the student conduct involved is thought to have caused it.

{ } Staff will be trained on assessing possible miscommunication between staff and students regarding expectations for student conduct, as well as identifying the impact of cultural differences between expected and exhibited behavior.

Resources

Multi-Tiered System of Supports –

PaTTAN - Multi-Tiered System of Supports

Center on Multi-Tiered System of Supports at the American Institutes of Research

Positive Behavior Interventions and Supports –

PaTTAN - Pennsylvania's Schoolwide Positive Behavior Interventions and Supports System: An Introduction

Center on PBIS – Getting Started

Equity –

Center on PBIS - Key Elements of Policies to Address Discipline Disproportionality

PA Department of Education – Disciplinary Equity: School/District Resources

Restorative Practices –

National Conflict Resolution Center – Restorative Practices in K-12 Schools

Restorative Solutions – Resources for Restorative Practices in Schools

International Institute for Restorative Practices – School Resources, Guides for Implementation

Information on Youth Courts from the PA Bar Association – pabar.org



ADMINISTRATIVE REGULATION

APPROVED: October 4, 2022

REVISED:

810.1-AR-0. DRUG USE AND ALCOHOL MISUSE PREVENTION PROGRAM - COVERED DRIVERS

The Transportation Supervisor is responsible for implementing, maintaining and enforcing Board policy and administrative regulations regarding the drug use and alcohol misuse prevention program for covered drivers.

Definitions

Alcohol – the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl or isopropyl alcohol.

Alcohol use – the consumption of any beverage, mixture, or preparation, including any medication (prescribed or over-the-counter, intentional or unintentional), containing alcohol.

Breath Alcohol Technician (BAT) – a person who instructs and assists employees in the alcohol testing process and operates an evidential breath testing device. A BAT can conduct alcohol screening and confirmation tests. See 49 CFR Section 40.213 for qualifications.

Collection site – the location a covered driver is directed to go for drug and/or alcohol testing.

Commercial Driver's License Drug and Alcohol Clearinghouse (Clearinghouse) - is the Federal Motor Carrier Safety Administration's (FMCSA's) secure online database that requires employers to report information and to query information regarding drivers who are subject to the Department of Transportation (DOT) controlled substance and alcohol testing regulations. The Clearinghouse provides employers with real-time information regarding a commercial motor vehicle driver's drug and alcohol violations.

Commercial motor vehicle – a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the vehicle:

1. Has a gross combination weight rating or gross combination weight of 26,001 or more pounds, whichever is greater, inclusive of towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds, whichever is greater;
2. Has a gross vehicle weight rating or gross vehicle weight of 26,001 or more pounds, whichever is greater;

3. Is designed to transport sixteen (16) or more passengers, including the driver; or
4. Is transporting hazardous materials and is required to be placarded.

Consortium/Third Party Administrator (C/TPA) – a service agent that provides or coordinates one or more drug and/or alcohol testing services. See 49 CFR Part 40 Subpart Q for qualifications.

Covered driver – any district employee who drives, operates or is in the actual physical control or movement of a school bus or a commercial motor vehicle owned, leased or operated by the school district. The term includes drivers and mechanics who operate such vehicles, including full-time, regularly employed individuals; leased drivers; and independent owner-operator contractors who are directly employed by or under lease to the district or who operate a bus owned or leased by the district.

Designated Employee Representative (DER) – individual(s) identified by the district as able to receive communications and test results from service agents and who is authorized to take immediate actions to remove employees from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The individual must be an employee of the district. Service agents cannot serve as DERs.

DOT – U.S. Department of Transportation.

FMCSA – Federal Motor Carrier Safety Administration.

Medical Review Officer (MRO) – a person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results. See 49 CFR Section 40.121 for qualifications.

Negative Return-to-Duty Test Result – means a return-to-duty test with a negative drug result and/or an alcohol test with an alcohol concentration of less than 0.02, as described in 49 C.F.R. Section 40.305.

Safety-sensitive functions – all on-duty functions performed from the time a driver begins work or is required to be ready to work until s/he is relieved from work and all responsibility for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment; supervising, performing or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; and performing other requirements related to accidents.

Screening Test Technicians (STT) – a person who instructs and assists employees in the alcohol testing process and operates an evidential breath testing device. An STT can conduct an alcohol screening test. See 49 CFR Section 40.213 for qualifications.

Service agent – a person outside the district who will help the district implement the DOT drug and alcohol regulations.

Substance Abuse Professional (SAP) – an individual who evaluates drivers who have violated DOT drug and alcohol regulations and makes recommendations concerning education, treatment, follow-up testing and aftercare. See 49 CFR Section 40.281 for qualifications.

Urine Specimen Collector – a person who collects urine specimens. See 49 CFR Section 40.33 for qualifications.

Verified test – a drug test result or validity testing result from a U.S. Department of Health and Human Services (HHS) certified laboratory that has undergone review and final determination by the MRO.

Drug and Alcohol Testing Program

{ } The Superintendent, in consultation with the Transportation Supervisor, will select the following service agents subject to district contracting procedures:

1. Laboratory:

{ } Urine Specimen Collector.

{ } Breath Alcohol Technician (BAT).

{ } Screening Test Technician (STT).

{ } Medical Review Officer (MRO).

{ } Substance Abuse Professional (SAP).

{ } The district will administer these program functions internally:

{ } Urine Specimen Collector.

{ } Breath Alcohol Technician (BAT).

{ } Screening Test Technician (STT).

{ } Medical Review Officer (MRO).

{ } Substance Abuse Professional (SAP).

{X} The Superintendent, in consultation with the Transportation Supervisor, will select a Consortium/Third Party Administrator (C/TPA) to coordinate the district's drug and alcohol testing services subject to district contracting procedures.

Information for selecting service agents can be found in the ODAPC Employer Handbook, see Appendix C: https://www.transportation.gov/odapc/employer_handbook

810.1-AR-0. DRUG USE AND ALCOHOL MISUSE PREVENTION PROGRAM -
COVERED DRIVERS - Pg. 4District Contacts (include contact information)

The district's Designated Employee Representative (DER) is: Superintendent

The DER will provide his/her contact information to the STT, BAT, Urine Specimen Collector, MRO, SAP and C/TPA, where applicable.

Questions about the drug use and alcohol misuse prevention program can be directed to (MAKE SURE THIS MATCHES THE SELECTION FROM POLICY 810.1): Superintendent or Designee

Employment or Transfer to Covered Driver Position

Prior to employment or transfer to a covered driver position, the district will obtain the following information, pursuant to the prospective covered driver's written or electronic consent, in accordance with federal laws and regulations:

1. **As of January 6, 2020, the district will obtain drug/alcohol violation information from previous DOT-regulated employers by conducting both electronic inquiries using the Clearinghouse and manual inquiries using traditional methods.**
2. **As of January 6, 2023, the district will obtain drug/alcohol violation information from previous DOT-regulated employers solely by conducting electronic inquiries using the Clearinghouse.**

A full query of the Clearinghouse for a prospective covered driver will indicate whether the driver has violated federal regulations regarding a verified positive, adulterated, or substituted controlled substances test result; an alcohol confirmation test with a concentration of 0.04 or higher; refusal to submit to a test; or an employer reporting actual knowledge that a driver used alcohol on duty, used alcohol before duty, used alcohol following an accident or used a controlled substance.

The district will prohibit covered drivers from performing any safety-sensitive function if the results of a query demonstrate that the covered driver violated federal regulations regarding drugs and alcohol prohibitions, except where the Clearinghouse demonstrates:

1. **That the driver has successfully completed the SAP evaluation, referral and education/treatment process; achieves a negative return-to-duty test result; and completes the follow-up testing plan prescribed by the SAP.**
2. **That, if the driver has not completed all follow-up tests as prescribed in the SAP and as specified in the SAP report, the driver has completed the SAP evaluation, referral and education/treatment process and achieves a negative return-to-duty test result, and the employer assumes the responsibility for managing the follow-up testing process associated with the testing violation.**

810.1-AR-0. DRUG USE AND ALCOHOL MISUSE PREVENTION PROGRAM -
COVERED DRIVERS - Pg. 5

If the prospective covered driver refuses to provide written **or electronic** consent to obtain this information, the district will not permit the individual to perform safety-sensitive functions.

The district will also ask the prospective covered driver whether s/he previously had a verified positive pre-employment drug test or refused to submit to a pre-employment drug or alcohol test administered by a DOT employer to which s/he applied and did not obtain employment. If the prospective covered driver answers in the affirmative, the prospective covered driver must provide documentation that s/he has successfully completed the return-to-duty requirements described in 49 CFR Part 40, Subpart O.

All offers to hire an individual for a covered driver position or transfer an existing employee to a covered driver position are contingent upon the results of a pre-employment drug

{X} and alcohol

test. Pre-employment tests are described in more detail below.

Annual Clearinghouse Query

In addition to full queries for prospective drivers, the district is required to conduct, at a minimum, a limited query at least once a year for all covered drivers. A limited query will inform the district whether information exists in the Clearinghouse about the employee but will not release details of that information to the district.

If the Clearinghouse indicates that information exists on the covered driver, the district will conduct a full query of the Clearinghouse within twenty-four (24) hours of conducting the limited query. The district will not permit the covered driver to conduct any safety-sensitive functions until the results of the full query confirm that the covered driver has not committed a drug or alcohol violation.

Employee Conduct Prohibitions

The district prohibits the following conduct by covered drivers:

1. Using, being under the influence of, or possessing illegal drugs.
2. Using or being under the influence of legal drugs that are being used illegally and/or abused.
3. Using or being under the influence of legal drugs that can adversely affect the ability of the covered driver to safely perform his/her job.
4. Selling, buying, soliciting to buy or sell, transporting or possessing illegal drugs while on district time or property.

5. Using alcohol within eight (8) hours of driving or performing any safety-sensitive function for school bus drivers and within (4) hours of driving or performing any safety-sensitive function for school commercial motor vehicle drivers.
6. Using or being under the influence of alcohol at any time while driving or performing safety-sensitive functions.
7. Possessing any amount of alcohol, including possessing medications containing alcohol, while on duty.
8. Ingesting hemp products or otherwise using hemp products in a way that may result in absorption of hemp or hemp residue into the body.
9. Refusing to be tested for drugs and/or alcohol.
10. Failing to submit to a drug and/or alcohol test as directed by the district.
11. Adulterating or substituting a specimen.
12. Failing to stay in contact with the district and its Medical Review Officer (MRO) while awaiting the results of a drug and/or alcohol test.
13. Violating any applicable federal, state and/or district requirements or prohibitions governing the use of drugs and/or alcohol.
14. Taking any actions to obstruct the district's policy or administrative regulations with respect to drug and/or alcohol testing.

Prescription Drugs, Over-the-Counter Drugs, and Medical Marijuana

Covered drivers must inform the Transportation Supervisor about any therapeutic drug use, whether prescription or over-the-counter.

For use of a prescription drug, the covered driver must provide a signed statement from the prescribing licensed medical practitioner that the substance will not adversely affect the driver's ability to perform the assigned work function.

Covered drivers will also inform the Transportation Supervisor of any use of drug(s) or medication(s) for which the packaging includes warnings that, "marked drowsiness may occur and/or be careful when driving a motor vehicle or operating machinery."

Failure to report the use of such drugs or failure to provide proper evidence of medical authorization may result in disciplinary action.

Marijuana remains a drug listed in Schedule I of the **federal** Controlled Substances Act; therefore, it remains prohibited for any covered driver performing safety-sensitive functions to use “medical marijuana.” See DOT “Medical Marijuana” Notice: <https://www.transportation.gov/odapc/medical-marijuana-notice>

Required Tests

In accordance with DOT and federal regulations, covered drivers will be required to submit to the following tests:

1. Pre-employment/Pre-duty.
2. Random.
3. Reasonable Suspicion/Reasonable Cause.
4. Post-Accident.
5. Return-to-Duty.
6. Follow-up.

These DOT tests must be separate from non-DOT tests in all respects, and must be done only as authorized by DOT and federal regulations.

Before performing each alcohol or drug test, the district will notify a covered driver that the alcohol or drug test is required by DOT and federal regulations.

When a covered driver is notified to report for testing, the driver must report to the collection site immediately.

The *Federal Drug Testing Custody and Control Form* (CCF) must be used for DOT drug tests, and the *Department of Transportation Alcohol Testing Form* (ATF) must be used for DOT alcohol tests. These forms may not be used for non-DOT collections.

Altering a drug or alcohol test result is prohibited.

Pre-employment/Pre-duty -

An applicant/employee will be notified of the requirement to undergo a pre-employment drug test prior to performing safety-sensitive functions.

A pre-employment drug test will be conducted before the first time a covered driver performs any safety-sensitive function for the district.

The district will not permit a covered driver to perform safety-sensitive functions until the district has received a drug test result indicating a verified negative test result.

Pre-employment drug testing will also be required of covered drivers returning to work after summer vacation or a layoff period if the covered driver was removed from the random testing pool during the vacation or layoff period. If the covered driver remains in the random testing pool, additional testing is not necessary.

(CHOOSE ONE OF THE OPTIONS BELOW)

{X} The district will not conduct pre-employment alcohol testing.

{X} The district will conduct pre-employment alcohol testing in accordance with the requirements set forth in 49 CFR Section 382.301(d).

All offers of employment or transfer to covered driver positions with the district will be contingent upon testing results. An individual who tests positive for drugs will not be hired or transferred. The offer of employment will immediately be withdrawn from any individual who refuses drug testing.

Exceptions may be made for covered drivers who have participated in the drug testing program required by federal law and regulations within the previous thirty (30) days, prior to the application for employment and while participating in that program was tested for drugs within the last six (6) months or participated in a random drug testing program in the previous twelve (12) months, provided the district has been able to make all verifications required by law.

Post-Accident Testing -

A surviving covered driver must submit to a post-accident alcohol test as soon as practicable after an accident involving:

1. A fatality; or
2. The covered driver has been issued a citation for a moving traffic violation arising from the accident within eight (8) hours of the occurrence AND either:
 - a. A person is injured and receives immediate medical treatment away from the scene; or
 - b. Vehicle damage requires any of the involved vehicles to be towed away from the scene.

A surviving covered driver must submit to a post-accident drug test as soon as practicable after an accident involving:

1. A fatality; or
2. The covered driver has been issued a citation for a moving traffic violation arising from the accident within thirty-two (32) hours of the occurrence AND either:
 - a. A person is injured and receives immediate medical treatment away from the scene; or

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- b. Vehicle damage requires any of the involved vehicles to be towed away from the scene.

A law enforcement official investigating an accident will request that a covered driver submit to alcohol and drug testing. The covered driver must inform the Transportation Supervisor of such test(s).

Covered drivers will make themselves readily available for testing, absent the need for immediate medical attention. If the covered driver leaves the accident scene, the driver will notify his/her supervisor of his/her current location.

No covered driver required to take a post-accident test will use alcohol for eight (8) hours following the accident, or until s/he undergoes a post-accident test, whichever occurs first.

If an alcohol test is not administered within two (2) hours of the accident or if a drug test is not administered within thirty-two (32) hours, the district will prepare and maintain on file a record explaining why the test was not promptly administered. Tests will not be given if not administered within eight (8) hours after the accident for alcohol or within thirty-two (32) hours for drugs.

Tests conducted by authorized federal, state, or local officials will fulfill post-accident testing requirements provided such tests conform to applicable federal and state testing requirements and the results of the tests are obtained by the district. Breath and blood tests meet the requirements of alcohol testing. A urine test meets the requirements of a drug test.

Random Testing -

The district will conduct alcohol and drug tests on a random basis at unannounced times spread reasonably throughout the year.

Annually, the district will test a minimum of ten percent (10%) of covered drivers in the pool for alcohol, and **fifty percent (50%)** of covered drivers in the pool for drugs, subject to changes in federal regulations and the DOT's Federal Motor Carrier Safety Administration's (FMCSA) requirements. The current DOT Agency random testing rates can be found here: <https://www.transportation.gov/odapc/random-testing-rates>.

Covered drivers will be selected by a scientifically valid random process, and each covered driver will have an equal chance of being tested each time selections are made.

A covered driver may only be tested for alcohol while the covered driver is performing safety-sensitive functions, just before the covered driver is to perform safety-sensitive functions, or just after the covered driver has ceased performing such functions.

Upon notice of random or unannounced testing, a covered driver must immediately report to the collection site after receiving notice of his/her selection. Failure to immediately report to the collection site, to submit to the test, or interfering with the testing process will be considered a refusal.

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Reasonable Suspicion Testing -

When a supervisor or district administrator, who has received training covering the indications of probable drug and/or alcohol use, has reasonable cause to suspect a covered driver is under the influence of drugs or alcohol (or both), s/he will require the affected covered driver to report to the collection site and provide a specimen as soon as practicable. Following a reasonable suspicion determination, the affected covered driver will not be permitted to perform safety-sensitive functions until a verified negative test result is received by the district.

This reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the covered driver's appearance, behavior, speech, or body odors. The observations may include indications of the chronic and withdrawal effects of controlled substances. The supervisor or administrator will document in writing the basis for the reasonable suspicion within twenty-four (24) hours of the observed behavior or before the results of the alcohol or controlled substances tests are released, whichever is earlier.

A covered driver may only be directed to undergo reasonable suspicion testing while the covered driver is performing safety-sensitive functions, just before the covered driver is to perform safety-sensitive functions, or just after the covered driver has ceased performing such functions.

The covered driver will be escorted to the collection site by the Transportation Supervisor or designee, and arrangements will be made to transport the covered driver to his/her home after the specimen is collected.

Alcohol testing is authorized for reasonable suspicion only if the required observations are made during, just preceding, or just after the period of the workday. The supervisor or district official who makes the determination that reasonable suspicion exists to conduct an alcohol test is not permitted to conduct the alcohol test of the covered driver.

If an alcohol test is not administered within two (2) hours of the reasonable suspicion determination, the district will prepare and maintain on file a record explaining why the test was not promptly administered. An alcohol test will not be given if not administered within eight (8) hours following the reasonable suspicion determination. If an alcohol test is not administered for this reason, the district will record the reasons for not administering the test.

Return-To-Duty Testing -

If the district permits a covered driver who has violated the district's drug or alcohol prohibition to return to the performance of safety-sensitive functions, a drug or alcohol test must be conducted. A return-to-duty test cannot occur until after the SAP has determined that the covered driver has successfully complied with the prescribed education and/or treatment.

The district will not allow a covered driver to return to duty in a safety-sensitive function until the return-to-duty:

1. Drug test produces a verified negative result (if conduct involved drugs); and/or

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2. Alcohol test indicates an alcohol concentration of 0.02 or less (if conduct involved alcohol).

Return-to-duty testing must be done under direct observation.

Follow-up Testing -

After completing a return-to-duty test, follow-up testing will be performed consistent with the covered driver's follow-up testing plan developed by the SAP in accordance with the law.

Follow-up tests must be unannounced with no discernable pattern as to their timing.

Follow-up testing must be under direct observation.

Follow-up testing is separate and in addition to any other testing.

Drug Tests

In accordance with DOT and federal regulations, a DOT drug test:

1. Is only conducted using urine specimens, and
2. Can only be analyzed for the following drugs or drug metabolites:
 - a. Marijuana (THC).
 - b. Cocaine.
 - c. Phencyclidine (PCP).
 - d. Amphetamines, Methamphetamine, MDMA, and MDA.
 - e. Opioids (Codeine, Morphine, Heroin, Hydrocodone, Hydromorphone, Oxycodone, and Oxymorphone).

The following collection and test procedures will apply:

[INSERT LOCALLY DEVELOPED PROCEDURES RELATED TO DRUG TESTING (see resources below)].

A Medical Review Officer (MRO) will review all drug tests performed in the laboratory. The MRO will determine whether positive test results indicate illegal drug use or whether other medical explanations could account for the results. The MRO will inform the covered driver and the Designated Employee Representative (DER) of the findings, **and report required information to the Clearinghouse, in accordance with law and regulations.**

The DER will be responsible to receive the documentation of the test results and to recommend to the Superintendent necessary action if the results are positive, adulterated or substituted.

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If the DER receives a drug test result indicating that the covered driver's specimen was dilute, the DER will follow the procedures set forth in 49 CFR Section 40.197.

If the DER receives a drug test result indicating that the covered driver's specimen was cancelled because it was invalid, the DER will follow the procedures set forth in 49 CFR Section 40.23.

If the DER receives a drug test result indicating that the covered driver's specimen was cancelled when a negative result is required (e.g., pre-employment, return-to-duty, or follow-up test), the DER will follow the procedures set forth in 49 CFR Section 40.23.

If the DER receives notice that the covered driver has not provided a sufficient amount of urine, the DER will follow the procedures set forth in 49 CFR Section 40.193.

Alcohol Tests

In accordance with DOT and federal regulations, a DOT alcohol test will be conducted using either a breath or saliva specimen.

Alcohol tests will be administered using only a DOT-approved device, except in cases of on-scene post-accident testing conducted by federal, state or local officials.

The following collection and test procedures will apply:

[INSERT LOCALLY DEVELOPED PROCEDURES RELATED TO ALCOHOL TESTING (see resources below)].

If the initial alcohol test registers an alcohol concentration that is less than 0.02%, no additional test will be required at that time.

If the initial alcohol test registers an alcohol concentration level of 0.02% or greater, a second confirmation test will be performed.

The BAT or STT will inform the covered driver and the DER about the results of the testing.

Test Refusal

The following conduct constitutes a refusal to submit to testing:

1. Fail to provide breath, saliva, or urine specimen;
2. Provide an insufficient volume without valid medical explanation;
3. Adulterate or substitute a specimen;
4. Fail to appear within a reasonable time;

5. Leave the scene of an accident without just cause prior to submitting to a test;
6. Leave the collection facility prior to test completion;
7. Fail to permit an observed or monitored collection when required;
8. Fail to take a second test when required;
9. Fail to undergo a medical examination when required;
10. Fail to cooperate with any part of the testing process;
11. Fail to sign the certification statement at Step 2 of alcohol test form;
12. Fail to remain at site and provide a specimen once test is underway; or
13. MRO verifies that an adulterated/substituted sample was provided.

The Office of Drug and Alcohol Policy and Compliance's (ODAPC) employer handbook contains a list of Part 40 refusals and the DOT regulation instructions for handling them.

The employer handbook is available here:

https://www.transportation.gov/odapc/employer_handbook

Notifications

The district will notify an applicant of the results of a pre-employment drug test, if the applicant requests the results within sixty (60) calendar days of being notified of the disposition of his/her employment application.

The district will notify a covered driver of the results of random, reasonable suspicion, and post-accident drug tests if the test results are verified positive. The district will also inform the covered driver which controlled substance(s) were verified as positive.

Consequences

Immediate Removal from Safety-Sensitive Functions -

The district will remove a covered driver from performing safety-sensitive functions under the following circumstances:

1. A verified positive drug test result;
2. A verified adulterated or substituted drug test result;
3. An alcohol test result of 0.04 or higher; and

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4. A refusal to submit to a post-accident, random, reasonable suspicion, return-to-duty or follow-up test.

The district will place a school bus driver who drives, operates or is in physical control of a school bus while having any detectable amount of alcohol in his/her system out of service for thirty (30) days.

The district will remove a commercial motor vehicle driver who is tested and is found to have an alcohol concentration of 0.02 or greater but less than 0.04 until the start of the driver's next regularly scheduled duty period that is at least twenty-four (24) hours following administration of the test.

Discipline -

In addition to the consequences established by federal law, a covered driver employed by the district confirmed to have violated the district's policy related to alcohol and controlled substances will also be subject to district-imposed discipline, up to and including, termination. All employment decisions involving reinstatement, termination, or dismissal will be made in accordance with applicable state law, Board policies, and negotiated agreements.

Confidentiality/Privacy

District staff will take appropriate measures to ensure that all the testing procedures are as private and confidential as reasonably practical.

Test results or medical information will only be provided to supervisors who have a need to know such information, to the applicant/employee tested, and to any individual permitted or required by law or regulation to receive such information. Specific written consent is required to release individual test results or medical information, if release of such information is not permitted or required by law or regulation.

Maintenance of Records

Clearinghouse Records –

The district will maintain a record of each Clearinghouse query and all information received in response to each Clearinghouse query for three (3) years. *As of January 6, 2023, as long as the district maintains a valid Clearinghouse registration, this record retention requirement will be deemed to be fulfilled.*

The district will maintain a record of each driver's consent to conduct a Clearinghouse query for three (3) years from the date of the last query.

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Drug and Alcohol Test Records –

All DOT drug and alcohol test records must be kept in a secure location with controlled access. The district will maintain records for the periods required by federal law and regulations, and in accordance with the district's records retention schedule.

All DOT drug and alcohol test records will be maintained separately from personnel or medical records.

Record Dissemination –

Upon written request, the district will provide a covered driver with copies of any records pertaining to the covered driver's use of alcohol or drugs, including any records pertaining to his/her drug or alcohol tests.

Records will be made available to a subsequent employer or other identified persons only with the covered driver's specific written consent. The district will document in writing:

1. The information released, including the date;
2. The party to whom it was released; and
3. A summary of the information provided.

Statistical records and reports will be maintained and made available to the Federal Highway Administration for inspection or audit in accordance with federal regulations.

Data Collection and Reporting

Clearinghouse Reports –

The district will report the following information about a covered driver to the Clearinghouse by the close of the third business day following the date on which the information was obtained:

- 1. An alcohol confirmation test result with a concentration of 0.04 or higher.**
- 2. A negative return-to-duty test (drug and alcohol testing, as applicable).**
- 3. A refusal to take an alcohol test as specified in 49 CFR Section 40.261.**
- 4. A refusal to take a drug test not requiring a determination by the MRO as specified in 49 CFR Section 40.191.**

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5. **Actual knowledge, as defined in 49 CFR Section 382.107, that a driver has used alcohol on duty, used alcohol within four (4) hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance.**

6. **Completion of follow-up testing**

The district's report will include the following applicable information:

1. **Reason for the test.**
2. **Driver's name, date of birth, and CDL number and state of issuance.**
3. **Employer name, address and USDOT number.**
4. **Date of the test.**
5. **Date the result was reported.**
6. **Test result which will be identified as Positive, Negative or Refusal to Take Test.**

In each instance where the district reports a covered driver's refusal to test, the report must include documentation including, but not limited to the following:

1. **Email or other contemporaneous record of the time and date the driver was notified to appear at a testing site; and the time, date and testing site location at which the employee was directed to appear, or an affidavit providing evidence of such notification.**
2. **Email or other correspondence, or an affidavit, indicating the date the employee was terminated or resigned, if applicable.**
3. **Email or other correspondence, or an affidavit, showing that the C/TPA reporting the violation was designated as a service agent for an employer who was self-employed as a driver when the reported refusal occurred.**
4. **A certificate of service or other evidence, showing that the employer provided the employee with all required documentation.**

For each violation in which the district obtains actual knowledge as defined in 49 CFR Section 382.107, the Clearinghouse report must include the following:

1. **Driver's name, date of birth, CDL number and state of issuance.**
2. **Employer name, address, and USDOT number, if applicable.**
3. **Date the employer obtained actual knowledge of the violation.**

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4. **Witnesses to the violation, if any, including contact information.**
5. **Description of the violation.**
6. **Evidence supporting each fact alleged in the description of the violation which may include, but is not limited to, affidavits, photographs, video or audio recordings, employee statements (other than admissions) correspondence, or other documentation.**
7. **A certificate of service or other evidence showing that the employer provided the employee with all reported information.**

An employer who is self-employed as a driver must designate a C/TPA to comply with the employer requirements related to the driver's own alcohol and controlled substance use.

Annual MIS Data Collection -

The district will submit its annual drug and alcohol testing data upon request by the FMCSA. If the district is notified, during the month of January, of a request by the FMCSA to report the district's annual calendar year summary information, the Transportation Supervisor will prepare and submit the report to the FMCSA by March 15. Drug and alcohol testing data will be submitted electronically through the Drug & Alcohol Testing Management Information System (MIS).

The Transportation Supervisor will complete a U.S. Department of Transportation Drug and Alcohol Testing MIS Data Collection Form annually, even if the district is not notified of a request by the FMCSA, to have available in the event of an audit or inspection.

The MIS form, instructions and Internet link for submitting the form can be found here:
<https://www.transportation.gov/odapc/MISreporting>

Treatment/Counseling

Substance Abuse Professionals (SAP) -

The district will provide covered drivers who violate the DOT's drug or alcohol regulations with a list of Substance Abuse Professionals.

The district is not required by law to pay for an evaluation by a SAP or any subsequent recommended education or treatment for a covered driver who has violated a DOT drug and alcohol regulation.

If the district offers a covered driver an opportunity to return to the performance of safety-sensitive functions, the covered driver will undergo an evaluation by a SAP, comply with any required rehabilitation, and undergo a return-to-duty test. The SAP will provide the DER with a follow-up testing plan for the covered driver who seeks to resume the performance of safety-sensitive functions. The district will not impose additional testing requirements on the covered driver that go beyond the SAP's follow-up testing plan.

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{X} [INSERT LOCALLY DEVELOPED PROCEDURES RELATED TO CHOICE OF SUBSTANCE ABUSE PROFESSIONALS AND, UNDER WHAT CIRCUMSTANCES THE DISTRICT MAY PAY THE COSTS OF AN EVALUATION OR TREATMENT.]

Voluntary Treatment/Counseling -

The district is interested in maintaining a safe workplace and a healthy and productive workforce, not in punishing employees who seek assistance. An employee who feels s/he may have a substance abuse problem is urged to contact the Transportation Supervisor. Such employees will not be disciplined or retaliated against.

Employees who request treatment or leaves of absence for treatment of drug and/or alcohol problems will not be subject to discipline. However, employees cannot escape discipline by first requesting such treatment or leave after being selected for testing or after being caught violating Board policy and/or administrative regulations.

Employee requests for voluntary treatment of drug and/or alcohol problems will be kept confidential, in accordance with applicable federal and state law, Board policy and administrative regulations.

The district will permit covered drivers to return to a safety-sensitive function only after the covered driver has successfully complied with any prescribed education and/or treatment, and has a verified negative test result for drugs and/or an alcohol test indicates an alcohol concentration of 0.02 or less.

Policy Distribution, Educational Materials and Acknowledgement of Receipt

At the beginning of each school year, or when a new employee starts or transfers into a covered driver position after the start of the school year, all covered drivers will receive:

1. The Board policies prohibiting use, possession and being under the influence of alcohol and controlled substances and requiring drug and alcohol testing, and the administrative regulations implementing those policies.
2. Educational materials that explain:
 - a. Effects of drug/alcohol abuse on an individual's health, work and personal life.
 - b. Signs and symptoms of drug and alcohol problems.
 - c. Employee assistance programs available through the district.
 - d. Methods of intervention and list of resources when a drug or alcohol problem is suspected.
 - e. Post-accident procedures.

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Each covered driver will read and sign the Receipt of Drug/Alcohol Information form, and submit the form to the Transportation Supervisor within five (5) days after receiving the information.

Training for Supervisors -

The district will provide a training program for employees who supervise covered drivers. The training will be used by trained supervisory staff to determine whether a covered driver must be tested for drug and alcohol use based on reasonable suspicion.

The training will include at least sixty (60) minutes of training on alcohol misuse and sixty (60) minutes of training on controlled substances use. The training must include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

The district will maintain documentation of supervisor training in compliance with federal regulations, and in accordance with the district's records retention schedule.

Costs

[INSERT LOCALLY DEVELOPED PROCEDURES RELATED TO WHO ASSUMES THE COST OF THE DRUG AND ALCOHOL TESTING OF COVERED DRIVERS.]

Employer Resources

What Employers Need to Know About DOT Drug and Alcohol Testing –
https://www.transportation.gov/odapc/employer_handbook

Prescription and Over-the-Counter Medications Tool Kit –
<https://transit-safety.fta.dot.gov/DrugAndAlcohol/publications/DocumentInfo.aspx?DocID=223>

Best Practices for DOT Random Drug and Alcohol Testing –
<https://www.transportation.gov/odapc/best-practices-dot-random-drug-and-alcohol-testing>

DOT Urine Specimen Collection Guidelines –
<https://www.transportation.gov/odapc/urine-specimen-collection-guidelines>

What Employers Need to Know About Monitoring Collection Sites –
https://www.transportation.gov/odapc/employer_brochure

Commercial Driver's License Drug and Alcohol Clearinghouse –
<https://clearinghouse.fmcsa.dot.gov/>

Employer Record Keeping Requirements for Drug and Alcohol Testing (**manual records separate from the Clearinghouse**) –
<https://www.transportation.gov/odapc/drug-and-alcohol-record-keeping-requirements>

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DOT Drug & Alcohol Supervisor Training Guidance –
<https://www.fmcsa.dot.gov/us-department-transportation-dot-drug-alcohol-supervisor-training-guidance>

Employee Resources

What Employees Need to Know About DOT Drug & Alcohol Testing –
<https://www.transportation.gov/odapc/employee-handbook-english>

Federal Drug & Alcohol Testing Brochure –
<https://www.fmcsa.dot.gov/regulations/drug-alcohol-testing/drug-and-alcohol-testing-brochure-drivers>

HANOVER AREA JSHS

1600 Sans Souci Pkwy

ATSI non-Title 1 School Plan | 2022 - 2023

VISION FOR LEARNING

The Hanover Area School District is committed to providing a safe learning environment in which students are encouraged to achieve their highest potential as they mature into productive members of the community.

ESTABLISHED PRIORITIES

Priority Statement	Outcome Category
<p>Formal and consistent program must be implemented to address attendance issues including consistent consequences and follow up.</p>	<p>Regular Attendance School climate and culture</p>
<p>The Hanóver Area School District recognizes the need to align curriculum, assessment, and instruction including the implementation of researched based interventions.</p>	<p>English Language Arts English Language Arts</p>
<p>Students need to be in school in order for learning to take place. Parents need to be the number one motivator for getting students to school. Truancy training for teachers and administrators will allow them to understand how their actions motivate students to attend school.</p>	<p>Regular Attendance Community Engagement Mathematics Mathematics</p>

ACTION PLAN AND STEPS**Evidence-based Strategy**

Truancy Tool kit training

Measurable Goals**Goal Nickname****Measurable Goal Statement (Smart Goal)**

Increased Attendance

Train 100% of staff by end of the 2022-2023 school year on truancy tool kit.

Discipline

Decrease discipline referrals by 5%

ELA Curriculum

Align curriculum and assessment and instruction through the revision and implementation of pacing guides with fidelity.

Attendance Growth

To increase attendance by 10%,

Community Engagement

Increase parent engagement/participation in building specific REMIND App.

Mathematics

Increase Math Scores.

ELA Score Increase

To increase the ELA scores.

Mathematics

Increase in Math Scores.

Action Step**Anticipated Start/Completion****Lead Person/Position****Materials/Resources/Supports Needed**

Action Step	Anticipated Start/Completion	Lead Person/Position	Materials/Resources/Supports Needed
Truancy Toolkit Training	2022-08-29 - 2023-06-06	IU Representative	IU Staff

Anticipated Outcome

Better understanding of what motivates students to attend. Add strategies and skills to support teachers for increased attendance rates.

Monitoring/Evaluation

Attendance Rates

PROFESSIONAL DEVELOPMENT STEPS AND TIMELINES:

Measurable Goals	Action Plan Name	Professional Development Step	Anticipated Timeline
Train 100% of staff by end of the 2022-2023 school year on truancy tool kit. (Increased Attendance)	Truancy Tool kit training	Truancy Toolkit Training	08/29/2022 - 06/06/2023
Decrease discipline referrals by 5% (Discipline)			
Align curriculum and assessment and instruction through the revision and implementation of pacing guides with fidelity. (ELA Curriculum)			
To increase attendance by 10%, (Attendance Growth)			
Increase parent engagement/participation in building specific REMIND App. (Community Engagement)			
Increase Math Scores. (Mathematics)			
To increase the ELA scores. (ELA Score Increase)			
Increase in Math Scores. (Mathematics)			

APPROVALS & SIGNATURES

Assurance of Quality and Accountability

Assurance of Quality and Accountability

The Building Administrator, Superintendent/Chief Executive Officer and President of the School Board will affirm the following statements.

We affirm that our school has developed a School Improvement Plan based upon a thorough review of the essential practices to advance educational programs and processes and improve student achievement.

We affirm that the action plans that we will be implementing address our specific school needs, include strategies that provide educational opportunities and instructional strategies for all students and each of the student groups, increases the amount and quality of learning time, and provides equity in the curriculum which may include programs, activities, and courses necessary to provide a well-rounded education. These plans address the needs of all children in the school, but particularly the needs of those at risk of not meeting the challenging State academic standards.

We, the undersigned, hereby certify that the school level plan has been duly reviewed by the Building Administrator, Superintendent of Schools and formally approved by the district's Board of Education, per guidelines required by the Pennsylvania Department of Education.

We hereby affirm and assure that the school level plan:

- Addresses all the **required components** prescribed by the Pennsylvania Department of Education
- Meets **ESSA requirements**
- Reflects **evidence-based strategies that meet the three highest levels of evidence outlined in ESSA**
- Has a **high probability of improving student achievement**
- Has sufficient **LEA leadership and support to ensure successful implementation**

With this Assurance of Quality & Accountability, we, therefore, request the Pennsylvania Department of Education grant formal approval to implement this school level plan.

School Board Minutes or Affirmation Statement

Signature (Entered Electronically and must have access to web application).

Chief School Administrator

School Improvement Facilitator Signature

Deanna Mennig

2022-08-10

Building Principal Signature

Ann Marie Kochuba-Mantione

2022-08-10

ADDENDUM A: BACKGROUND INFORMATION TO INFORM PLAN**Strengths**

Percent Career Standards Benchmark

Academic Growth Expectations in English/Language
Arts/Literature

High Percentage of Students met the Career Readiness
Benchmark.

Ongoing changes to course offerings to achieve Career
Readiness Benchmarks.

Revision of curriculum and motivation of faculty to improve
student achievement.

Revision of curriculum and motivation of faculty to improve
student achievement.

SLOs were created based on the weaknesses identified on the
PSSA and Keystone Exams.

Remediation period added to help close the learning gap.

Increased access to interventions and revision of child study
procedures.

Challenges

All students did not meet the performance standard for
attendance

All students did not meet the percent proficient/advanced in
Mathematics/ Algebra 1.

Student attendance and transient student population.

In person and virtual instruction affected student consistency.

At home technological capabilities prohibited student
engagement.

Student engagement and attendance.

Student engagement and attendance.

Student attendance, student accountability, and student
engagement. This was compounded by the continued impact of
COVID 19.

Students utilizing the remediation period with fidelity.

Parent and family engagement and student attendance

Strengths

Professional Development

Implementation of evidence based strategies

Challenges

Community school involvement and support

Attendance

Most Notable Observations/Patterns

Through greater parent communication, we hope to increase attendance and performance rates.

Challenges	Discussion Point	Priority for Planning
All students did not meet the performance standard for attendance	Having consistent in person instruction will provide an increase in attendance and performance.	
All students did not meet the percent proficient/advanced in Mathematics/ Algebra 1.	Inconsistency with math instructors due to staff medical conditions compounded by the lack of certified substitutes to meet the district's needs.	
Student attendance and transient student population.		
Parent and family engagement and student attendance	Increase the communication with families to establish the importance of student attendance which will correlate to greater student achievement,	
Student attendance, student accountability, and student engagement. This was compounded by the continued impact of COVID 19.		
In person and virtual instruction affected student consistency.		
Students utilizing the remediation period with fidelity.		

ADDENDUM B: ACTION PLAN

Action Plan: Truancy Tool kit training

Action Steps	Anticipated Start/Completion Date
Truancy Toolkit Training	08/29/2022 - 06/06/2023
Monitoring/Evaluation	Anticipated Output
Attendance Rates	Better understanding of what motivates students to attend. Add strategies and skills to support teachers for increased attendance rates.
Material/Resources/Supports Needed	PD Step
IU Staff	yes

ADDENDUM C: PROFESSIONAL DEVELOPMENT PLANS

Measurable Goals	Action Plan Name	Professional Development Step	Anticipated Timeline
Train 100% of staff by end of the 2022-2023 school year on truancy tool kit. (Increased Attendance)	Truancy Tool kit training	Truancy Toolkit Training	08/29/2022 - 06/06/2023
Decrease discipline referrals by 5% (Discipline)			
Align curriculum and assessment and instruction through the revision and implementation of pacing guides with fidelity. (ELA Curriculum)			
To increase attendance by 10%, (Attendance Growth)			
Increase parent engagement/participation in building specific REMIND App. (Community Engagement)			
Increase Math Scores. (Mathematics)			
Increase in Math Scores. (Mathematics)			
To increase the ELA scores. (ELA Score Increase)			

PROFESSIONAL DEVELOPMENT PLANS

Professional Development Step	Audience	Topics of Prof. Dev
Truancy Toolkit Training	Building staff & faculty	Truancy and learning loss. Motivational strategies.

Evidence of Learning	Anticipated Timeframe	Lead Person/Position
Test scores, formative assessments.	08/29/2022 - 06/06/2023	IU Staff

Danielson Framework Component Met in this Plan:	This Step meets the Requirements of State Required Trainings:
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ADDENDUM E: COMPREHENSIVE PLAN COMMUNICATIONS

Communication Step	Topics of Message	Mode	Audience	Anticipated Timeline
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