



### **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  
2  
3 1. **Purpose.** The School Board recognizes that schools may be a community  
4 resource by providing valuable and necessary support to many families, by offering  
5 quality afterschool programs for students in a safe, secure environment during out  
6 of school hours. This policy is to provide for afterschool programs, which may  
7 include before and afterschool morning and summer programs, and for the  
8 programs' operation as cost recovery programs in the School District.
  
- 9 2. **Applicability.** The afterschool programs shall be made available to all District  
10 elementary students.
  
- 11 3. **Policy Statement.** Palm Beach County School District's sponsored afterschool  
12 programs, including its School-Age Child Care (SACC) program is implemented  
13 through the Division of Instruction and Pupil Services, Department of Adult,  
14 Vocational and Community Education. School-age child care, summer camp and  
15 student children's enrichment activities shall be operated as are Cost Recovery  
16 programs. Cost recovery programs do not receive any state or district funding  
17 assistance and are not as part of the educational process.
  - 18 a. **Principal's Discretion.** The decision to offer an afterschool program at a  
19 school is to be determined by the principal of each elementary school under  
20 the direction of the Area Superintendent, in consultation with the Department  
21 of Afterschool Programming. Services are available only to students attending  
22 the elementary school. The program is coordinated through the site principal.  
23 District schools may collaborate with outside agencies to provide child care.
  - 24 b. **Preconditions for Programs.** The establishment of a program is contingent  
25 upon availability of facilities, trained staff, volunteers, and necessary  
26 equipment to reasonably accommodate the students' children's needs.
  - 27 c. **Program Costs.** There shall be no cost to the School District for the  
28 operation of an afterschool program, summer camp or student enrichment  
29 activities. Such programs shall be entirely funded through participant fees,  
30 except for the provision of building, utilities and other indirect cost as  
31 telephone services. School-Age Child Care is independent of all Palm Beach  
32 County School District programs for primary instruction.
  - 33 d. **Transportation.** School-Age Child Care programs will be in operation for the  
34 180 days that schools are open (regular school year), and may continue to  
35 operate on days on which schools are not open (holidays, vacation days,  
36 teacher planning days) as long as there is a sufficient number of students  
37 participating and annual contract staff on site. The School Board does not

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

41 e. *Students with Disabilities and Medical Needs.*

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

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

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

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

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

- 77                    activity and the actual abilities and disabilities of the individual.
- 78                    B. Fundamentally alter the nature of the afterschool program because  
79                    of a child's presence or necessary care.
- 80                    C. Create an undue financial or administrative burden on the  
81                    afterschool program.

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

90                    4. **Fees.**

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

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

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

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

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

- 114           open (holidays, vacation days, teacher planning days) as long as there is a  
115           sufficient number of students participating and annual contract staff on site.
- 116           b.   Fees and related expenses associated with the program;
- 117           c.   Terms and conditions of student enrollment and notification to parents and  
118           families;
- 119           d.   Accounting, fiscal and recordkeeping procedures for programs;
- 120           e.   Providing for purchasing and contracting procedures consistent with School  
121           Board policies;
- 122           f.   Providing for the hiring of personnel, including qualifications, salaries,  
123           performance and training for the afterschool programs;
- 124           g.   Programming and fiscal assessments;
- 125           h.   Establishment of guidelines by the Department of Afterschool Programming  
126           and Department of Exceptional Student Education, for the participation of  
127           students with special needs in afterschool programs; and
- 128           i.   Other procedures as necessary for the operation of afterschool programs.

129   STATUTORY AUTHORITY: Fla. Stat. §§ 1001.02, 1001.41, 1001.42 ~~230.22 (1-2)~~  
130   LAWS IMPLEMENTED: Fla. Stat. §§ 760.10; ( Florida Civil Rights Act of 1992); 42  
131   USC §12101, et seq. (Americans with Disabilities Act of 1990, as amended); 29 USC §  
132   504 of the Rehabilitation Act of 1973 ~~Sections 228.061, 228.0617 (10), 229.053 (1),~~  
133   ~~Florida Statutes~~  
134   STATE BOARD OF EDUCATION RULE: 6A-6.0910  
135   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