

# NEW

## SCHOOL DIRECTOR TRAINING



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## ABOUT PSBA

The Pennsylvania School Boards Association (PSBA) is a nonprofit statewide association of public school boards created to support local governance and advocate on behalf of PA public school districts and school entities. PSBA was founded in 1895 as the first school boards association established in the United States. Pennsylvania’s 4,500 school directors become members by virtue of election to their local board — the board joins as a whole. Membership in PSBA is by school district or other eligible local education agency such as an intermediate unit, career and technical center or community college. Over the past several decades, voluntary membership by local school entities has been virtually 100%. PSBA has been providing a form of New School Director Training for over 50 years. When Pennsylvania passed a law requiring school director training in 2017, PSBA was the first approved provider of training for school directors across the state.

## PSBA’S MISSION

To provide school board directors with services, support and counsel as they navigate relationships, lead their districts, and promote public education across Pennsylvania.

## PSBA’S VISION

Informed, engaged, and passionate school board directors leading and advocating effectively for great public education across Pennsylvania.

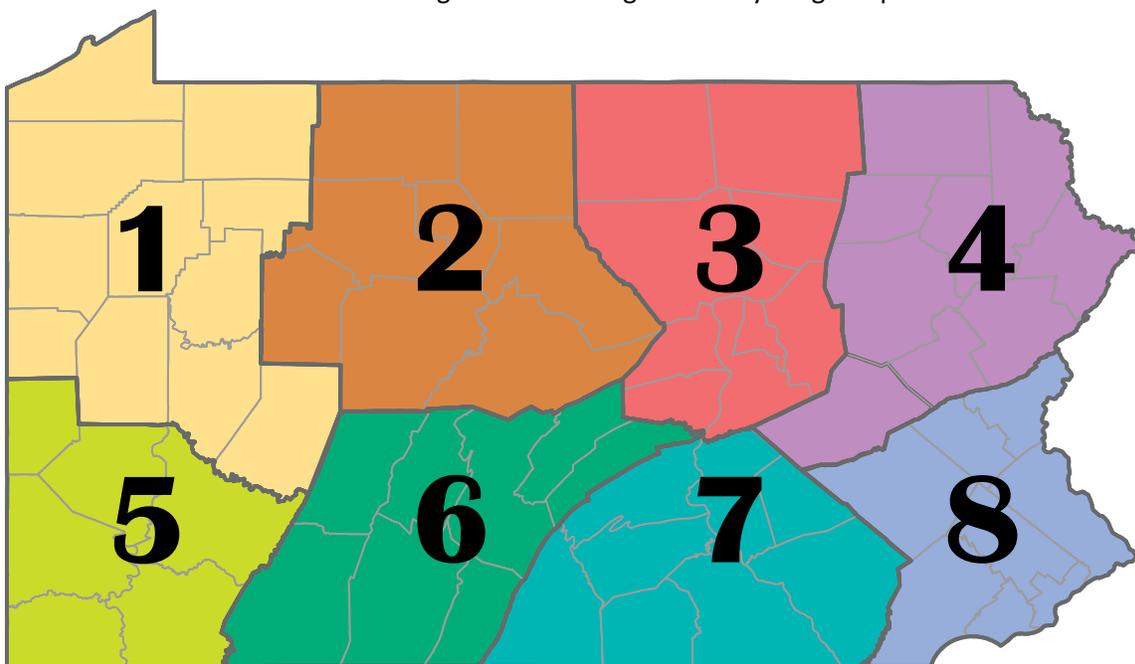
## PSBA’S VALUES

- Honesty & Integrity
- Member Focus
- Working Together
- Innovation

## PSBA MEMBER SERVICES MANAGERS

Member services managers are PSBA staff who work directly with districts within their sections — listening to their challenges and needs in order to connect them with vital

resources and services that support them. Member services managers are your primary points of connection to PSBA.



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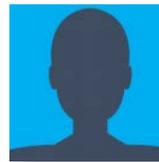
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## PSBA ADVOCACY AMBASSADORS

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**OPENING ACTIVITY: In my feelings**

Choose three words from the list below that best describe how you feel about your new role as a publicly elected school director.

energized	intimidated	curious	angry	overwhelmed	excited
confident	prepared	passionate	shy	cautious	conflicted
indifferent	confused	engaged	anxious	interested	clueless
purposeful	unsure	nervous	scared	ambivalent	fearful



**REFLECT AND SHARE:**

As you begin your journey into school board service, why did you choose these feelings? What may be contributing to these feelings?



# INTRODUCTION TO SCHOOL BOARD **GOVERNANCE**



## KEY TERMS

TERMS	DEFINITION
<b>Chain of Command</b>	Most districts have a board policy that delineates a chain of command for addressing complaints or concerns from the school community. When a community member has an issue or concern, it is best for them to be addressed closest to the source within the district. This is typically not the school board. If your board follows PSBA's policy numbering system, review the Public Complaints #906 policy to understand the chain of command established in your district.
<b>Collective Authority</b>	When performing its governance functions, a school board's power and authority is exercised through the collective decisions of the entire board acting as a governing body. The law does not convey any power or authority upon individuals acting on their own merely by virtue of their office as school director.
<b>Governance</b>	The strategic task of setting an organization's goals, direction, limitations and accountability frameworks; pertains to the vision of a district, and the translation of vision into board policy and practice. This is the work of the school board.
<b>Management</b>	The executive task of overseeing the day-to-day operations of an organization; pertains to the decision-making process for implementing board policies. This is the work of the superintendent and administration.
<b>Micromanagement</b>	Micromanagement is when school directors cross into the management work of the superintendent rather than the governance work of the board. It often stems from the mistaken belief that school boards are responsible for running the school district.
<b>PA Public School Code of 1949</b>	This is the primary statutory law outlining the powers and duties of school boards in Pennsylvania. It is typically amended on an annual basis through a school omnibus bill as well as other legislation passed throughout the year.
<b>Principles for Governance and Leadership</b>	The governance framework for school boards across Pennsylvania. Developed by a committee of experienced school directors and superintendents, the Principles detail specific actions and attitudes school boards and directors are encouraged to implement for the overall success of their board and district.
<b>School Board</b>	A school board is a legislative body of citizens called school directors, who are elected locally by their fellow citizens and who serve as the governing body of each public school district. Each board consists of nine voting members who serve four-year terms of office.
<b>Team of 10</b>	Term often used to define the entire board of elected school directors and the superintendent as a leadership team. Elected school directors, who represent the community's values, and superintendents, who provide extensive educational experience and expertise, join together on behalf of the education of the district's students.
<b>School Board Governance Loop</b>	A model that highlights the decision-making process between the school board and administration in their operation of a school district. The governance loops breaks down this process into four steps: plan, develop, actualize, evaluate.



## BOARD RESPONSIBILITIES

**1 Key takeaway 1:** The school board is the governing authority of the school district, elected by its citizens, which oversees the functioning of the district and takes official action as required by federal and state law, regulations and local board policy. These actions include, but are not limited to, reviewing and adopting the district’s annual budget, levying and assessing local taxes, adopting board policies, and appointing a superintendent to manage the day-to-day operations of the district.

### The School Director and the Fire

A few years ago, a very mindful and insightful school director, Sherry Loofbourrow, who served over 13 years on the Newport Mesa USD school board in Orange County, CA, was at home looking out her window when she saw flames and smoke on the hills not far from her house. The fire was headed toward the area where her house was located. As she watched the fire, she also looked up and noticed news coverage of the same fire on her TV. Reporters were reporting on the strategy adopted by key fire officials as they observed the fire from a helicopter high overhead.

She was struck by the difference in the perception from standing at her window and looking at the approaching fire and the report on the television from the high-level fire officials. They were talking about the strategy necessary to defeat the whole fire: issues like what to defend and what to let burn, where to allocate scarce resources that would accomplish the most good. Sherry, looking out the window, was thinking about a simple thing: How do I save my house? What do I need to do to make sure everyone in my family is safe?

What became startlingly clear to her was the difference in the two perspectives. One was operating at a macro, systems level, directing resources; the other, on the fire line, making immediate micro, tactical-level decisions to fight the fire. It was an “aha!” moment for Sherry when she realized school directors needed to be in the helicopter making system decisions, not on the fire line fighting fires. The problem is that when putting out fires or otherwise operating in the trenches, the perspective is what is right in front of your eyes. The need is to put out that fire as quickly as possible. That is not the job of governance: that is the job of the experts hired specifically to handle the problem.

Adapted from *The Governance Core: School Boards, Superintendents, and Schools Working Together*. Campbell, Davis; Fullan, Michael. 2019. Corwin Press.





## Pennsylvania School Boards Association Principles for Governance and Leadership

Pennsylvania school boards are committed to providing **every** student the opportunity to grow and achieve. The actions taken by the board ultimately have both short- and long-term impact in the classroom. Therefore, school directors collectively and individually will...



### Advocate Earnestly

Promote public education as a keystone of democracy

Engage the community by seeking input, building support networks, and generating action

Champion public education by engaging members of local, state and federal legislative bodies



### Lead Responsibly

Prepare for, attend and actively participate in board meetings

Work together in a spirit of harmony, respect and cooperation

Participate in professional development, training and board retreats

Collaborate with the superintendent as the Team of 10



### Govern Effectively

Adhere to an established set of rules and procedures for board operations

Develop, adopt, revise and review policy

Align decisions to policy

Differentiate between governance and management, delegating management tasks to administration

Allocate finances and resources

Ensure compliance with local, state and federal laws



### Plan Thoughtfully

Adopt and implement a collaborative comprehensive planning process, including regular reviews

Set annual goals that are aligned with the comprehensive plan

Develop a financial plan that anticipates both short- and long-term needs

Formulate a master facilities plan conducive to teaching and learning



### Evaluate Continuously

Utilize appropriate data to make informed decisions

Use effective practices for the evaluation of the superintendent

Assess student growth and achievement

Review effectiveness of the comprehensive plan



### Communicate Clearly

Promote open, honest and respectful dialogue among the board, staff and community

Encourage input and support for the district from the school community

Protect confidentiality

Honor the sanctity of executive session



### Act Ethically

Never use the position for improper benefit to self or others

Act to avoid actual or perceived conflicts of interest

Recognize the absence of authority outside of the collective board

Respect the role, authority and input of the superintendent

Balance the responsibility to provide educational programs with being stewards of community resources

Abide by the majority decision



**REFLECT:**

Which principles interest you the most? Select two and explain your “why” in the space provided.



## COLLECTIVE AUTHORITY / INDIVIDUAL RESPONSIBILITIES

**2 Key takeaway 2:** The authority of the school board is a collective authority. Although the law does not give individual powers to school directors beyond their voice and vote at public meetings, they do have important individual responsibilities to contribute to a high-functioning school board.

### PA Public School Code

The Public School Code of 1949 is the primary statutory law that addresses nearly every aspect of public school operations, including the organization and general powers of school boards. The law does not convey any power or authority upon individual school board directors to act on their own merely by virtue of their election to a school board.

### Quorum and Majority Vote

A quorum is needed for any board business to be conducted. The school code specifies that a quorum for a school board is a majority of the entire membership of the board. In a typical nine-member school board, a quorum is five people.

For every vote not specifically requiring a certain number of members to vote in the affirmative, motions will carry if they are supported by a majority of the quorum. If seven directors are present at a meeting, such matters would require only four votes to pass.

### Individual Director Responsibilities

For a high-functioning school board, school directors are encouraged to approach school board service in the ways listed below. Many of these individual responsibilities are embedded in the Principles for Governance and Leadership.



#### Be a team player

Approach school board service with a team mentality.



#### Be prepared

Give yourself plenty of time to properly prepare before a board meeting.



#### Follow the procedures

Learn and follow the procedures that govern board operations.



#### Be fair and objective

Focus on what is best for ALL students in the district.



#### Connect decisions

Use the district's foundational statements and goals to guide your work.



#### No surprises

Kindergartners like surprises; your board colleagues including the superintendent DO NOT.



#### Support the board

You may not always vote in the majority, but you should always support the majority decision.



#### Be professional

This may not be your place of employment, but it is for many.



## GOVERNANCE VS. MANAGEMENT

**3 Key takeaway 3:** The phrase “Team of 10” is often used to refer to the board of elected school directors and the superintendent as a leadership team. The board primarily governs through directives made at board meetings and by setting the policies of the district. The superintendent then implements the board’s directives and policies in his or her management of the day-to-day operation of the school district.

### School Board vs. Superintendent Duties

School Board Governs by:	Superintendent Manages by:
<ul style="list-style-type: none"> <li>» Approving the district vision, mission and goals</li> <li>» Adopting and monitoring the district budget</li> <li>» Adopting polices for the operation of the district</li> <li>» Monitoring student achievement, success and growth; reviewing data to make informed decisions</li> <li>» Annually evaluating the district superintendent</li> <li>» Engaging with the school community and keeping the superintendent informed</li> </ul>	<ul style="list-style-type: none"> <li>» Developing and implementing plans to achieve the district vision, mission and goals</li> <li>» Developing recommendations and executing the district budget</li> <li>» Developing recommendations and implementing board policies</li> <li>» Collecting data and providing progress updates on district goals, academic initiatives, etc.</li> <li>» Directing the evaluation of district administration and staff</li> <li>» Engaging with the school community and keeping the board informed</li> </ul>

### Micromanagement

Micromanagement is when school directors cross into the management work of the superintendent rather than the governance work of the board. It often stems from the mistaken belief that school boards are responsible for running the school district. Most school directors recognize the wisdom in delegating the day-to-day management of the school district to the superintendent and focus on holding the superintendent accountable.

### Chain of Command

When complaints about the district are brought to directors with the expectation that they will address the issue, directors must remember that the board is the final step in the complaint process, not the first option for dealing with district concerns. Most districts have a board policy that delineates a chain of command for addressing complaints or concerns.

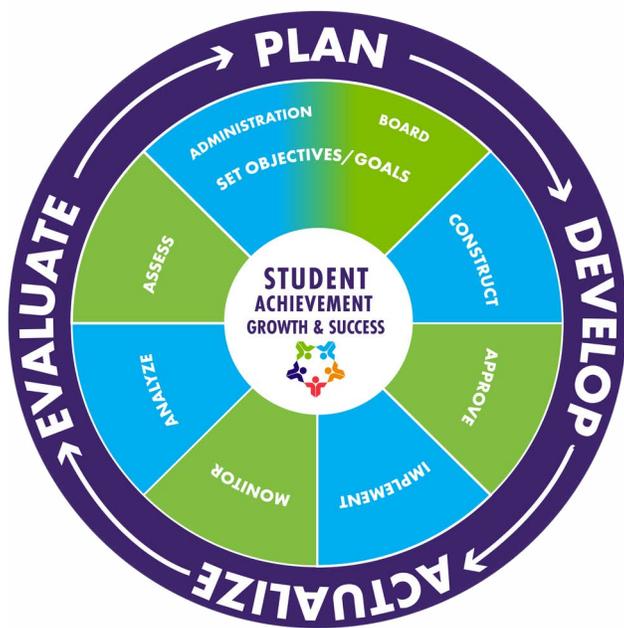
### Chain of Command Example

Imagine the board has an approved policy that grants the superintendent the authority to assign students to teachers and educational facilities. You learn that your best friend is upset that her son has been assigned to second grade with Mr. Frankfort, and she believes that Mrs. Houston would be a better choice. She asks if you can do anything to help.

An appropriate response could be, “The board does not approve classroom placements, but if you are concerned, I encourage you to contact the principal or the guidance counselor to discuss the matter.” The board set the policy, and it is now up to the superintendent to work with his or her principals to establish processes to handle teacher assignments. The board has no further role. However, it is appropriate for the board to ask the superintendent to explain how student placement decisions are made.



School Board Governance Loop



SCHOOL BOARD GOVERNANCE LOOP STEPS	
<b>Plan</b>	Plan is both a verb and a noun, however the first stage of the governing loop uses plan as a verb where governance and management decide the direction for the district. Sometimes the administration will set an objective or goal, bringing it to the board for approval or providing it for greater context. Sometimes the board will set an objective or goal as a Team of 10, directing the superintendent to communicate the objective or goal to district administration for implementation. At times, the board and administration may decide objectives and goals together. The board should work closely with the superintendent and administration to set objectives and goals for the effective operation of the school district.
<b>Develop</b>	The administration is usually responsible to research, gather information and to develop a recommendation for board consideration. In other words, the administration constructs a plan of action. The board reviews the recommendations (presented by the administration or in a board committee report) and then deliberates. The board considers the recommendations by weighing the information presented, asking questions and requesting more information or additional options, if needed. Once the board feels it has the information necessary to make a decision, it votes to approve or not approve.
<b>Actualize</b>	<p>Once a decision is made by the board, implementation becomes the responsibility of the administration. This can be a difficult stage for many directors that are used to taking a hands-on approach. For some it can feel like sitting on the sidelines while others do the work. While it may be difficult, this is how governance should work. The school board makes the final decision and the administration implements that decision. School directors are not expected and should not attempt to assist with implementing a decision or otherwise performing the role delegated to the district administration.</p> <p>There should be a process in place for the board to receive timely updates from the administration about the progress made in implementing board decisions. This may include but is not limited to updates on the comprehensive and/or strategic plan, budget, student achievement initiatives, and building renovations. Updates typically come in the form of reports or presentations by the administration.</p>
<b>Evaluate</b>	Administration reviews the impact of implementation and recommends adjustments if needed and determines whether a program is ultimately effective. Boards assess past decisions based on the analysis presented by the administration. Boards must continuously be engaged in evaluating the academic and operational performance of the district, including delivery of the educational program, student achievement, fiscal management, district facilities and staff and stakeholder feedback. One of the most important responsibilities of a school board is to annually evaluate the superintendent and assistant superintendent. School boards are also encouraged to conduct a board self-assessment (BSA) at least every two years, if not annually.



**REFLECT AND APPLY YOUR LEARNING:**

You are at the grocery store shopping for deals in the ice cream aisle when a member of the community approaches you and says, “Hey, aren’t you on the school board? I saw a picture of you in the paper the other day.” You are surprised since this is the first time someone has approached you in public. You say, “Yes. I just recently joined the board and I’m really excited for the opportunity to serve the students of our district.” They respond, “That’s awesome. Congratulations! Hey, I’m sorry if this sounds like an ignorant question, but what do school boards do exactly?”

**Based on what we have discussed during this presentation, how would you respond to this community member? What guidance could you offer to help them understand the relationship between the board and administration in operating your school district? Place your response in the space provided.**



### FURTHER LEARNING ON SCHOOL BOARD GOVERNANCE:

#### PSBA Online Courses

To access, sign into [myPSBA.org](https://myPSBA.org), click on “Store” and search for these titles to add to your cart.

- » Welcome to PSBA
- » School Board Influence on Student Achievement, 100-level certification series
- » Directors and Officers, 100-level certification series
- » Superintendent, 100-level certification series
- » Evaluating Your Superintendent, 100-level certification series

#### PSBA Publications

To access, sign into [myPSBA.org](https://myPSBA.org), click on “Resources” and click to download the resource.

- » PSBA Membership Benefits: Knowing Your Association
- » Equity Toolkit
- » *Essentials of School Board Service: A Guide to Surviving Your First Year*
- » *Essentials of Parliamentary Procedure: A Survival Guide for Pennsylvania School Boards*
- » A Social Media Guide for Pennsylvania School Board Directors

#### PSBA Customized Workshops

PSBA offers a variety of engaging presentations, workshops and retreats for the professional development of you school board. Please visit [psba.org](https://psba.org) or email [edandtraining@psba.org](mailto:edandtraining@psba.org) to learn more.

# INTRODUCTION TO SCHOOL BOARD **POLICY**



## SCHOOL BOARD GOVERNANCE LOOP: POLICY REVISIONS

### Step #1: Plan

The policy committee identifies several updates that are needed to policies on student attendance and compulsory school age, in accordance with PSBA's Policy News Network and based on recent laws passed by the Pennsylvania legislature. Knowing the importance of being in compliance with state law for the effective operation of the district, and its ultimate impact on student achievement, growth and success, the committee sets a goal to update these policies.

### Step #2: Develop

The policy committee discusses the proposed changes, selects the options for recommended language based on the district's operations, and after review by the school solicitor, makes a few additional modifications that reflect the district's culture. The revised policies are then presented at the next meeting as the committee's recommendation to the full board.

The board discusses the revised policies and agrees to hold one out for individual consideration while approving the others. After discussion on the remaining policy for student withdrawal, the board president proposes that the policy be sent back to committee with a request to consider further changes based on the board's feedback. After seeking additional guidance from PSBA and the school solicitor, the policy committee adds additional language and presents the updated policy recommendation at the next meeting. The board approves it unanimously following a first and second reading. This action is commonly referred to as the policy adoption process.

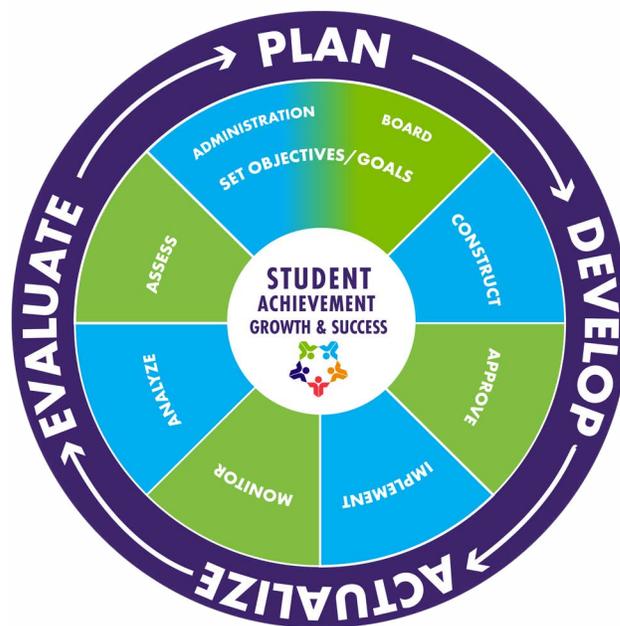
### Step #3: Actualize

The revised policies are posted on the district's website and the administration develops administrative regulations, or guidelines, for the consistent implementation of the revised policies across the district. This includes developing and implementing forms for reporting student absences, parent/guardian letters, a School Attendance Improvement Plan template and School Attendance Improvement Conference letters, updating forms for student enrollment and withdrawal with the new compulsory school age, and updating the website, handbooks and other district documentation. The board receives copies of the notification sent to the staff regarding the policy revisions and the administrative regulations developed for their implementation, as well as links to the updated forms and documentation.

### Step #4: Evaluate

The administration collects data, either formally or informally with anecdotal information, during implementation of the policy. Student attendance and enrollment data is collected as part of standardized reporting requirements. Staff and administration communicate feedback regarding School Attendance Improvement Conferences and Plans, and attendance and withdrawal trends of students to central administration during the year. The administration provides overall student performance data and highlights successes and concerns for the board when sharing that information at board meetings. One area identified as a concern at the high school level is excused absences for college or postsecondary school visitations. The board's policy on student attendance identifies college visitations as an excused absence but does not specify whether the number of visitations is limited. One of the district's high schools has established a limit of four excused absences for college visits per student each year, while the other high school allows unlimited excused absences for college visits based on the board policy language.

The board directs the policy committee to evaluate the language in the student attendance policy and the attendance data presented by the administration and to provide the board with recommendations. The policy committee reviews attendance data related to excused absences for college visitations and works with the administration to research how other local school districts address this issue in policy. The committee also requests the annual graduation rates and





## KEY TERMS

TERMS	DEFINITION
<b>Administrative Regulations (AR)</b>	<p>Administrative regulations are documents outlining the mechanics and details for administrators and staff to implement board policy.</p> <p>Administrative regulations are the documents created to carry out board policy consistently and effectively, across different schools and programs. They are precise statements with details and address specific subjects within the broader board policy.</p> <p>Administrative regulations provide specific directives for staff actions and are typically approved by the superintendent. Administrative regulations should be made available to the board, so it can evaluate their alignment to board policy, but these documents generally do not require approval of the board.</p>
<b>Board Policy</b>	<p>A document adopted by the school board. The board policy manual is considered the board’s official governance documents.</p> <p>Board policies provide a clear framework and direct a course of action for the superintendent and district staff. A board policy can be a few short paragraphs or a long document. It sets, in general terms, the purpose and programs of a school system from academic standards and facilities use to budget approval and student attendance.</p> <p>Board policy is considered the local law of the district. The PA General Assembly, through the PA Public School Code, grants school boards authority to adopt reasonable rules and regulations for the governance of the board and district operations. Boards adopt those reasonable rules and regulations as board policy documents, which serve as the board’s local legislation for governing the school district. For example, policies document the board’s authority to regulate student conduct at school, while traveling to and from school and at school-sponsored events and activities (Code of Student Conduct), and to regulate staff conduct and assigned duties during work hours.</p> <p>Board policies are NOT the same as administrative regulations, but administrative regulations must align with policies.</p>
<b>Board Policy Manual</b>	<p>The complete collection of adopted board policies organized by sections relating to different aspects of the school system and operations. The board policy manual is typically posted on the district’s website for access by the school community.</p>
<b>Comprehensive Planning</b>	<p>A process school districts use to compile data and information, and develop district goals. The comprehensive planning process includes development of specific state-required plans, including the following:</p> <ul style="list-style-type: none"> <li>• Professional education</li> <li>• Induction for new teachers and professional staff</li> <li>• Student services</li> <li>• Special education</li> <li>• Gifted education</li> <li>• Prekindergarten education (where applicable)</li> </ul>



<p><b>PNN</b></p>	<p>Policy News Network is a newsletter issued several times a year to PSBA policy subscribers. This newsletter:</p> <ul style="list-style-type: none"> <li>• Communicates newly developed or revised PSBA policy guides</li> <li>• Explains why revisions are recommended</li> <li>• Provides additional information and resources related to policy</li> </ul> <p>The PNN is accessed through a district’s web-based policy manual system by designated individuals with login credentials — often the board secretary, superintendent and policy standing committee chair.</p>
<p><b>PNN+</b></p>	<p>Policy News Network+ (PNN+) is available to school districts who subscribe to both the policy and administrative regulations services; it includes both recommended policy updates and administrative regulations updates.</p>
<p><b>Specific state and federal laws and regulations mandate the district’s responsibilities for providing education and services to students with disabilities. The Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act (Section 504) are the main federal laws that impact education for students with disabilities. The board’s role in addressing IEPs and Section 504 Plans is primarily through the approval and revision of board policy related to these documents and the processes for professional staff to create, maintain and implement them.</b></p>	
<p><b>Individualized Education Program (IEP)</b></p>	<p>An IEP is a written document required under the IDEA that outlines the educational services, present levels of academic achievement and functional performance, and measurable annual goals for a child with a disability that must be developed, reviewed and revised in accordance with the law.</p>
<p><b>Section 504 Plan or Service Agreement</b></p>	<p>A Section 504 Plan or Service Agreement is a written plan provided to a student with a disability that does NOT need specially designed instruction under the IDEA, but DOES require specific related aids, services or accommodations to have equal access to school programs, nonacademic services (such as transportation) and extracurricular activities.</p>

## IMPORTANCE AND IMPACT OF BOARD POLICY

**1** **Key takeaway 1:** One of the most important responsibilities of a school board is approving board policy, because it guides administrative decisions and influences all aspects of a school system from special education and student enrollment to the structure of a board meeting and the physical maintenance of the school buildings.

# POLICY

### POLICY = WHAT

- What is required?
- What is necessary/legal liability?
- What is the board directive?

### WHAT’S IN A POLICY

- Purpose
- Authority
- Definition
- Delegation of Responsibility
- Guidelines

**SAMPLE  
POLICY**

Book	Policy Manual
Section	200 Pupils
Title	Weapons
Code	218.1
Status	Active
Adopted	April 15, 2013
Last Revised	August 12, 2021

**Purpose**

The Board recognizes the importance of a safe school environment relative to the educational process. Possession of weapons in the school setting is a threat to the safety of students and staff and is prohibited by law.

**Definitions**

**Weapon** - the term shall include but is not limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, replica of a weapon, and any other tool, instrument or implement capable of inflicting serious bodily injury.[\[1\]](#)[\[2\]](#)

**Possession** - a student is in possession of a weapon when the weapon is found on the person of the student; in the student's locker or assigned storage area; or under the student's control while on school property, on property being used by the school, at any school function or activity, at any school event held away from the school, or while the student is coming to or from school.

**Authority**

The Board prohibits students from possessing and bringing weapons and replicas of weapons into any district buildings, onto school property, to any school-sponsored activity, and onto any public vehicle providing transportation to or from school or a school-sponsored activity, or while the student is coming to or from school.[\[2\]](#)[\[3\]](#)

The Board shall expel for a period of not less than one (1) year any student who violates this weapons policy. Such expulsion shall be given in conformance with formal due process proceedings required by law and Board policy.[\[2\]](#)[\[4\]](#)[\[5\]](#)

The Superintendent may recommend modifications of such expulsion requirement on a case-by-case basis.[\[2\]](#)

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.[\[2\]](#)[\[4\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

**Delegation of Responsibility**

The Superintendent or designee shall react promptly to information and knowledge concerning possession of a weapon. Such action shall be in compliance with state law and regulations and with the procedures set forth in the memorandum of understanding with local law enforcement officials and the district's emergency preparedness plan.[11][12][13]

When the behavior of a student in possession of a weapon indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.[14][15]

### **Guidelines**

The Superintendent or designee shall immediately report incidents involving weapons on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.[2][11][12][16][17][18]

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving weapons as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian. [11][17][19]

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents involving possession of a weapon to the Office for Safe Schools on the required form.[11][16]

The building principal shall annually inform staff, students and parents/guardians about the Board policy prohibiting weapons and about their personal responsibility for the health, safety and welfare of the school community.

An exception to this policy may be made by the Superintendent, who shall prescribe special conditions or administrative regulations to be followed.[2]

In accordance with federal law, possession or discharge of a firearm in, on, or within 1,000 feet of school grounds is prohibited. Violations shall be reported to the appropriate law enforcement agency. [20][21]

### **Transfer Students**

When the district receives a student who transfers from a public or private school during an expulsion period for an offense involving a weapon, the district may assign that student to an alternative assignment or may provide alternative education, provided the assignment does not exceed the expulsion period.[2][22]

### Legal

1. 24 P.S. 1301-A
2. 24 P.S. 1317.2
3. Pol. 218
4. Pol. 113.1
5. Pol. 233
6. 20 U.S.C. 1400 et seq
7. 22 PA Code 10.23
8. Pol. 103.1
9. Pol. 113.2
10. Pol. 113.3
11. Pol. 805.1
12. 24 P.S. 1302.1-A
13. Pol. 805
14. 24 P.S. 1302-E
15. Pol. 236.1
16. 24 P.S. 1303-A
17. 22 PA Code 10.2
18. 22 PA Code 10.21
19. 22 PA Code 10.25
20. 18 U.S.C. 921
21. 18 U.S.C. 922
22. Pol. 200
- 18 Pa. C.S.A. 912
- 20 U.S.C. 7114
- 20 U.S.C. 7961
- 22 PA Code 403.1
- 34 CFR Part 300



**2 Key takeaway 2:** Board policy is different from administrative regulations, which the superintendent and district administration are responsible for approving and enforcing. The administrative regulations should align with board policy, but the board does not have to adopt these documents.

### Board Policy vs. Administrative Regulations

Please choose “Board Policy” or “Administrative Regulations” (AR) to indicate which type of document most appropriately fits each description.

Addresses a general topic with broad statements allowing discretion for implementation	<b>Board Policy</b>	<b>Administrative Regulations</b>
Is equivalent to local law	<b>Board Policy</b>	<b>Administrative Regulations</b>
Communicated mainly to staff	<b>Board Policy</b>	<b>Administrative Regulations</b>
Communicated as a public document	<b>Board Policy</b>	<b>Administrative Regulations</b>
Addresses a specific topic with precise statements and details	<b>Board Policy</b>	<b>Administrative Regulations</b>
Could change frequently	<b>Board Policy</b>	<b>Administrative Regulations</b>
Directs district staff actions	<b>Board Policy</b>	<b>Administrative Regulations</b>
States the WHAT	<b>Board Policy</b>	<b>Administrative Regulations</b>
Outlines the HOW	<b>Board Policy</b>	<b>Administrative Regulations</b>

### POLICY AND AR DIFFERENCES

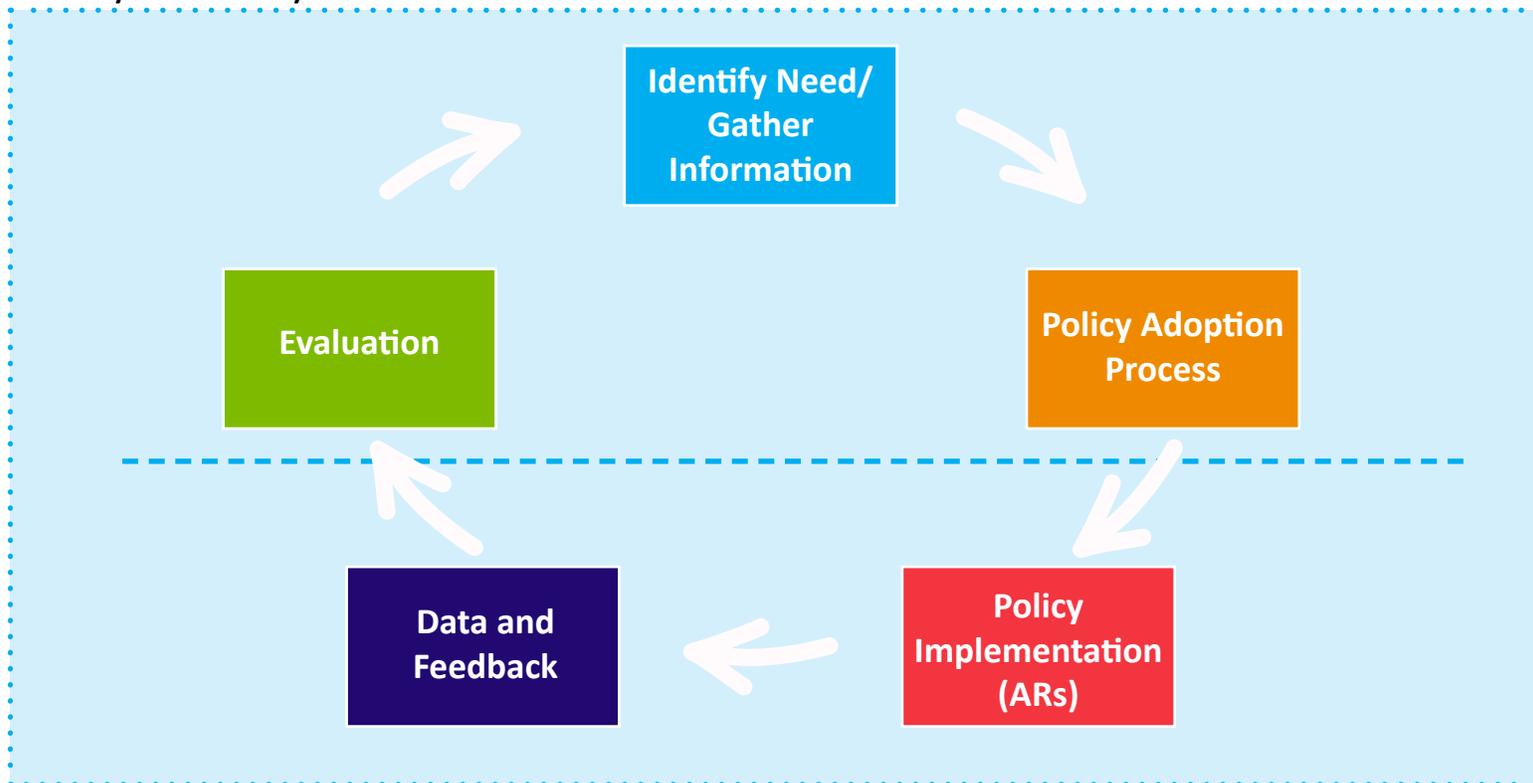
<b>Policy</b>	<b>Administrative Regulations</b>
General topic	Specific topic
Broad statement allowing discretion	Precise statement with detail
Applicable over time	Could change frequently
Communicated as a public document	Communicated mainly to staff
Equivalent to law	Directive for staff actions
<b>WHAT</b>	<b>HOW</b>



## PROCESS FOR ADOPTING BOARD POLICY

**3** **Key takeaway 3:** Every school board is required to follow their own policy outlining the process for reviewing and adopting board policy.

### Policy and AR Life Cycle

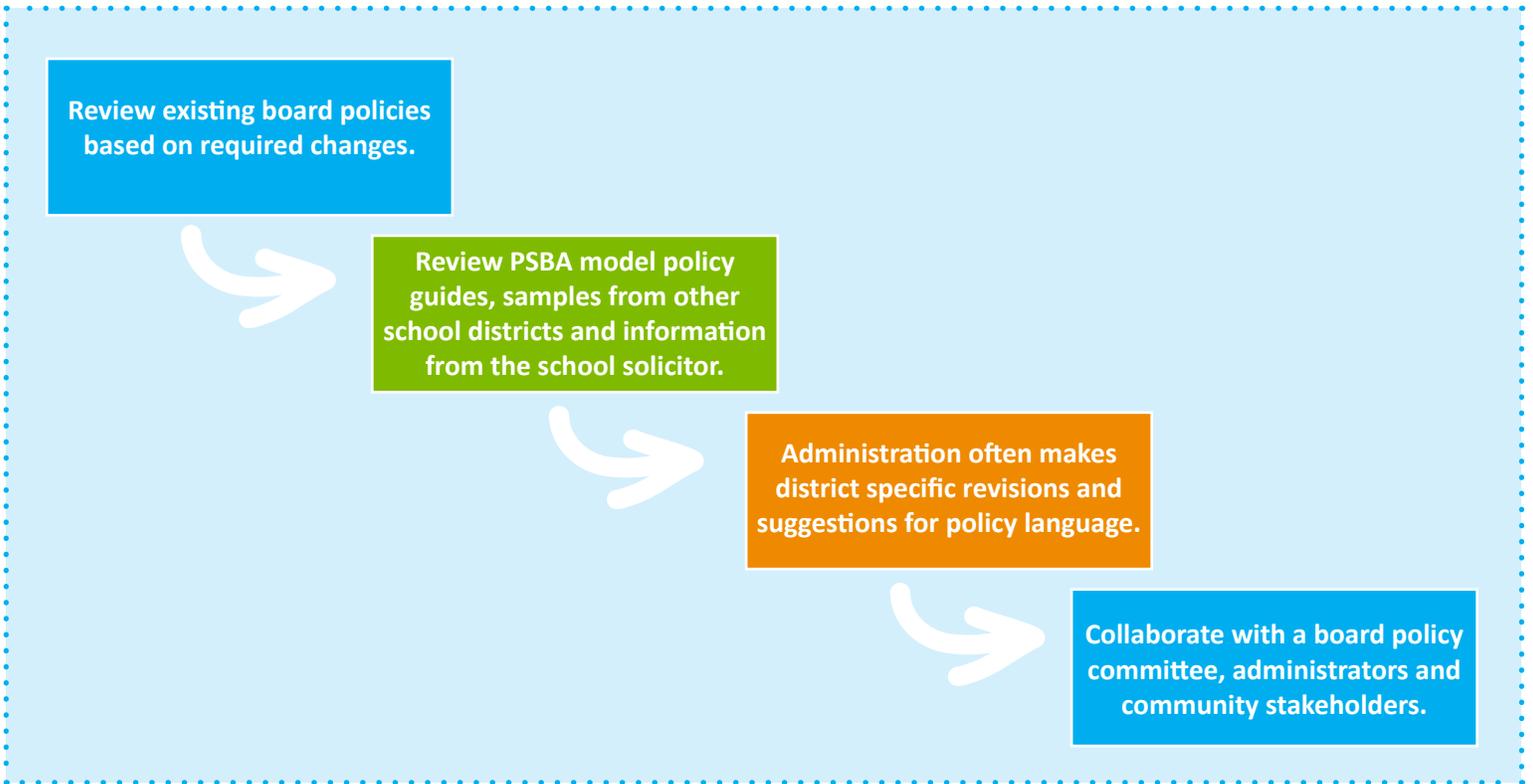


### Policy and AR Life Cycle Explained

PHASE	DETAILS
<b>Identify Need/ Gather Information</b>	The board or administration identifies a need for a policy — either a new policy or a revision to a current policy. The process should begin by gathering information.
<b>Policy Adoption Process</b>	The policy is drafted or language is revised and goes through the review and adoption process.
<b>Policy Implementation (ARs)</b>	The policy is implemented by the administration, which may include developing administrative regulations to implement the policy.
<b>Data and Feedback</b>	Data and feedback are collected to determine if the policy is meeting the identified need.
<b>Evaluation</b>	The policy should be evaluated by the board based on the data and feedback provided by administration to determine if the policy language should be changed. The policy is evaluated, then the process may start all over again.



How do boards develop and revise policy?



Approving Policy: Board Action

APPROVAL PROCESS	BOARD ACTION STEPS
Draft	Board receives drafts ahead of meeting.
First Reading	Present to full board for first reading at an open meeting — if language changes are made following first reading, the policy should go through first reading again.
Public Review	Provide time and method for public review and comment.
Approval	Present to full board for second reading and approval at an open meeting.

*\*\*Note: This is PSBA's recommended process. Follow the policy approval process in your adopted 003 policy.*

## LOCAL STRUCTURE AND APPROACH

**4** **Key takeaway 4:** Most board policies are adopted and revised to ensure alignment with state and federal laws and regulations, and court and arbitration decisions. PSBA provides researched policy guides to all districts within our Policy Services program to support an effective and up-to-date policy manual required for compliance.

### PSBA Services

The PNN newsletter includes new or revised PSBA policy guides recommended due to new or revised legislation, regulations and court and arbitration decisions. The PNN also includes links to additional resources and informative articles pertaining to current educational issues.

PNN+ assists school entities in maintaining or building a current administrative regulations manual in addition to maintenance of a compliant board policy manual through provision of new or revised policy and administrative regulations guides.

### PSBA also provides boards with policy support through:

- » Training and resources on working with the web-based policy system and policy guides
- » Ongoing policy maintenance support for assisting district staff with updating and finalizing adopted policies — policy maintenance support is provided by designated staff assigned to your district for personalized service
- » Options for a complete redrafting of a district’s policy manual when it has become outdated
- » Administrative regulations services

### Policy Committee

Some school boards establish standing committees to break up the research and work required in specific areas — one of those areas is board policy. A standing committee assigned to oversee the board policy area typically handles the task of researching, reviewing and drafting policy language to present to the full board for the first and second reading process we’ve discussed. Some of the advantages of having a board policy committee include:

- » Prioritizes specific time for policy development and review, to keep policies updated
- » Provides a sounding board for administration on policy issues
- » Facilitates movement through the policy process

### Working with the School Solicitor

PSBA recommends that policy language always be reviewed with the school solicitor, but especially when:

- » There is current or past district litigation in that area.
- » The subject is unsettled in the law or courts.
- » The subject is controversial in the community.
- » The board is considering language that goes beyond the scope of the law.

**5** **Key takeaway 5:** Regularly reviewing and revising board policy for legal compliance and consistency across other district governance documents is a critical part of the board’s work and facilitates orderly district operations and programs.

### Policy Review Cycle FAQs

#### Q: When should boards review policies?

A: PSBA recommends that boards review their policies anytime they are impacted by changes in law or regulations, or at least once every three years.

#### Q: Who establishes the policy review cycle?

A: It is often the role of the administration or board policy committee.

**Q: Why should boards establish flexible cycles?**

**A:** The cycle should be flexible enough to jump to policies that have legally required revisions when necessary, and to take the district calendar into consideration, such as reviewing student-related policies in spring before student handbooks are finalized over the summer.

*Please note that reviewing board policies in light of other important district documents, such as student handbooks, collective bargaining agreements, the comprehensive plan or funding requirements, is also an important piece of policy review.*

**6 Key takeaway 6:** The state requirements and guidance resulting from the COVID-19 pandemic resulted in 18 board policy updates, one board operations guideline (BOG) revision and seven updates to administrative regulations addressing health and safety plans and digital learning and work environments.

**COVID Policy Revisions**

Board policy language is intentionally drafted to stand the test of time and provide a broad framework — to provide direction for district operations and programs without the need to constantly revisit and revise based on day-to-day issues that arise. However, the impact of the COVID-19 pandemic was one of those issues that prompted revisions to board policy language.

**The policy revisions recommended by PSBA in response to the COVID-19 crisis were really focused in two main areas:**

- » Reflecting new state and federal requirements and newly developed local school health and safety plans to address the health and safety needs of students, staff and the school community
- » Accommodating the sudden and comprehensive shift to wide-scale digital learning and working environments

**Policies related to health and safety included those that address:**

- » Student and staff communicable diseases
- » Health monitoring
- » Attendance
- » Facility and workplace safety
- » Attendance by the public at school events or in schools

**Board policies that were revised or newly drafted to reflect the wide-scale shift to digital learning and work environments included those on:**

- » Online lesson planning
- » Telework provisions
- » Instructional time
- » Maintaining appropriate relationships with students in digital environment
- » Practical considerations for things like digital signatures, records and meetings

*Please note that the policy revisions referenced the requirements of state and local health authorities and provided integration with locally adopted health and safety plans; as the health and safety plans are consistently reviewed and updated based on the immediate needs and situations of the school community, referencing the plans prevents constant revisions to the policy.*





### FURTHER LEARNING ON SCHOOL BOARD POLICY

#### New School Director Exchange

In future learning opportunities, we will support your ongoing learning on board policy by addressing some of the following:

- » The seven C's of describing the essential elements of a board policy manual
- » The specific elements that should be reviewed and considered in revising both board policy and administrative regulations
- » The list of additional district documents that interact with board policy
- » The details of working with optional board policy documents

#### Online Resources

To access, sign into [myPSBA.org](https://myPSBA.org), click on "Store" and search for these titles to add to your cart.

- » Policy and Administrative Regulations, 100-level certification series
- » Parliamentary Procedure, School Board Secretary Badge
- » Introduction to Governance Plans and Documents, 100-level certification series



# INTRODUCTION TO TRAUMA-INFORMED **EDUCATION**



## Introduction to Trauma-Informed EDUCATION

We recognize that there may be people in this session who have experienced or are experiencing trauma and that these visuals, terms and examples may have an emotional impact. Please take care of yourself. If you need to stand up, leave the room and/or take a break to process your own responses, please do so with our support. This content is available through our online courses for any learning you want to return to.

### KEY TERMS

TERMS	DEFINITION
<b>Trauma</b>	<p>PA legislative definition: Includes results from an event, series of events or set of circumstances that is experienced by an individual as physically or emotionally harmful or threatening and that has lasting adverse effects on the individual’s cognitive functioning and physical, social, emotional, mental or spiritual well-being. 24 P.S. § 1-102 (PA Public School Code)</p> <p>Alternative definition: Trauma arises from an inescapable stressful event that overwhelms an individual’s coping mechanisms.</p> <p>Citation: van der Kolk, Bessel. <i>The Body Keeps the Score</i>. New York, Penguin Books, 2014. Print.</p>
<b>Acute Trama</b>	Derives from a single event. For example, physical or sexual assault, loss of family member, natural disaster.
<b>Complex Trauma</b>	Multiple, recurring, or long-lasting exposure. Prolonged physical or sexual abuse, neglect, community violence, untreated mental illness in the home. Trauma that happens repetitively and may result in direct harm to the individual and/or interfere with the child’s ability to form a secure attachment. Complex trauma usually occurs early in life and can disrupt many aspects of the child’s development and sense of self.
<b>Trauma-Informed Approach</b>	Includes a school-wide approach to education and a classroom-based approach to student learning that recognizes the signs and symptoms of trauma and responds by fully integrating knowledge about trauma into policies, professional learning, procedures and practices for the purposes of recognizing the presence and onset of trauma, resisting the reoccurrence of trauma and promoting resiliency tailored to a school entity’s culture, climate and demographics and the community. 24 P.S. § 1-102 (PA Public School Code)
<b>Adverse Childhood Experiences (ACEs)</b>	A term associated with a 1995 Centers for Disease Control and Prevention (CDC) and Kaiser Foundation study which identified three common forms of adversity that affect children: physical and emotional abuse, neglect and household challenges. The study found strong positive correlations between the number of ACEs a person experienced and the likelihood of negative outcomes later in life.
<b>Secondary Traumatic Stress</b>	<p>The emotional distress that results when an individual hears about the traumatic experiences of another individual. Distress may result from hearing someone’s trauma stories, seeing high levels of distress in the aftermath of a traumatic event, needing to retell a student’s story, and/or seeing photos or images related to the trauma. Other terms commonly used to refer to secondary traumatic stress include burnout and/or compassion fatigue.</p> <p>Citation: “Building Trauma-Sensitive Schools, National Center on Safe Supportive Learning Environments” U.S. Department of Education</p>
<b>Toxic Stress</b>	<p>Excessive or prolonged activation of stress response systems in the body and brain. Toxic stress can negatively impact healthy development. “Toxic stress responses include a prolonged or permanent abnormal physiologic response to a stressor with risk of end organ dysfunction.”</p> <p>Citation: “Toxic Stress: Effects, Prevention, and Treatment, Children” U.S. National Institute of Health</p>



<p><b>Equity</b></p>	<p>Educational equity is the just and fair distribution of resources based upon each individual student’s needs. Equitable resources include funding, programs, policies, initiatives and supports that target each student’s unique background and school context to guarantee that all students have equal access to a high-quality education.</p> <p>Citation: PSBA Equity Statement 2018</p>
<p><b>Social-Emotional Learning</b></p>	<p>The process through which children and adults understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships, and make responsible decisions. Social-emotional learning is positively correlated with improved academic achievement and other developmental outcomes.</p> <p>Citation: “What is SEL?” Collaborative for Academic, Social, and Emotional Learning (CASEL)</p>
<p><b>Culturally Responsive</b></p>	<p>The valuation, consideration and integration of individuals’ culture, language, heritage and experiences leading to supported learning and development.</p> <p>Pennsylvania Training and Technical Assistance Network (PaTTAN)</p>
<p><b>Universal Screening</b></p>	<p>Screening conducted to identify the prevalence of adverse childhood experiences (ACEs) among students to assist in informing a school entity’s trauma-informed approach plan.</p> <p>Universal screening assessments are typically brief, conducted with all students at a grade level or school, and may be followed-up by additional individual assessments or supports provided by trained behavioral health personnel.</p>
<p><b>Pennsylvania School Climate Survey</b></p>	<p>The PDE Office for Safe Schools developed free, online school climate surveys for use by school entities in Pennsylvania. These surveys provide schools with formative and summative climate data for use with needs assessments, program development, and short- and long-term planning. The domains measured by the surveys include: social-emotional learning, student support, high expectations and academic rigor/challenge, and safe and respectful school climate.</p>
<p><b>Pennsylvania Youth Survey (PAYS)</b></p>	<p>A biennial survey of Pennsylvania school students in the 6th, 8th, 10th and 12th grades to learn about their behavior, attitudes and knowledge concerning alcohol, tobacco, other drugs and violence. Since 1989, PCCD has sponsored and conducted the PAYS to assess use/misuse of harmful substances and behaviors as well as risk factors related to these behaviors and the protective factors that help guard against them.</p>
<p><b>Youth Risk Behavior Surveillance System (YRBSS)</b></p>	<p>Developed in 1990 by the CDC to monitor health behaviors that contribute markedly to the leading causes of death, disability and social problems among youth and adults in the United States, the YRBSS includes national, state, territorial, tribal government and local school-based surveys of representative samples of 9th through 12th grade students. Surveys are administered every two years, conducted by relevant departments of health and education.</p>
<p><b>Multi-Tiered Systems of Support (MTSS)</b></p>	<p>A standards-aligned, comprehensive school improvement framework for enhancing academic, behavioral and social-emotional outcomes for all students. A continuum of supports and services exist across three tiers.</p> <ul style="list-style-type: none"> <li>• Tier 1 (Universal): Provide preventive, proactive and universal interventions to support academic instruction for all students.</li> <li>• Tier 2 (Secondary): Provide targeted interventions to support students classified as academically “at risk,” who require more intervention than is typically provided within Tier 1 (Universal) supports.</li> <li>• Tier 3 (Tertiary): Requires the most intensive level of intervention for students with the most significant, high intensity academic support needs (assessment based).</li> </ul>

<p><b>Positive Behavior Interventions and Support (PBIS)</b></p>	<p>A proactive, multi-tiered approach to student discipline that promotes appropriate student behavior and increased learning. PBIS is based on a three-tiered model.</p> <ul style="list-style-type: none"> <li>• Tier 1 (Universal): Provides a system of supports to all students in a school based on preventative practices which emphasize teaching and reinforcing expected student behaviors.</li> <li>• Tier 2 (Secondary): Provides targeted interventions to support students classified as “at risk,” who require more intervention than is typically provided within Tier 1 (Universal) supports.</li> <li>• Tier 3 (Tertiary): Requires the most intensive level of intervention for students with the most significant behavioral/emotional support needs (assessment based).</li> </ul>
<p><b>Student Assistance Program (SAP)</b></p>	<p>Established under Section 1547 of PA Public School Code, SAP is designed to assist school personnel in identifying issues including alcohol, tobacco and other drugs as well as mental health issues which pose a barrier to a student’s success. Pennsylvania requires all school entities (school districts, charter schools and cyber charter schools) to have SAP programs for all grades (elementary and secondary).</p>

**WHY DO SCHOOL DIRECTORS HAVE TRAUMA-INFORMED TRAINING?**

*William Zee, Chair of Appel, Yost & Zee Education Law Group: [WZee@appelyostzee.com](mailto:WZee@appelyostzee.com)*

Experts in the fields of medicine, education and social services have recently better understood the wide-reaching impact of childhood trauma from adverse childhood experiences (ACEs). Trauma can greatly impact students’ ability to learn, which has been correlated with negative outcomes as adults.

The prevalence of trauma has far-reaching consequences for children and adults in our communities. The growing body of research shows that education systems can play an important role in mitigating these negative impacts because children spend so much of their time in schools.

The PA General Assembly passed a law in 2019 that recognized the urgency and importance of addressing trauma within our education systems. Act 18 of 2019 requires all certified staff and school directors of a district to have training on trauma-informed education.

It is likely your district is in some stage of implementing trauma-informed approaches in curriculum, instruction, student services, student discipline and staff professional development. While this topic is extensive and dynamic and professional staff in your district will likely receive more training, the law requires new school directors to have one hour of trauma-informed training as part of the five hours of new school director training.

**Session Objectives:**

- » Recognize the impact of trauma on children and adults.
- » Understand the board’s role in trauma-informed education.

## DEFINING TRAUMA AND ITS IMPACTS

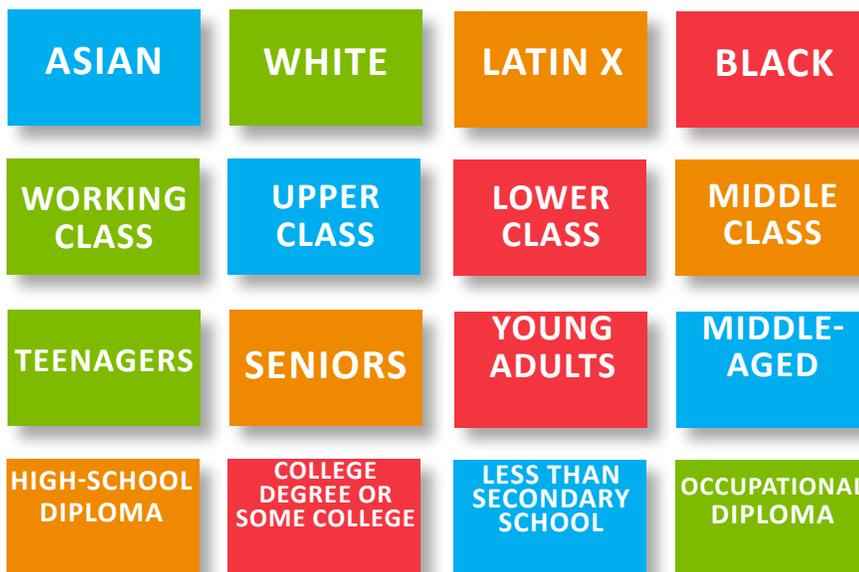
**1** **Key takeaway 1:** The term “trauma” has a legislative definition written into the PA School Code as well as broader academic and medical definitions. Broadly, trauma can arise from one event, a series of events or a set of ongoing circumstances that overwhelm an individual’s coping mechanisms and have lasting adverse effects on an individual’s cognitive functioning as well as their physical, social and emotional well-being.

**2** **Key takeaway 2:** Recent studies and published research have identified certain types of events as adverse childhood experiences (ACEs) and demonstrated a correlation between ACEs and negative outcomes later in life. Understanding the intersection of childhood brain development and ACEs helps us to better understand the impact of trauma on learning and student success.

A CDC/Kaiser Foundation Study (1995-97) found a strong correlation between the number of ACEs an individual experienced and the likelihood of negative outcomes later in life.

Some of the negative adult outcomes identified in that study include:

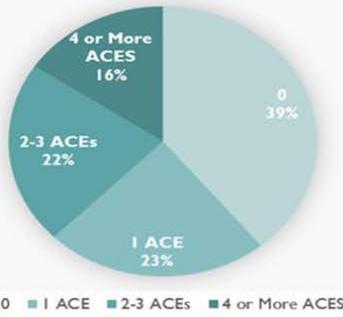
- » Depression, anxiety, suicide and post-traumatic stress disorder (PTSD)
- » Traumatic brain injury
- » Pregnancy complications, unintended pregnancy, fetal death
- » Chronic diseases like cancer, diabetes, heart disease and obesity
- » Alcohol and drug abuse
- » Earlier death



Majority of participants in the ‘90s study represented what demographic categories? (Choose one per row)

A subsequent study conducted in 2019 addressed the lack of demographic diversity and had additional findings on who is most impacted by ACEs.

### ACEs Prevalence



**60.9%**  
Experienced at least one ACE

**15.9%**  
Experienced 4 or more ACEs

#### Demographics of Respondents with 4 or more ACEs

63% Women      37% Men

- Racial/ethnic groups more likely to experience ACEs:
  - American Indian/Alaska Native,
  - Black,
  - Other (non-Hispanic Hawaiian/Pacific Islander, non-Hispanic multi-racial)

### CDC'S NOVEMBER 5, 2019 REPORT

144,017 Adult Respondents

25 States

8 Types of ACEs

11 ACEs Questions

14 Negative Adult Outcomes



## ACEs AND CHILDREN

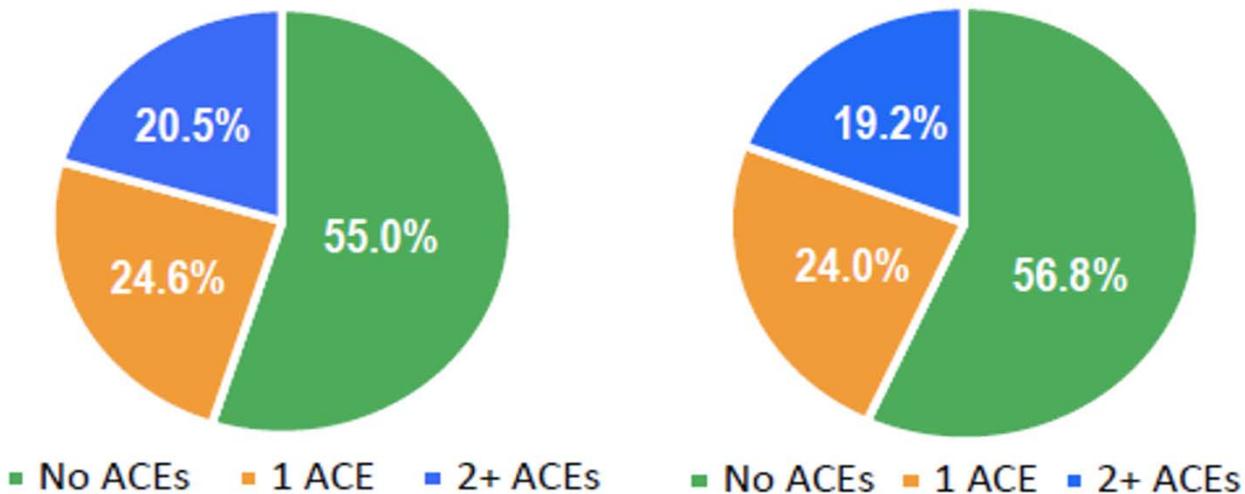
As part of their trauma-informed approach plans, many districts coordinate with outside providers to conduct screening on the prevalence of ACEs among their students. This is sometimes done with specific surveys related to ACEs. Schools often also use surveys, such as those listed in your key terms table, to look at issues of violence more broadly, drug/alcohol use and school climate and safety in their school communities. Specific ACE surveys or screening tools can give us a snapshot of how ACEs impact our school population and should be done in coordination with trained providers.

Limitations of survey data:

- » Self-reported, often results in reporting bias.
- » Childhood adversity is defined more broadly than previously (abuse, neglect, household dysfunction).
- » Children are less likely to be able to identify and report abuse.
- » Children who experienced trauma may not participate or reveal their circumstances fully.

*These numbers are likely understated.*

**US children with ACEs, 2016-17<sup>1</sup>**      **Pennsylvania children with ACEs, 2016-17<sup>1</sup>**



## STRESS

The brain is wired to respond to stress and it is normal to experience stress.

Positive stress can be useful to keep us \_\_\_\_\_; for example, when working against a deadline or preparing for a presentation.

When stress is temporary or normal, the body returns to its baseline

- » after the stressor is removed.
- » or when the stressor is understood not to be a threat.
- » or if positive factors such as supportive \_\_\_\_\_ environments and \_\_\_\_\_ networks help to alleviate the impact of the stressor.

**Trauma is a stress deregulation problem.**

The body can neither regulate its fight, flight or freeze response nor return the body to normal functioning.

This type of stress is referred to as **toxic stress**. Toxic stress can be triggered by a strong/extreme event (acute trauma) as well as frequent or prolonged adversity (complex trauma).



## Introduction to Trauma-Informed EDUCATION

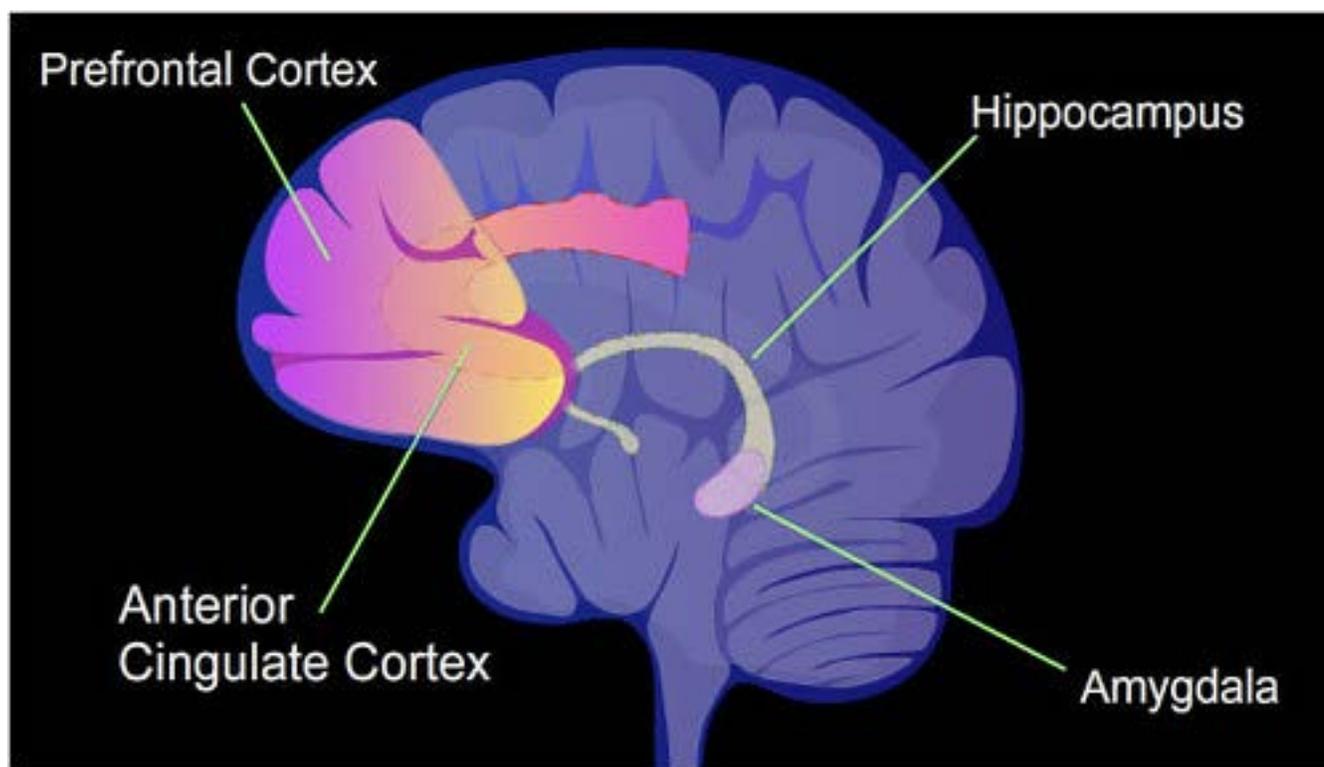
In a stress response, the body releases stress hormones like \_\_\_\_\_ that increase blood pressure, release adrenaline and trigger a strong emotional response including anxiety, aggression, fear and anger.

When a child is under constant or extreme stress, the brain resorts to survival mode where the

“\_\_\_\_\_ brain” (pre-frontal cortex and hippocampus) shuts down and the

“\_\_\_\_\_ brain” (limbic system, amygdala) activates.

Hypothalamus “regulator”	Hippocampus “memory builder/keeper”	Amygdala “emotional responder”
After healthy stress, this returns our body back to a healthy baseline.  Regulates: <ul style="list-style-type: none"> <li>• Sleep/wake cycles</li> <li>• Pain responses</li> <li>• Hunger/satiation</li> </ul>	Uses energy to convert short-term memory into long-term memory.  Crucial for learning  Part of the “thinking brain”	Activates the limbic system and is thought of as the “doing brain” rather than the “thinking brain.”  Stamps memories with emotion



Disney movie *Inside Out* provides a great visual for \_\_\_\_\_

In a toxic stress environment—one that is responding to ACEs and forms of trauma — the amygdala hijacks the whole brain with an ongoing \_\_\_\_\_, \_\_\_\_\_, or \_\_\_\_\_ response.

The constant cortisol released strengthens the amygdala and can damage the hippocampus and pre-frontal cortex, the thinking brain.



**Amygdala Hijacking**

- » Overdevelopment of brain responsible for \_\_\_\_\_.
- » Underdevelopment of brain responsible for \_\_\_\_\_ and executive functioning.
- » Trauma triggers the part of the brain that shuts down executive functioning.

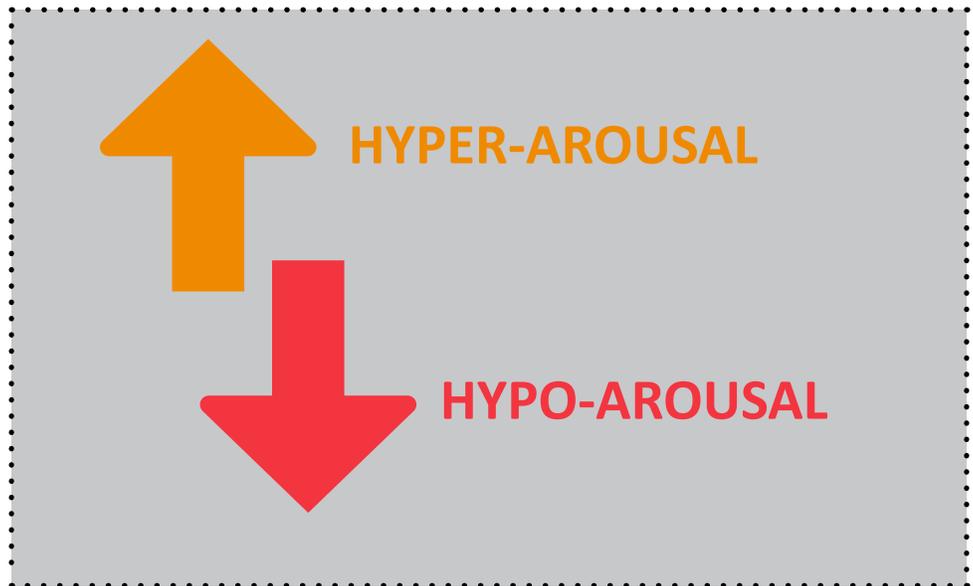
Dr. Nadine Burke Harris, TED Talk “How childhood trauma affects health across a lifetime” (link in Further Learning section)

- » Metaphor of encountering a bear in the woods.
- » Fight/flight response triggered with adrenaline and cortisol.
- » Children living in traumatic situations or who experience acute trauma have similar trigger, but they live with the bear.

**Answers to workbook blanks, in order of appearance**

focused, family, social, cortisol, thinking, doing, encoding memories w/ emotion, fight, flight, fight, emotion, fight, flight response triggered with adrenaline and cortisol, fear/anxiety, complex thinking

**ACEs AND CHILDREN**



<b>Emotional</b>	Difficulty regulating emotions and calming self; inability to trust others
<b>Psychological</b>	Social isolation; anxiety; depression; lack of empathy/difficulty relating to others
<b>Behavioral</b>	Reactive, impulsive, mood swings, perfectionism, aggression, defiance
<b>Academic</b>	Memory retrieval issues; verbal/language impacts; processing issues
<b>Biological</b>	Unexplained physical symptoms; increased immune and respiratory issues, sensory perception issues

## TRAUMA-INFORMED APPROACHES

**3** **Key takeaway 3:** Because two-thirds of U.S. adults have been exposed to at least one ACE and 1 in 5 children have two or more ACEs, education systems must have a better understanding of both the causes of trauma and the best practices for mitigating trauma for all children to have an opportunity to learn and succeed within our public education systems.

**4** **Key takeaway 4:** The Pennsylvania Commission on Crime and Delinquency (PCCD) through the state's appointed School Safety and Security Committee, created a model trauma-informed approach plan as a guide for PA school districts who recognize and embrace the need for a comprehensive and effective trauma-informed education system.

### Trauma Lens

Shifting from asking "What's wrong with you?" → "What happened to you?"

### Protective Factors

- » Supportive family environment
- » Supportive social networks
- » Support for basic needs (including food stability, safe shelter, personal hygiene)
- » Stable relationships with trusted adults

**Schools play an important role in providing protective factors.**

**Schools can be part of a larger system of trauma-informed care for children and families navigating ACEs, toxic stress, and maladaptation to cope with trauma.**

Pay attention to the **five R's of the School Code** definition for trauma-informed approach:

- » **R**ealize the widespread impact of trauma and understand the potential paths for recovery.
- » **R**ecognize the signs and symptoms of trauma.
- » **R**espond by fully integrating a trauma lens into policies, procedures and practices.
- » **R**esist re-traumatization by ensuring schools are not creating environments of toxic stress and events of acute trauma.
- » Promote **R**esiliency.

### Social and Emotional Learning

By explicitly teaching children how to understand and manage their emotions, establish and maintain positive relationships, and navigate problem-solving and decision-making, schools will improve students' academic achievement and overall developmental goals. Social and emotional learning is positively correlated with these outcomes for *all* students, but this kind of skill-building is even more crucial for mitigating the harm of trauma.

**Teachers' impact on students' social and emotional skills is 10 times more predictive of students' longer-term success in high school than teachers' impact on student test scores.**

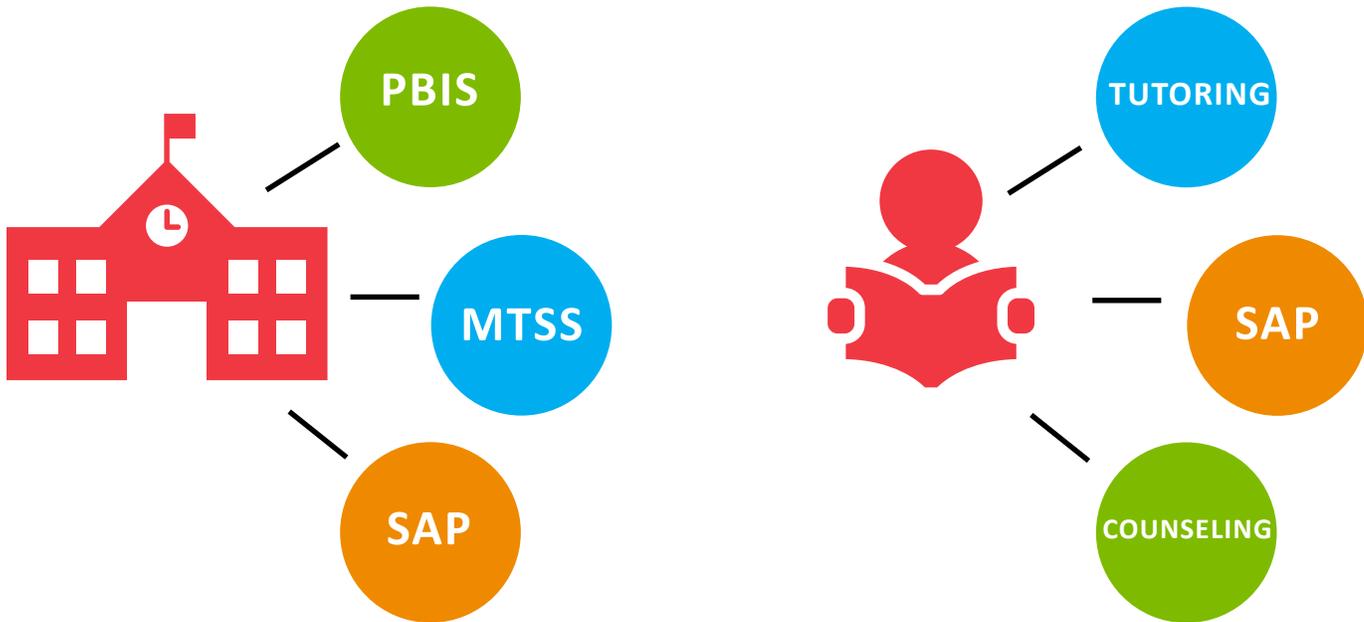
### Resilience

Resilience is not a trait that people either have or don't have. It's a set of skills and mindsets that can be taught to all students.

### Cultural Responsiveness

By having trusted adults in schools trained to be culturally responsive, students will develop a sense of belonging that acknowledges their unique experiences and the cultural values they bring from their home and community.





Please refer back to your key terms table for explanations of each school-based and one of the individual-based interventions.

The Pennsylvania Commission on Crime and Delinquency, through the state's appointed School Safety and Security Committee, worked with experts in the field and created a model plan for a trauma-informed approach in education systems. Some additional schoolwide trauma interventions recommended by that plan are as follows:

- » Develop a districtwide plan for trauma-informed approach.
- » Create a team to address how trauma-informed approaches inform student support across the district.
- » Work with community partners to create a stronger comprehensive approach to trauma-informed support.
- » Review board policies, procedures and practices for how they can reflect a trauma-informed approach.

An emphasis within this plan is for districts to evaluate the student support systems and interventions already in place, recognizing how they provide preventive factors and how they can improve their approaches with a trauma-informed lens.

Recent school safety-related requirements for districts can also be key resources and factors for shifting systems to be more trauma-informed. Here's a list of some key school safety requirements that should also be part of a comprehensive strategy for mitigating trauma for students. Some of the references we will review here have definitions in your key term table.

- » As of 2018, every superintendent is required to **appoint a school safety and security coordinator** for the district, who is an administrator who oversees all school security personnel and policies, procedures and practices related to school safety and security. This individual should be trained in trauma-informed supports and interventions.
- » Every district is also required to establish procedures and a team for responding to reports received through the state's **Safe2Say Something program** which offers an anonymous reporting system for all students to report threats. Many reports are related to concern for an individual student who may be in danger of self-harm.
- » Districts are required to have **board policies that address suicide prevention and bullying**. The board and district administration should understand how these policies and programs inform their trauma-informed interventions.
- » As of the 2021-22 school year, every district must have a **threat assessment team** and procedures for responding to reports of student behavior that may indicate a threat to the student, other students, staff, school facilities or the school community.



## Introduction to Trauma-Informed EDUCATION

- » **All certificated staff must receive training specifically in trauma-informed approach** to education based on PA Public School Code provisions. And all district staff must receive training on school safety and security subjects. Trauma-informed approach training meets the requirements for that mandate, so it's a good idea to require training for all staff to understand trauma-informed education systems.
- » According to the federal Individuals with Disabilities Education Act (IDEA), **districts must provide** identified students with learning exceptionalities, including students with executive functioning deficits, **an Individualized Education Plan (IEP)**.
- » All school districts have student services staff and **Student Assistance Program (SAP)** team that includes school counselors, school psychologists, teachers and administrators. Having these teams trained and part of implementing trauma-informed care is crucial.

The school safety and security coordinator is required to provide the board with an annual school safety report, usually in the spring. This report should provide updates on several of these key programs including data and outcomes. Additionally, the board will need to consider the staffing responsibilities, resources for professional development as well as other supportive resources during the budget cycle.

### Impact?

Trauma-informed systems have been shown to produce the following education results:

- » Lower absenteeism
- » Higher graduation rates
- » Reduced bullying
- » Reduced violence and aggression in schools

Example: One Nevada school added direct instruction on social, emotional and cognitive skills and encouraged students to build rapport with teachers. Result? By 2018, they had raised their graduation rate to 93% when a decade earlier it had been at 50%.

Reducing ACEs in our society would decrease:

- » 1.9 million cases of coronary heart disease
- » 2.5 million cases of obesity
- » 2.1 million cases of depression
- » 1.5 million instances of high school incompleteness

**5 Key takeaway 5: The school board must understand the far-reaching impacts of moving toward a trauma-informed system. Board decisions include final approval of curriculum, hiring of staff and the district budget as well as reviewing and adopting board policies which can be read through a trauma-informed lens.**

## ROLE OF THE SCHOOL BOARD

Here's an overview of the decisions you will make that directly impact the ability of your district to address and mitigate the harm of trauma:

**Training** — ensure comprehensive and relevant training is offered to every person in the education system.

**Professional development and mental health supports** — ensure resources are available for ongoing professional development for those working directly with students experiencing toxic stress and trauma. Also resist secondary traumatic stress by providing supporting mental health resources for these individuals.

**Community partnerships** — the board is a community-facing role and school directors often have other leadership roles in the community. Use the reach of the board to build community partnerships focused on creating trauma-informed systems. Establish agreements and partnerships with agencies and organizations in the community that can provide mental health supports, counseling services and other resources to address the effects of trauma.



**Evaluation and outcomes** — ask questions during administrative reports and updates related to the district’s trauma-informed plan, goals and outcomes.

**Board policy** — request additional training on developing a trauma-informed lens when reviewing and adopting board policies. Consider adopting a trauma-informed policy (PSBA provides a template.)

**Curriculum and programs** — understand what curriculum, programs and personnel are directly supporting students developing resiliency, teachers developing cultural responsiveness, and trusted adults fostering stable relationships with students.



## FURTHER LEARNING ON TRAUMA-INFORMED EDUCATION

### PSBA Online Courses

To access, sign into [myPSBA.org](https://myPSBA.org), click on “Store” and search for these titles to add to your cart.

- » Trauma 1 - Trauma and its Impact
- » Trauma 2 – Mitigating Harm of ACEs
- » Trauma 3 – The Role of Schools
- » Trauma 4 – PCCD’s Model Plan

### Recorded Webinars

- » Dr. Donna Beegle: “Becoming poverty-informed” (Keynote I series, May 2020)
- » Dr. Will Miller: “Mental Health in a Time of Pandemic” (Keynote I series, May 2020)
- » Trauma-Informed Approaches: “Crafting an Education Practice that Supports Students with Trauma” (Equity Webinar Series, 2018)

### PSBA Media and Publications

- » [Commonwealth Education Blueprint](#)
- » PSBA *Bulletin* article “[Fostering Social-Emotional Learning Through Board Development](#)” March/April 2021
- » PSBA *Bulletin* article “[Addressing Trauma During COVID-19](#)” September/October 2020
- » PSBA *Bulletin*, issue theme: students and trauma November/December 2018 (Keynote I series, May 2020)

### Keystone Education Radio Podcasts

- » [Empowering Students through Mentor Relationships](#). October 19, 2021
- » [The Effects of Nature and its Role in Social-Emotional Learning](#). October 5, 2021
- » [Building Inclusive, Poverty Informed School Communities](#). September 21, 2021
- » [Why it’s Important to Talk about Suicide—Prevention Among Students](#). May 4, 2021
- » [Instilling Resiliency in Kids and Closing the Achievement Gap](#). September 15, 2020
- » [Therapeutic Emotional Support: An Award-Winning Program at Upper St. Clair SD](#). July 21, 2020
- » [Students Emotional Well-Being and Academics: A Hand in Hand Approach](#). June 9, 2020
- » [Flourish or fail: A conversation about grit with Angela Duckworth](#). March 3, 2020
- » [Commonwealth Education Blueprint- Vision Plan Realized](#). December 10, 2019

### Other Resources to extend your learning

- » [“Fundamentals of Social and Emotional Learning” casel.org](https://casel.org)
- » [“How childhood trauma affects health across a lifetime” ted.com](https://ted.com)
- » *The Body Keeps the Score* by Bessel Van Der Kolk, M.D. (book)
- » PA Commission on Crime and Delinquency (PCCD) [Model Trauma-Informed Approach Plan](#)
- » [“As Schools Reopen, trauma-informed teaching might be more important than ever” marshable.com](https://marshable.com)
- » Meg Walkley, Tory L. Cox [Building Trauma-Informed Schools and Communities](#), *Children & Schools*, Volume 35, Issue 2, April 2013, Pages 123–126
- » Overview of Restorative Practices – National Conflict Resolution Center: [Restorative Practices in the San Diego School District | NCRC \(ncrconline.com\)](#)
- » [List of restorative practices resources from Restorative Solutions](#)
- » [Information on Youth Courts from the PA Bar Association](#)



# INTRODUCTION TO SCHOOL **FINANCE**



## SCHOOL BOARD GOVERNANCE LOOP: NEW POSITION SCENARIO

### Step 1: Plan

The administration is recommending a new position be added to the district that would focus on addressing the social and emotional needs of students and academic interventions for struggling students. This is a need that the board and administration had previously identified as a result of the PAYS (PA Youth Survey). A rationale is presented along with a proposed job description and salary range for an MTSS (Multi-tiered Systems of Supports) coordinator.

### Step 2: Develop

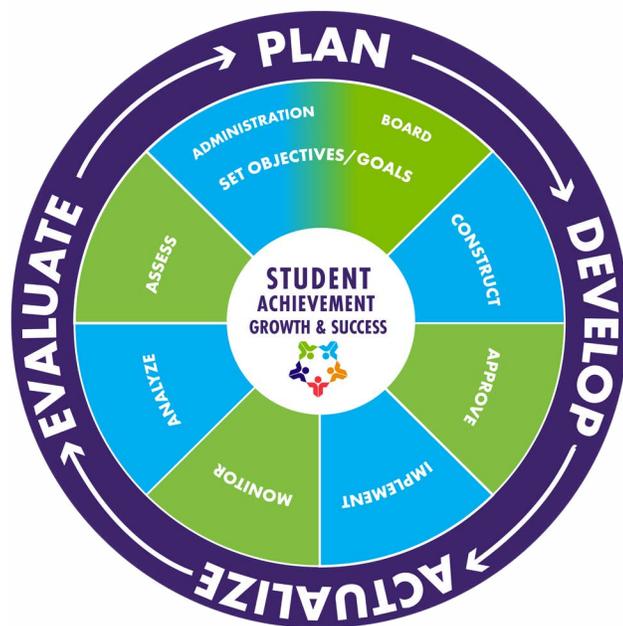
The board asks several questions about the impact on the budget and the need for the position in the current year. They ask the administration to provide a list of districts in the region that have employed an MTSS coordinator, the salary each pays for the position and the impact the position has had in those districts. The board agrees to vote on the position at the next school board meeting. After reviewing the information requested, the board votes to approve the position.

### Step 3: Actualize

A search for an individual to fill the position is conducted and a candidate is listed on the board agenda for hire. The administration presents a candidate to fill the new position and the board approves the candidate's hiring.

### Step 4: Evaluate

The administration conducts an analysis of the difference in the PAYS and notes an increase in the number of students responding positively that they feel supported in school when they are "experiencing a personal problem" and a reduction in the number of students indicating they "experience anxiety frequently." Other results of the survey also indicate positive changes, including decreases in the number of students who feel they don't understand the material that is taught in school. Additionally, the administration reports a decrease in student discipline referrals and an overall increase in student academic performance as a result. The board thanks the administration for their work in implementing and supporting the work of this position in the district. At the start of the new school year, the board receives a program update about the initiatives implemented by the MTSS coordinator and the impact the position has had in the district.





## BEFORE WE DIVE INTO OUR SESSION...

The following are the questions and comments we hear from school directors regarding school finance. Use the numbers to indicate how strongly each comment resonates with you based on your individual experience and/or what you've heard from local school directors serving on your board.

<b>1</b> Not really	<b>2</b> Somewhat	<b>3</b> Resonates
------------------------	----------------------	-----------------------

"I run a business/work in the financial sector and I'm excited to serve my local school district by bringing my financial acumen to make it more efficient."

**1**      **2**      **3**

"I don't understand why our local taxes keep going up. It seems like the state is constantly giving more money to fund PA schools."

**1**      **2**      **3**

"I want to understand how the district is spending its money so I can evaluate if the district is being a good financial steward and if the money is being spent in alignment with our community values."

**1**      **2**      **3**

"I have heard a lot in the news about fund balances. Why are districts raising taxes when they have a huge chunk of money in their fund balance? I want to understand fund balance so I can evaluate it as part of my school board service."

**1**      **2**      **3**

"Passing the annual budget (which drives tax rates) seems to be the most important job of the school board, but I'm coming in without historical data on the district's finances. I want to know how to ask important questions and cast an informed vote on this year's budget."

**1**      **2**      **3**

"What is going on with all the federal and state COVID-related funding? Can we just vote on how to spend it?"

**1**      **2**      **3**



## KEY TERMS

TERMS	DEFINITION
<b>Act 1</b>	Law passed in PA General Assembly in 2006 that requires school districts to seek voter approval for tax increases greater than the “Act 1 Index” establishes. Limits power of school boards to levy taxes.
<b>Assessed Value</b>	The value placed on a property for the purposes of taxation.
<b>Budget</b>	A financial plan for a specified period (fiscal year) that includes anticipated revenue and projected expenditures to support the mission and goals of the organization.
<b>Budget Report</b>	Monthly report from the treasurer that the board approves. Contains cash balances, paid/unpaid bills, year-to-date budget.
<b>Fund Balance</b>	The difference between assets and liabilities in school district funds.  Includes special reserve funds, debt service funds, capital project funds and general funds. Not the same as “cash balance” and measured at the end of each accounting period. Essentially: measures what a district is “worth.”
<b>Mandate/ Unfunded Mandate (public school context)</b>	A revenue constraint or spending requirement imposed by law/authority.  <b>Unfunded mandate:</b> government requires schools to do something but provides no funding or requires local districts to pay the difference.
<b>Market Value</b>	The actual value of a property in a given real estate market.
<b>Mill</b>	“Millage rate” applied to determine taxes owed and based on Latin word that means “thousandth”  <b>Example:</b> District’s total taxable valuation is \$500,000,000 Calculation: \$500,000,000 x .001 If this district raises taxes by a mill, it will generate \$500,000 of revenue.
<b>Subsidy</b>	A sum of money granted by the government to assist school districts with cost for providing public education.

## THE IMPACTS OF MANDATES

**1** **Key takeaway 1:** Even more than a private industry company or a nonprofit organization, school finance is highly regulated. Most of a district’s budgeted costs are set through state, federal and local regulations (mandates) while much of the district’s revenue is outside of the board’s control.

To govern effectively, you *must* understand why and how a district’s budget is built.

It is the job of the district’s business manager (official) and the superintendent to present the board with a budget that adheres to all requirements while being fiscally responsible to the community.

### Mandates for public schools

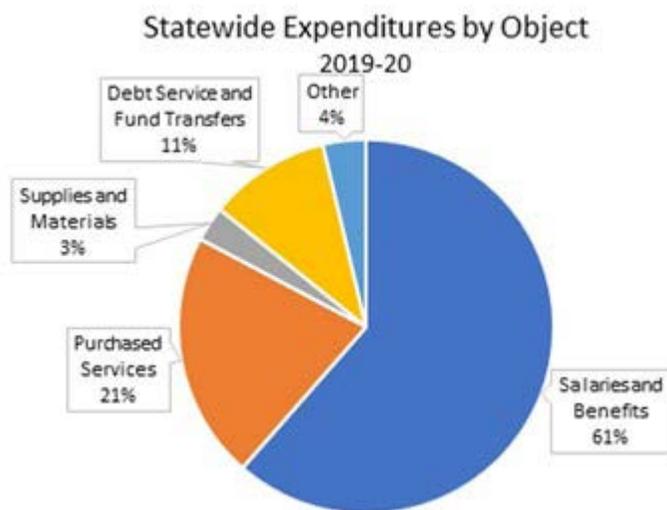
- ✓ IU/CTC payments
- ✓ Cyber/ Charter payments
- ✓ Debt payments
- ✓ Prevailing wage law
- ✓ Collective Bargaining Agreements (CBAs)
- ✓ IDEA Special Education service requirements
- ✓ Right-to-Know requests

### Charter Schools

PSBA has a series of publications called “A Closer Look” on relevant school governance issues including several issues on charter school funding. You can find links to these at the end of this chapter in the Further Learning section along with additional materials.

### Other Payments

### Required Costs



## State and Federal Legislation

### Right-to-Know law:

PSBA published a special report “School District Mandates and Their Impact on Public Education” which you can find linked at the end of this chapter in Further Learning.

## Act I

The state and federal government can not only mandate how a district spends its money but also how it collects it.

Act I passed in 2006 by the Pennsylvania General Assembly. Its original purpose was to limit school boards’ powers to raise real estate taxes in order to protect taxpayers.

Increases above the index are allowed for exceptional circumstances. A formula is defined for the following exceptions:

- » PSERS contribution increases
- » Special education cost increases

### Act 1 Limited Exceptions and Timetable

Advantages and Disadvantages		
	No Exceptions Pledge	Exceptions Option
<b>Timetable</b>	Simple and follows School Code rules	Complex
<b>Flexibility</b>	None: Pledge to stay within index is absolute	Ability to adapt to exceptional financial circumstances
<b>Philosophy</b>	Resource-driven	Program-driven (in a limited way)
<b>Politics</b>	Good press plays as a pledge to keep taxes in check	Potential for negative public message

While the intent of Act I was to limit tax increases, districts that have kept taxes low have less ability to increase the tax rate than districts with higher rates. The effect this has on the budget cycle is the district administration must start the budgeting process much sooner to determine if any potential tax increases would fall within the Act I limit or if exceptions need to be sought.

## SCHOOL BOARD FOCUS

During the budget cycle, school boards should focus on the following:

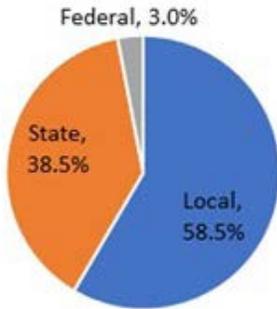
- » Clearly stating board priorities as to what programs are most important to them. If full day kindergarten is a priority, increasing tax revenue may be needed to cover the additional staffing and facilities.
- » Communicate with your superintendent if you have specific questions that you feel need to be addressed in budget presentations.
- » Decisions made by previous boards will affect the future of your schools’ budgets just as your decisions will affect the circumstances faced by future boards. Decisions on tax increases, bargaining agreements and debt service will affect all budgets moving forward.



## TAXES AND SUBSIDIES

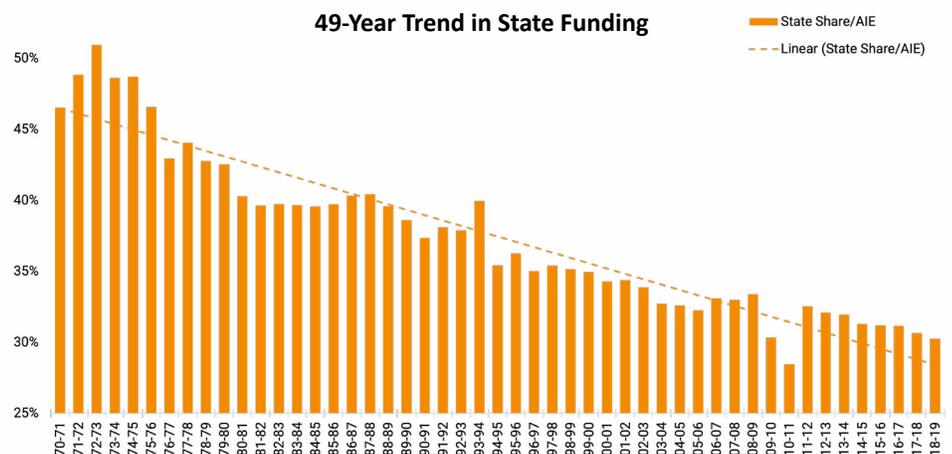
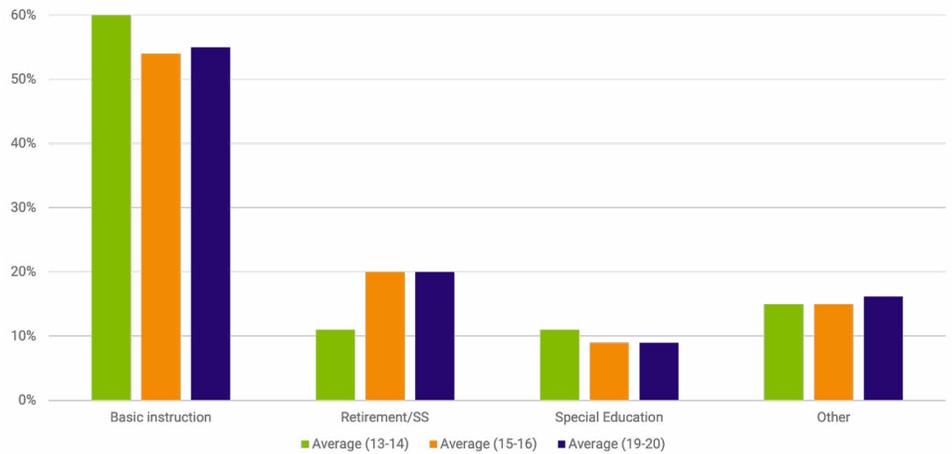
**2 Key takeaway 2:** Most school districts in PA receive less than half of their total funding from the state; the rest of the needed funds must come from local taxation sources which are limited by state through Act I.

Revenue Shares by Source  
2019-20



## STATE SUBSIDY

State Revenue (subsidy)			
Source	Average (13-14)	Average (15-16)	Average (19-20)
Basic Instruction	60%	54%	55%
Retirement/SS	11%	20%	20%
Special Education	11%	9%	9%
Other State Subsidy	15%	15%	16.2%



- Resources must equal expenditures
- When state share declines, local share must increase
- When local tax base doesn't grow, tax rate must increase

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## ACCESSING PUBLIC DISTRICT FINANCIAL DATA

To access district financial information including AIE:

- Go to [www.education.pa.gov/](http://www.education.pa.gov/)
- Click "Policy and Funding" and choose "School Finances" from dropdown menu.
- Click heading "Financial Data."
- Click heading "Financial Data Elements."
- A series of Excel files will be linked under a series of different headings. We recommend clicking on the most recent year under "Miscellaneous" to see your district's selected data and ranking.
- The Excel spreadsheet is organized alphabetically by county, then school district.

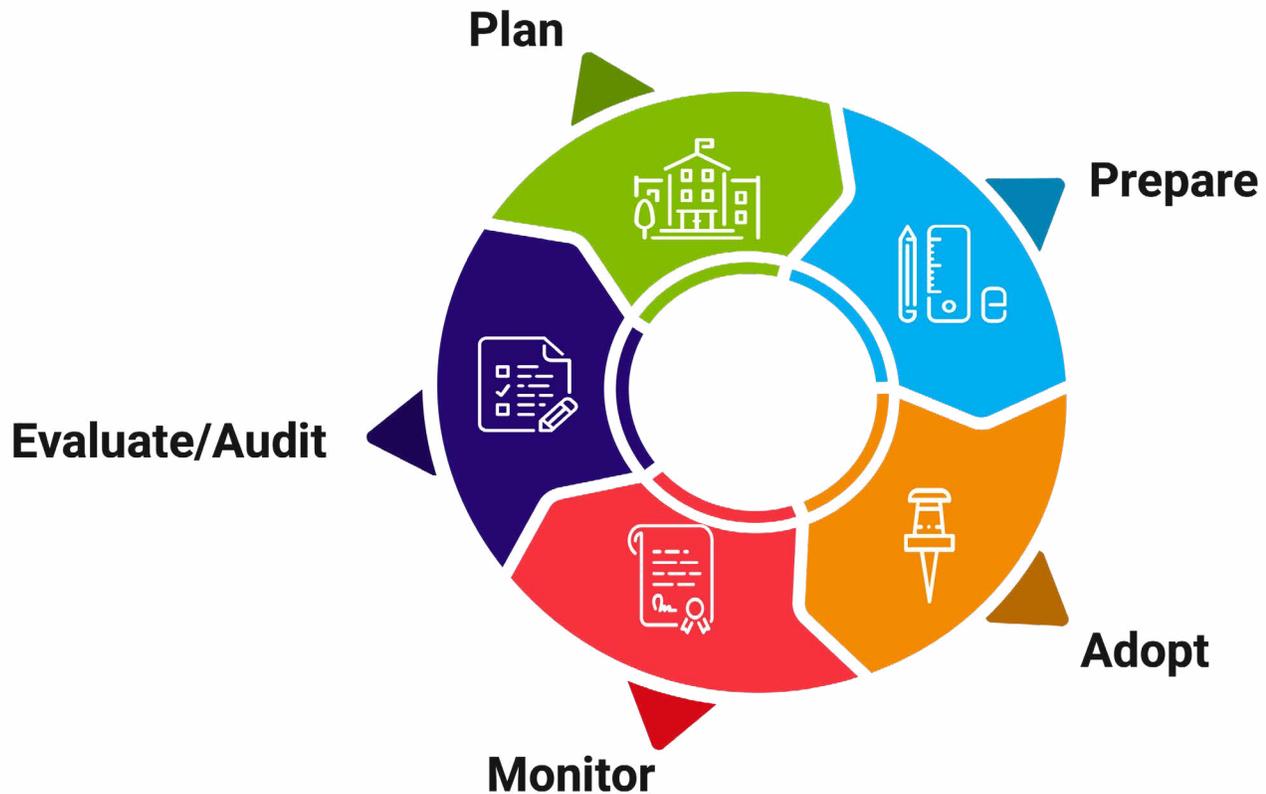


## BOARD'S ROLE IN DISTRICT BUDGETING

**3** **Key takeaway 3:** Reading the monthly budget report and reviewing your annual school audit helps you understand where the money of your district is going and how it is being spent.

### Budget Cycle

The creation and control of the budget is arguably a school board's most important function.



### Plan and Prepare: Annual Budget Priorities

1. Provide education to ALL school age individuals in the district
2. Provide facilities for instruction
3. Operate within legal limits

School boards control and monitor these funds:

Fund Name	Activities Associated With:
General Fund	School district general operations; nearly all school board attention is on this fund
Food Service Fund	Cafeteria operations
Construction Fund	Major building construction and renovations
Debt Service Fund	Incurring and liquidating debt associated with construction projects
Student Activities	Monitoring student-controlled activity accounts



Budget Report as of May 31					
	Account	Amount	Spent to Date	Encumbrance	Remaining
1	Textbooks	50,000	25,000	30,000	(5,000)
2	Custodial Supplies	12,000	10,000	2,000	0
3	Teacher Salaries	1,200,000	1,000,000	0	200,000
4	New Equipment	150,000	0	0	150,000
5	Snow Plowing	100,000	95,000	0	5,000

### SCHOOL AUDIT

In addition to reviewing the monthly budget reports, school board directors should examine the district’s annual financial audit report. While it is a lengthy read, it contains information to help you better understand your district’s financial practices and financial position.



Officials prepare financial documents for auditors



Auditors complete field work



Auditors prepare financial statements

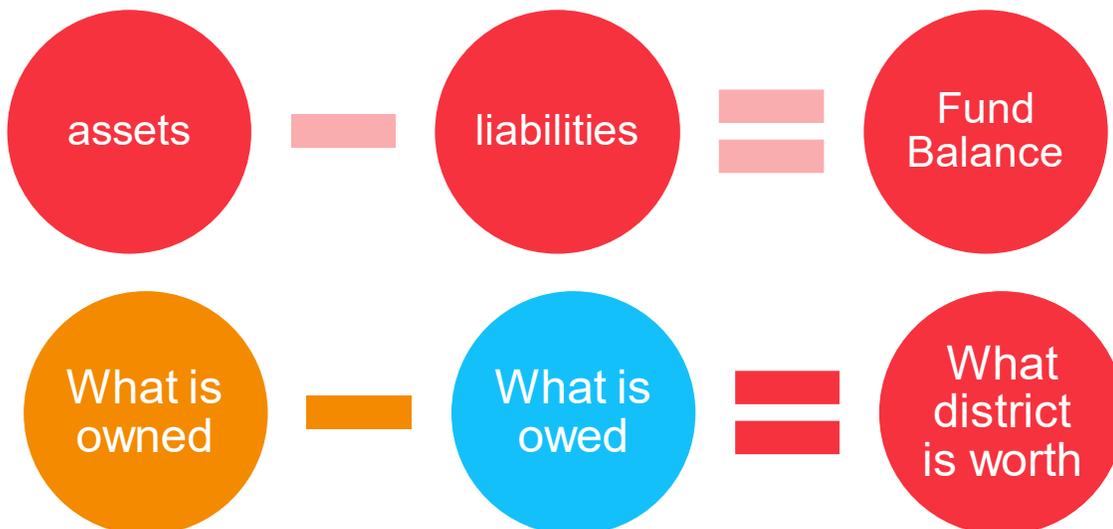


Auditors present to board for acceptance

The **Management Discussion and Analysis** at the beginning of the document reads like an executive summary with important information summarized for the reader. The **Notes** section of the financial statements clarifies the accounting procedures used by the district, as well as any events that have occurred during and immediately after the close of the fiscal year.

### FUND BALANCE

**4 Key takeaway 4:** A district’s fund balance is an indication of its financial health and should be used for one-time expenses, such as a capital project, rather than viewed as a savings account for covering a gap in recurring budgetary expenses.



## Using or Accumulating a Fund Balance

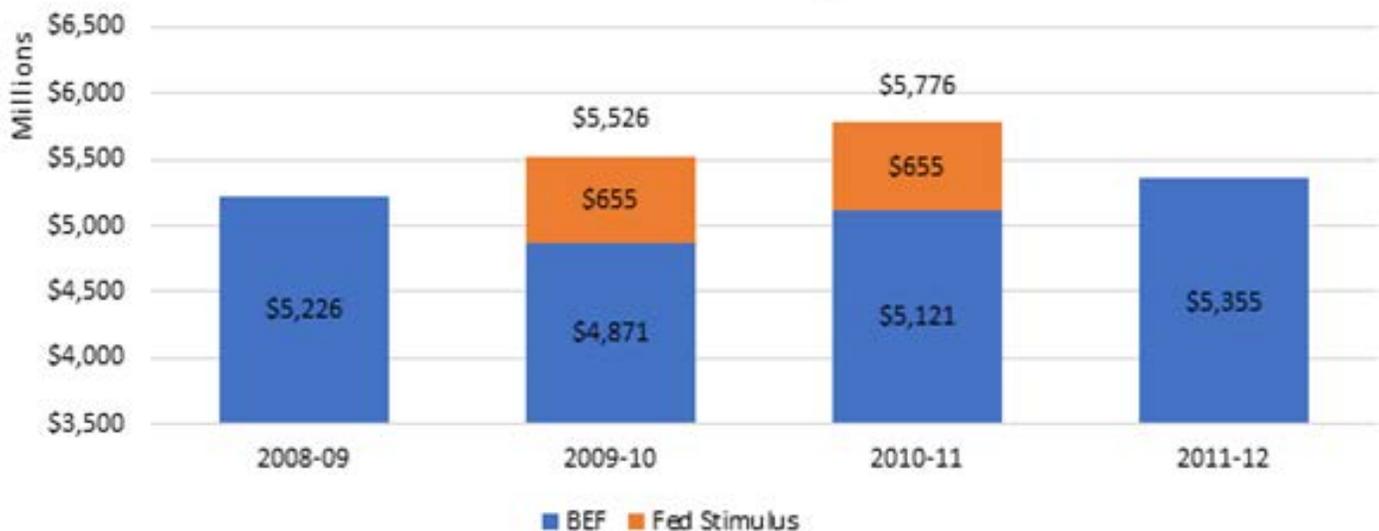
Reasons to accumulate	To use or not to use?
<ul style="list-style-type: none"> <li>• Planning for future building program</li> <li>• Phasing in tax increase for future debt service</li> <li>• Debt retirement (pay-off)</li> <li>• Anticipated spike in health insurance</li> <li>• Anticipated spike in retirement cost</li> <li>• Major equipment replacement</li> <li>• Building “rainy day” funds</li> </ul>	<ul style="list-style-type: none"> <li>• Good as a planning tool</li> <li>• Risky as a way to balance budget</li> <li>• “One-time revenue”</li> <li>• “One-time expenditures”</li> <li>• Improper use creates need for spike in tax rate</li> </ul>

PSBA’s “A Closer Look” series includes an issue on fund balances. You can find the link to this report in Further Learning.

## COVID’S IMPACT ON SCHOOL FINANCE

**5** **Key takeaway 5:** Elementary and Secondary School Emergency Relief funding is a one-time infusion into a school district’s budget and should not be used to cover ongoing costs or to fill a budgetary gap for operational expenditures.

### Basic Education Funding Levels



## COMPOUNDING EFFECTS OF DISTRICT BUDGETS

**6** **Key takeaway 6:** While budget decisions are made annually, these decisions have a compounding effect on future budgets.

“Tax reform” = Tax shift

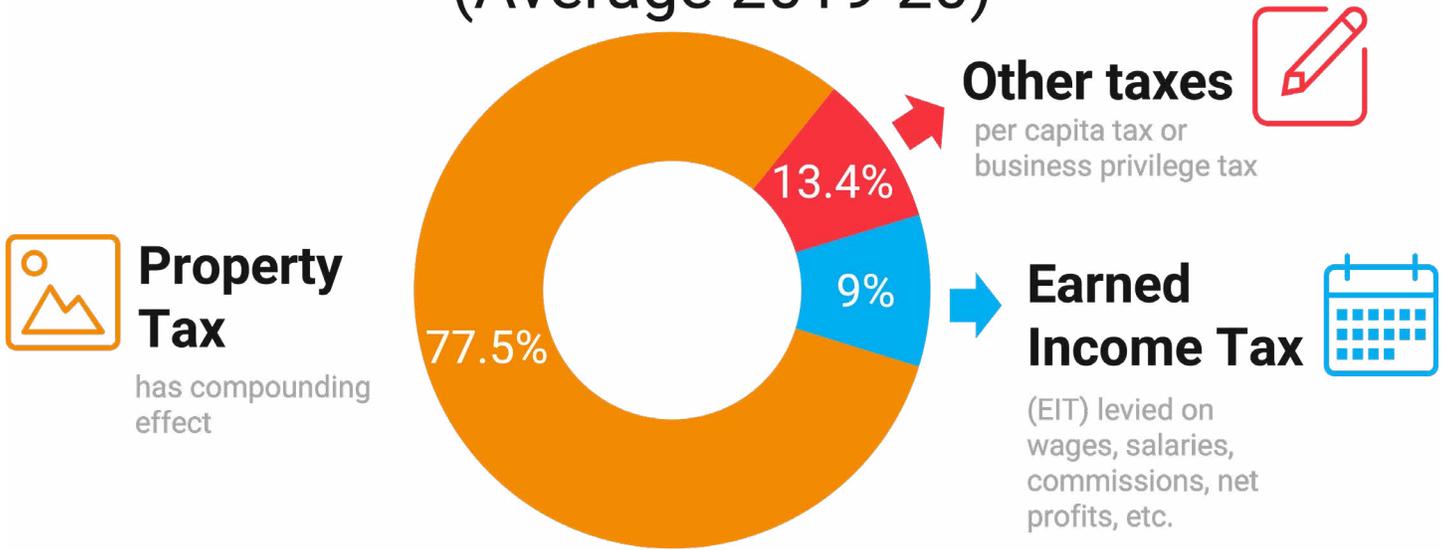
Public funding comes from the public; the decision of legislators and school boards is how much to ask of each segment of the public — wage earners, property owners and businesses.

Property tax is more predictable than income taxes by a large degree.

Property tax is not driven by the economy whereas income taxes are.

The average school district is overwhelmingly dependent on property tax as primary revenue source.

# Local Tax Revenue (Average 2019-20)



- » School boards have the power to establish the millage rate.
- » School boards have control of this local tax rate and subsequent funding to the district.
- » School boards are also limited by Act 1.

### Millage Rate Example

- » Assessed value is \$100,000
- » Millage is 25
- » Calculation  $\$100,000 \times .025$

Tax bill: \$2,500

	Mills	Starting Individual Tax Bill	Starting Revenue Collection
Starting numbers	25	\$2,500	\$12,500,000*
	Mills	Year 1 Individual Increase	Year 1 Revenue Increase
Millage rate increase 2%	25.5	+\$50	+\$250,000
		Tax bill: 2,550	Total collected: \$12,750,000*
	Mills	Year 2 Individual Increase	Year 2 Revenue Increase
Millage rate increase 2%	26.01	+\$51 (+101 in 2 years)	+\$250,000 (+250,000)
*Based upon \$500,000,000 in total assessed values		Tax bill: 2,601	Total collected: \$13,005,000*

PSBA’s “A Closer Look” series includes an issue on property assessment. You can find the link to this report in Further Learning.

School boards need to take a long-term view of how tax increases, and the lack of tax increases, affects future budgets and future school boards.



## FURTHER LEARNING ON SCHOOL FINANCE

Science has proven that when you write or share your learning you better retain and synthesize it. Write or share with the person beside you the one connection or “aha moment” you had about school finance.

### PSBA Online Resources

To access, sign into [myPSBA.org](https://myPSBA.org), click on “Store” and search for these titles to add to your cart.

- » Board’s Role in Finance and Budgeting, 100-level certification series
- » Local Taxation and Act 1, 100-level certification series
- » PA State School Funding System, 100-level certification series
- » Introduction to School Audits, 100-level certification series
- » 2021 Financial Update, Advanced School Director Training badge series

### PSBA Media and Publications

#### “A Closer Look” reports related to school finance:

- » [“Do charter schools really receive 25% less funding per student than school districts?”](#)
- » [“Why it’s time to change the cyber charter funding system”](#)
- » [“It’s time to reform special education payments for charter schools”](#)
- » [“Understanding the School District Budget Process”](#)
- » [“A Balanced Look at School District Fund Balances”](#)
- » [“Why assessment appeals help school districts tax more fairly”](#)
- » [“Property tax elimination plan doesn’t work for taxpayers or schools”](#)

### PSBA Special Report

- » [“School District Mandates: Their Impact on Public Education”](#)

### Websites

- » [PA Charter Change](#)

# INTRODUCTION TO **SCHOOL LAW**



**TEST YOUR KNOWLEDGE OF SCHOOL LAW**

Take a moment to complete the pretest below. The answers will be covered throughout the school law presentation.

**Pennsylvania Sunshine Act**

- 1. There are nine voting members on your school board. After Monday’s board meeting, you and four other board members stop in the parking lot to discuss how well the district’s football team played and their chances of making it to the playoffs. Which of the following item(s) is true? This discussion:
  - A. Is held among a quorum of the board.
  - B. Constitutes deliberation and is a violation of The Sunshine Act.
  - C. Is not deliberation but could be perceived as such.
  - D. Both A and B.
  - E. Both A and C.
  - F. None of the above.
  
- 2. There are nine voting members of your school board. After Monday’s board meeting, you and three board members stop in the parking lot to discuss the football turf and prospects relative to upcoming renovations. Which of the following item(s) is true? This discussion:
  - A. Is held among a quorum of the board.
  - B. Constitutes deliberation and is a violation of the Sunshine Act.
  - C. Is not deliberation but could be perceived as such.
  - D. Both A and B.
  - E. Both A and C.
  - F. None of the above.
  
- 3. There are six reasons a quorum of the school board may meet outside of a public meeting to discuss agency business, in what is known as an Executive Session. Do you know what they are?

_____	_____
_____	_____
_____	_____

- 4. You are listening to public comment at the beginning of a school board meeting at which the board will vote on several matters regarding plans for a controversial school construction project. One citizen speaking in opposition to the project is criticizing the board for acting contrary to what he believes is the prevailing sentiment of the community and angrily mentions you by name, saying “[Your name], when you were running for school board you said you questioned the need for the project, and now you seem to be all for it. Why don’t you live up to your campaign promise?” You are tempted to speak up and reply to the citizen’s remarks. What should you do?
  - A. Respond to the citizen in the moment since they called you out by name.
  - B. Ignore the comment altogether and make no response during the meeting.
  - C. Refrain from responding in the moment and wait until the related matter is properly before the board for debate and action, when you can have the floor and provide your perspective.

### Public Official and Employee Ethics Act

5. My wife is a district employee working in the business office. She is not covered by any union/group, she is classified as “unrepresented”. The board was getting ready to vote for annual increases. I requested that her salary be frozen so no one can claim any special treatment. Another board member claimed that my request was a COI. I disagreed because she wouldn’t receive any advantage from my request. In fact, she would have lost a several hundred-dollar annual increase. Question: Was my action a conflict of interest (COI)? By the way, I abstained from voting on her salary increase.
6. I have also been told since I know things about the district because my wife and/or her fellow employee friends tell me things, that me bringing any of that up is a COI. I disagreed and pointed out they used their children as examples of points they want to make. Their reply was basically, that’s different. Question: Is the source of information that leads me to ask questions a COI area?

### Public Employees Relations Act (PERA)

7. Susie has been a school director in Raccoon Valley School District for 20 years. Her husband is a teacher and a member of the Raccoon Valley Education Association. Every time the district bargains the teachers’ contract, Solicitor Hawkins rules Susie may not participate in any part of contract negotiations, but that she may vote on the final contract. Susie believes she has no conflict of interest and may participate in all matters related to collective bargaining. Which of the following is *not* correct?
- A. Pennsylvania’s Ethics Act always prohibits Susie from participating in the collective bargaining process.
  - B. Pennsylvania’s Ethics Act and PERA allow Susie to vote on the final contract.
  - C. Susie has no “per se” conflict of interest under the Ethics Act and may, under that law, participate in matters related to negotiations and vote on the final contract.
  - D. Susie’s right to participate in the collective bargaining process still requires a legal analysis and opinion to determine if she has an actual conflict of interest under one or more Pennsylvania laws.
8. My son-in-law is an officer in the support staff union and a district employee. The support staff contract was due for renegotiations. It was suggested to me that I should abstain from voting on acceptance of the negotiated package. To avoid a fight, I agreed to abstain even though I didn’t think it was required. Question: Was I allowed to vote for acceptance of the negotiated package?

### Employment Decisions

9. School directors are directly involved with interviewing, hiring, disciplining and evaluating school district staff, including but not limited to the superintendent.
- True                      False

### School Solicitor

10. The school solicitor is an attorney appointed by the school board and provides ongoing advice, representation and opinions on legal matters as they arise.
- True                      False



## KEY TERMS

TERMS	DEFINITION
<b>Agency Business</b>	The law defines agency business as “the framing, preparation, making or enactment of laws, policy or regulations, the creation of liability by contract or otherwise or the adjudication of rights, duties and responsibilities.” Agency business specifically does not include administrative action (i.e., the execution or carrying out of previously approved official action or policies).
<b>Collective Bargaining Unit</b>	The process in which a public employer and the representative of public employees (unions) fulfill their mutual obligations to meet at reasonable times and confer in good faith with respect to wages, hours and other terms and conditions of employment, resulting in the execution of a written contract. The obligation to negotiate in good faith does not require either party to agree to a proposal or to make a concession.
<b>Conference Exception</b>	There are two types: <ol style="list-style-type: none"> <li>1. Professional development opportunities school board directors attend that are not open to the public, including training programs, seminars and retreats; or</li> <li>2. Sessions arranged by state/federal agencies to provide information to local agencies. Directors may not deliberate agency business while attending training and seminars.</li> </ol>
<b>Conflict of Interest</b>	Use by a public official or public employee of the authority of his/her office or employment or any confidential information received through his/her holding public office or employment for the private pecuniary benefit of himself/herself, a member of his/her immediate family, or a business with which he/she or a member of his/her immediate family is associated.
<b>Deliberation</b>	Deliberation is defined as the “discussion of agency business held for the purpose of making a decision.”
<b>Executive Session Exception</b>	An agency may discuss certain matters in Executive Session, which is not open to the public.
<b>Financial interest in a business with which associated</b>	Having more than 5% interest in the equity of the business.
<b>Immediate family</b>	Parents, spouse, child, brother or sister. It does not include in-laws.
<b>“Loudermill” Hearing</b>	Public employees are entitled to an informal due process hearing, called a “Loudermill hearing,” before the employer makes a decision that results in terminating the employee prior to a formal termination hearing, including suspension without pay. A Loudermill hearing must be offered, but an employee may decline to participate. Loudermill hearings provide employees with notice to the employee that the employer is contemplating termination, the nature of the charge against him/her; a summary of the evidence; and an opportunity to respond.
<b>Meeting</b>	Any prearranged gathering of an agency which is attended or participated in by a quorum of the members of an agency held for the purpose of deliberating agency business or taking official action.
<b>Official Action</b>	Recommendations made pursuant to statute, ordinance or executive order; establishment of policy; decisions on agency business; or, votes taken on any motion, proposal, resolution, rule, regulation, ordinance, report or order.
<b>Public Comment Period</b>	The Sunshine Act gives the public the right to comment on issues “that are or may be before the board.” Agencies must provide a reasonable opportunity for residents and/or taxpayers to comment on an issue before a decision takes place.
<b>Public Employee Relations Act (PERA)</b>	A law allowing most non-management public employees in Pennsylvania, including teachers and other school employees, to unionize, bargain collectively and strike. It also allows unions to submit grievances and arbitrate disputes about contract interpretation, disciplinary actions and termination.  To find out more about the requirements under this law, take PSBA’s 25-minute online course “Overview of Public School Labor Relations.”



<b>Public Official and Employee Ethics Act</b>	Prohibits engaging in actions involving a conflict of interest and requires a school director to abstain from voting or otherwise influencing an official action if there is a conflict of interest. To find out more about the requirements of individual school directors under this law, take PSBA's 30-minute online course "Conflicts of Interest and Ethics Act."
<b>Quorum</b>	The required minimum number of directors or committee members who must be present in order to conduct business.
<b>School Solicitor</b>	An attorney who is not a member of the board but who manages and monitors the legal affairs of the district and provides ongoing advice, representation and opinions on legal matters affecting the district.
<b>Statement of Financial Interests (SFI)</b>	A statement that is filed annually by every public official, public employee and candidate for public office and is filed with the secretary of the school board, covering the previous calendar year's financial information.
<b>The Pennsylvania Sunshine Act</b>	This open meetings law requires public agency boards and their committees to deliberate and vote in meetings that are open to the public and advertised in advance.

**OPEN MEETING REQUIREMENTS**

**1** **Key takeaway 1:** The school board must comply with Pennsylvania's open meetings law, known as "The Pennsylvania Sunshine Act," by ensuring deliberation and decisions of a quorum (majority) of the board take place at a public meeting that allows for public comment. The exceptions to public deliberation are narrow but do include exceptions such as board-specific professional development and executive sessions that require the discussion of confidential information. (If using PSBA's policy system, review board policy #006 for additional guidance).

**Pennsylvania Sunshine Act**

- » PA's open meetings law
- » Requires board meetings to be advertised in advance and open to the public
- » Requires deliberation and official action by a quorum of the board be taken at public meetings

**Official Action**

- » Recommendations by an agency pursuant to statute, ordinance or executive order
- » Establishment of policy by an agency
- » Decisions on agency business made by an agency
- » Vote taken on any motion, proposal, resolution, rule, regulation, ordinance, report or order

**2** **Key takeaway 2:** Official action on matters discussed in executive session must be taken in an open meeting. Boards may reach consensus on something in executive session or even conduct a quick poll of members' positions but if a matter discussed in an executive session requires a formal decision which must be voted on, the vote must take place in public. (If using PSBA's policy system, review board policy #006 for additional guidance).

**Executive Session Reasons**

- » **Personnel:** matters relating to specific prospective, current or former public officers or employees; excludes board vacancies
- » **Labor Relations:** matters relating to information, strategy and negotiation sessions relative to negotiations or arbitration of a CBA
- » **Real Estate:** matters relating to the purchase or lease of real estate
- » **Litigation:** matters regarding information or strategy in connection with litigation
- » **Confidential Information:** matters that if conducted in public would violate a lawful privilege or lead to disclosure of information or confidentially protected by law
- » **Safety and Security:** matters related to records or plans deemed necessary for emergency preparedness

**3 Key takeaway 3:** The Sunshine Act sets out a general rule allowing for public comment on matters which may be before the governing board before taking official action on the issue. While meetings are open to the public and the public has a way to provide input, it is a meeting of the board, not a meeting of the public. Board committees are also subject to the requirements of the Sunshine Act, except for the requirement to afford an opportunity for public comment. (If using PSBA’s policy system, review policies #006 and #903 for additional guidance on the public comment period of board meetings.)

**Public Comment**

Required by law	Not required by law	Outlined in board policy	Best practice
Public comment to allow community input by residents or taxpayers on matters that may come before a board for official action during regular and special meetings	Public comment at committee meetings	Limiting the time period for public comment within the public meeting  Limiting the time period for each person’s comment  Accepting public comment only at the beginning of the meeting  Hearing public comment at the beginning of the meeting on agenda items and holding a second comment period at the close of the meeting on items that may come before the board later	The board president and superintendent should take note of public comments and complaints.  The board president and superintendent, as necessary, should follow up with comments and complaints after the board meeting; they should not engage in conversation on most public comments at the meeting itself.  Board members should refrain from engaging an individual in public debate during a public meeting. In-the-moment responses to a public comment can impede a proper resolution of a concern.

**ETHICAL BOARD LEADERSHIP AND SERVICE**

**4 Key takeaway 4:** Under Pennsylvania’s Public Official and Employee Ethics Act, school directors have responsibilities to abstain from certain board deliberations and actions if they stand to benefit financially or have any other conflict of interest. School directors are also required to file a Statement of Financial Interests with the school board secretary annually in accordance with this law. (If using PSBA’s policy system, review policies #004, 011, 006, 708, 827 and 828)

**Pennsylvania Ethics Act**

- » Prohibits accepting honorariums or anything of value to influence votes or decision-making.
- » Prohibits districts from awarding contracts valuing \$500.00 or more with a business in which a school director or immediate family member is associated unless awarded via an open and public process meeting certain criteria.
- » Requires a Statement of Financial Interests be filed annually by every public official and designated public employees.
- » Requires officials to abstain from voting or otherwise influencing a decision when there is a conflict of interest.
- » When abstaining, directors must verbally disclose the reason at a public meeting and provide a written disclosure to the board secretary.
- » Allows a public official to vote on matters that affect a class or subclass that includes the family member but does not affect the family member any differently than other members of the class or subclass.

**Tips to Avoid Common Filing Mistakes – Statement of Financial Interests**

- » File ASAP if deadline missed; NEVER backdate
- » File an amended form if something was overlooked
- » Complete *all* blocks on form
- » Check “none” if a block needs to be left empty
- » Be sure to list public position held and which school district
- » Be sure to list employer as a direct source of income

For additional information, either consult your district’s solicitor or contact the Ethics Commission.  
 Phone: (800) 932-0936  
 Website: [www.ethics.pa.gov](http://www.ethics.pa.gov)

**SCHOOL BOARD AS EMPLOYER**

**5** **Key takeaway 5:** The Public Employees Relations Act (PERA) and Act 88 govern the interaction between public school employers (school board and district administration) and employees represented by unions (teachers and other support staff groups that may be unionized). (If using PSBA’s policy system, review policies #308 and 328 for more information).

**Employee Personnel Categories**

- » Professional Employees: certified employees who have acquired tenure
- » Temporary Professional Employees (TPEs): certified employees who have *not* acquired tenure
- » Nonprofessional Employees: noncertified employees who do not acquire tenure

**Public Employees Relations Act (PERA)**

- » Allows public employees to unionize, bargain collectively and strike.
- » Employees may submit grievances about contract interpretation, disciplinary actions and termination.
- » Collective bargaining agreements (CBA) set forth salary and benefits and address many other terms and conditions of work.

**6** **Key takeaway 6:** School directors who insert themselves in the details of the hiring process (beyond final approval) or any investigations taking place regarding the employee work environment or employee discipline (beyond a discipline hearing) are likely placing their district at a legal disadvantage in the event of potentially costly litigation claiming unlawful discrimination.

Professional Employees	Temporary Professional Employees (TPEs)	Other Employees
Immorality	Immorality	Immorality
Incompetence	Incompetence	Incompetence
Two unsatisfactory performance evaluations	One unsatisfactory performance evaluation	Improper conduct
Intemperance	Intemperance	
Cruelty	Cruelty	
Certain criminal convictions	Certain criminal convictions	Violation of school law
Persistent/willful violation or failure to comply with school laws, including official directives and board policy	Persistent/willful violation or failure to comply with school laws, including official directives and board policy	

### Termination Procedures

- » “Loudermill” hearing
- » Administrative hearing with school board
- » Appeal to Secretary of Education (professional employees)
- » Appeal to court of common pleas (TPEs/nonprofessional employees)
- » Grievance and hearing before an arbitrator

### Most Important Employment Discrimination Laws

- » Age Discrimination in Employment (ADEA)
- » Americans with Disabilities Act (ADA)
- » Titles VI & VII of the Civil Rights Act
- » Equal Pay Act
- » Genetic Information Nondiscrimination Act (GINA)
- » Pennsylvania Human Relations Act
- » Title IX

### High Risk Litigation Areas

- » Hiring practices
- » Salaries
- » Harassment
- » Terminations
- » Retaliation

**7 Key takeaway 7:** The school solicitor is an attorney appointed by the school board who provides ongoing advice, representation and opinions on legal matters as they arise.

### School Solicitor

- » Attends board meetings
- » Serves as parliamentarian
- » Reviews proposed policies
- » Negotiates contracts and other legal documents
- » Assists and advise on employee and student discipline matters
- » Meets in executive session with the board to discuss pending or possible litigation

### Answers to pretest

1. E 2. C 3. Personnel, Labor Relations, Real Estate, Litigation, Confidential Information, Safety & Security 4. C  
 5. Generally NOT a conflict of interest 6. Generally NOT a conflict of interest 7. A 8. Yes, no provision presents voting on final proposal  
 9. False 10. True





### FURTHER LEARNING ON SCHOOL LAW

#### PSBA Online Courses

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- » Sunshine Act - Open Meetings
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- » Legal Liability and Immunity
- » Overview of Public School Labor Relations
- » School Employment Law
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- » School Board Labor Relations
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- » *Essentials of Parliamentary Procedure: A Survival Guide for Pennsylvania School Boards*
- » A Social Media Guide for Pennsylvania School Board Directors
- » Superintendent Contract and Evaluation Requirements
- » *Labor Relations for School Leaders*
- » *PSBA School Law Handbook*





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