



POLICY 8.131

4-B I recommend that the Board adopt the proposed revised Policy 8.131, entitled "AfterSchool Programs."

[Contact: Joanne Beckner, PX 48961.]

Adoption

CONSENT ITEM

- The Board approved development of this revised Policy at the development reading on June 3, 2009. As a result of Board discussion at this meeting, changes were made to the following lines: 18, 24, 27, 33, 41-45, 63-89, and 105-107.
- The revised policy makes available AfterSchool programs, including before school and summer programs, for District elementary students, as costs recovery programs. The afterschool program is funded through participant fees, except for the indirect costs as the building, utilities and telephone services.
- The revised policy continues the prohibition against discrimination of special needs students and provides reasonable accommodations for such students.
- Fees for the afterschool program may be set by the Superintendent, after input and recommendations from the AfterSchool Advisory Committee, provided the fees do not exceed 5% annually without Board approval. The fees are required to be provided to principals and parents, and to be posted on the department's website.
- The revision policy permits the school principal to grant a partial fee waiver for a student based upon financial need, provided the school has a carry-over balance from the previous year to cover the costs.
- This revision also updates statutory references.

POLICY 8.131

AFTERSCHOOL PROGRAMS ~~SCHOOL-AGE CHILD CARE (SACC) PROGRAM~~

1. **Purpose.** The School Board recognizes that schools may be a community resource by providing valuable and necessary support to many families, by offering quality afterschool programs for students in a safe, secure environment during out of school hours. This policy is to provide for afterschool programs, which may include before and afterschool morning and summer programs, and for the programs' operation as cost recovery programs in the School District.
2. **Applicability.** The afterschool programs shall be made available to all District elementary students.
3. **Policy Statement.** Palm Beach County School District's sponsored afterschool programs, including its ~~School Age Child Care (SACC)~~ program is implemented through the Division of Instruction and Pupil Services, Department of Adult, Vocational and Community Education. School age child care, summer camp and student children's enrichment activities shall be operated as are Cost Recovery programs. Cost recovery programs do not receive any state or district funding assistance and are not as part of the educational process.
 - a. **Principal's Discretion.** The decision to offer an afterschool program at a school is to be determined by the principal of each elementary school under the direction of the Area Superintendent, in consultation with the Department of Afterschool Programming. Services are available only to students attending the elementary school. The program is coordinated through the site principal. District schools may collaborate with outside agencies to provide child care.
 - b. **Preconditions for Programs.** The establishment of a program is contingent upon availability of facilities, trained staff, volunteers, and necessary equipment to reasonably accommodate the students' children's needs.
 - c. **Program Costs.** There shall be no cost to the School District for the operation of an afterschool program, summer camp or student enrichment activities. Such programs shall be entirely funded through participant fees, except for the provision of building, utilities and other indirect cost as telephone services. ~~School Age Child Care is independent of all Palm Beach County School District programs for primary instruction.~~
 - d. **Transportation.** ~~School Age Child Care programs will be in operation for the 180 days that schools are open (regular school year), and may continue to operate on days on which schools are not open (holidays, vacation days, teacher planning days) as long as there is a sufficient number of students participating and annual contract staff on site.~~ The School Board does not

provide transportation to or from any afterschool program governed by this policy. In the event of a field trip, all afterschool program students participating in the field trip must pay for the cost of transportation.

e. *Students with Disabilities and Medical Needs.*

i. The afterschool program will provide reasonable accommodations and/or modifications to all students with disabilities who enroll, to ensure they receive equal and meaningful access to the afterschool program and its services. ~~An elementary student cannot be denied the opportunity to attend the School Age Child Care (SACC) program because of his/her disabilities. Any elementary student with a disability who receives educational services at a public school may attend the afterschool SACC program at the school the student regularly attends. Any attendance restrictions (i.e., enrollment limits, waiting list, etc.) must apply equally to all students regardless of disabilities, handicapping conditions. The SACC program does not provide transportation to or from the programs.~~

ii. Students with specific medical needs who enroll in the afterschool program must be identified by the parent/guardian on the registration form. Reasonable care and accommodations will be provided within the scope of the program.

A. For students with disabilities or medical needs as provided for in subsection 3(e)(i) and (ii) above, accommodations are considered reasonable where the provision of such accommodations would not result in a fundamental alteration of the program or to the services offered by the program, or create an undue financial or administrative burden.

iii. In compliance with federal and state disability laws, the afterschool programs are not required to admit or accommodate children whose attendance, as determined on a case-by-case basis, would:

A. Pose a direct threat, meaning the child poses a substantial risk of serious harm to the health and safety of others. A medical condition may constitute a direct threat, if it poses a significant health threat to others. Afterschool programs may inquire whether a child has any diseases that are communicable through the types of incidental contact expected to occur in afterschool settings. Afterschool programs may also inquire about specific conditions, such as active infectious tuberculosis, that in fact pose a direct threat. The determination of direct threat must not be based on generalizations or stereotypes about the effects of a particular disability; it must be based on an individualized assessment, considering the particular

activity and the actual abilities and disabilities of the individual.

B. Fundamentally alter the nature of the afterschool program because of a child's presence or necessary care.

C. Create an undue financial or administrative burden on the afterschool program.

iv. The parent or guardian of a student with disabilities or special medical needs who is notified that the student needs cannot be reasonably accommodated in an afterschool program may appeal the decision by informing the superintendent or his designee within 48 hours of notice of such decision. The superintendent or designee shall render a decision and provide the parent or guardian with a written decision within five (5) days of being informed by the parent. The superintendent or designee's decision shall be final and shall not be subject to any further administrative appeal.

4. **Fees.**

a. The Superintendent shall establish the fee schedule for afterschool programs which shall take into consideration families with more than one child enrolled in the program, after receipt of input and recommendation(s) from the Afterschool Advisory Committee. However, the Superintendent may not without School Board approval establish a fee structure which exceeds a five percent (5%) increase annually.

b. The Superintendent or designee shall annually publish a fee schedule for afterschool programs. Such fee schedule shall be made available to all elementary school principals, parents and posted on the Department of Afterschool Programming website.

5. **Partial Fee Waivers.** The school principal may grant a partial fee waiver for a student to participate in the afterschool program. However, the waiver must be based upon the financial need of the student's family and the school's afterschool budget must be able to withstand the loss of revenue from the student's fee being waived. The principal will consult with Department of Afterschool Programming staff to determine whether the afterschool budget is sufficient for a fee waiver to be considered.

6. **Administrative and Operating Procedures.** The Superintendent or designee is hereby delegated the authority to provide for administrative and operating procedures for the afterschool program which include, but are not limited to:

a. The schedule and hours of operation of the afterschool programs, so that programs and services may be available to participating students prior to the start of the regular school day, afterschool, and days on which schools are not

open (holidays, vacation days, teacher planning days) as long as there is a sufficient number of students participating and annual contract staff on site.

- b. Fees and related expenses associated with the program;
- c. Terms and conditions of student enrollment and notification to parents and families;
- d. Accounting, fiscal and recordkeeping procedures for programs;
- e. Providing for purchasing and contracting procedures consistent with School Board policies;
- f. Providing for the hiring of personnel, including qualifications, salaries, performance and training for the afterschool programs;
- g. Programming and fiscal assessments;
- h. Establishment of guidelines by the Department of Afterschool Programming and Department of Exceptional Student Education, for the participation of students with special needs in afterschool programs; and
- i. Other procedures as necessary for the operation of afterschool programs.

STATUTORY AUTHORITY: Fla. Stat. §§ 1001.02, 1001.41, 1001.42 ~~230.22 (1-2)~~
LAWS IMPLEMENTED: Fla. Stat. §§ 760.10; (Florida Civil Rights Act of 1992); 42 USC §12101, et seq. (Americans with Disabilities Act of 1990, as amended); 29 USC § 504 of the Rehabilitation Act of 1973 ~~Sections 228.061, 228.0617 (10), 229.053 (1),~~
~~Florida Statutes~~
STATE BOARD OF EDUCATION RULE: 6A-6.0910
HISTORY: 5/7/97;___/___2009

Legal Signoff:

The Legal Department has reviewed proposed Policy 8.131 and finds it legally sufficient for development by the Board.

Attorney

Date
