



# **Commonwealth of Pennsylvania's Student Assistance Program**

## **Frequently Asked Questions and Best Practice Responses**



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**Commonwealth of Pennsylvania's Student Assistance Program**  
**Frequently Asked Questions and Best Practice Responses**

**STATE REQUIREMENTS:**

**1. Are all school districts, charter schools, cyber-charter schools required to have Student Assistance Programs?**

Pennsylvania requires all school districts to have SAP Programs. This means in every elementary and secondary school building, as well as charter and cyber schools. Act 211 of 1990 requires each school district to "establish and maintain a program to provide appropriate counseling and support services to students who experience problems related to the use of drugs, alcohol and dangerous controlled substances." Further, through the direction of the 1991 Secretary's Plan to the General Assembly..."All students, kindergarten through twelfth grades, shall have access to the services of a core team trained to offer developmentally appropriate services within the student assistance program." In addition, Chapter 12 of the PA School Code was amended in December 2005 to include for the planning and provision of Student Assistance Programs for all school entities.

**2. Are Pre-K programs required to have SAP?**

A school district that operates a prekindergarten program shall address its prekindergarten program in its strategic plan. Pre-K is a voluntary program and not available in all school districts. Please refer to PA code §12.41a for further clarification.

**3. At a minimum, who should be members of the SAP team?**

Team members (minimum of four per building) should be representatives from any or all of the following groups: administration, teacher, counselor, psychologist, school social worker, nurse, or other related professional staff. All team members must be appropriately trained by a Commonwealth Approved SAP Training Provider. The size of the team should be sufficient to effectively handle the caseload.

**4. What is the role of Administration on the Student Assistance Team?**

The Building Administrator and a member from the Central Office Administration need to receive Commonwealth Approved SAP Training. The Central Office Administrator is an ad-hoc member to the SAP team(s) in the district and helps to ensure that the SAP teams are operational. The Building Administrator is a regular member on the SAP team.

**5. Are there any educators (certified or non-certified) who are not permitted to serve on the SAP team?**

No. Any educator employed by the district that the administration chooses to serve may do so provided that they attend and complete the Commonwealth Certified SAP Training.

**6. Can a school have more than one SAP team?**

Yes, due to caseload, building size and student population, many schools have separate teams. There is nothing that prohibits a school from having more than one team as long as there are adequate team members and time to process referrals.

**7. How often should the SAP team meet?**

A Common meeting time for all team members is essential. Best practice would be to have one period available every day with at least two meetings per week and the others for consultation and/or running groups. Time should be provided for case management activities including meeting with students and parents.

**8. Is it acceptable for the SAP team to meet before or after school time?**

Yes. SAP team meetings should be part of a regular schedule, but this depends on local contractual agreements.

**9. How is SAP monitored in districts?**

The PA Network for Student Assistance Services conducts site visits to districts to monitor implementation of Act 211 (including SAP), Safe and Drug-Free Schools and Communities programs, violence prevention programs, Acts 26 and 30, implementation of the Gun-Free Schools Act, the Pro-Children Act, and others related to legislation. For more information about the monitoring process and items addressed, contact your Regional SAP Coordinator.

**10. What happens if a district or school does not have a SAP team?**

If a district does not have “a program to provide appropriate counseling and support services for students experiencing problems with drugs, alcohol, and dangerous substances” (SAP), the district would be in violation of Act 211 and of Chapter 12 of the PA School Code and would be required to provide SAP. The PA Network for Student Assistance Services will work with the school district to assist in the development of their program.

**11. Is there anything in the law that prevents SAP team members from working with Special Education students?**

No. On the contrary, SAP teams are encouraged to work very closely with Special Education programs.

**12. If a district prohibits their SAP team members from working with special education students, is this a violation of Act 211 of 1990?**

Yes. SAP must be made available to ALL students. The Department of Education encourages cooperation between Special Education and SAP.

**13. What is the protocol for reporting a district that is not complying with Act 211 of 1990, and are there any real consequences for their non-compliance?**

If someone is aware that a school is not making SAP available to all students and reports it to the PA Network for Student Assistance Services, the Network will initially contact the district to offer technical assistance and will subsequently schedule a monitoring visit. If found in violation of Act 211, the school will be required to provide the program.

**14. Should the district have a SAP Coordinator to make sure that services are provided according to the law?**

Districts are not required to have SAP coordinators. However, coordination efforts should be conducted by a member of the district’s administration.

**15. Are schools mandated to provide support groups?**

No. However, these are tremendously beneficial and every effort should be made to provide groups for students in need.

**16. What is SAP team maintenance and how often should it occur?**

In order to maintain the emotional health of the team members and to ensure the quality of the SAP process, team maintenance is those activities and interactions designed to promote cooperation and respectful working relationships among core team members. It is vital that teams effectively work together as a problem solving group when dealing with at-risk issues.

The school district should provide time for team maintenance sessions at least twice a year. SAP agency liaisons should be included in maintenance activities. For at least one session, it is advisable for the facilitator to be a non-team member, knowledgeable of group dynamics and SAP.

**17. Must SAP Teams submit annual SAP reporting data?**

Yes. Each school should submit anonymous student referral data through the Commonwealth SAP On-Line Reporting System that includes established performance measures. School SAP teams should assess each case periodically for effectiveness of individual interventions, recommendations, outcomes and goal attainment. The team should periodically evaluate the school's effectiveness in the SAP process in the following areas including, but not limited to:

- school-wide understanding of the referral process
- appropriate identification of at-risk students
- parent involvement
- improvement among students completing the SAP process

Teams should make use of all available data, including the annual district and school SAP reports, in order to conduct effective team planning.

**18. Can the SAP team provide treatment?**

No. SAP is not a treatment program. The student assistance program utilizes effective and accountable professional techniques to mobilize school resources to remove the barriers to learning, and, where the problem is beyond the scope of the school, to assist the parent and the student with information so they may access

services within the community. The student assistance team members do not diagnose, treat or refer for treatment; but they may refer for a screening/assessment for treatment.

## **RECORDS:**

### **19. Can a post-secondary school (college, university, military) request and have access to SAP records?**

This is a local decision that must be addressed in the district's records policy. The Family Educational Rights and Privacy Act (FERPA) does not address this. If a student is under the age of 18, parent permission must be obtained. If a student is over 18 and not a special education student, parent permission is not required and the student must sign permission to release the records. Caution is advised when records contain information that may be affected by the Health Insurance Portability and Accountability Act (HIPAA).

### **20. Can the student being referred to the SAP process have access to his or her own SAP records?**

If the student is under 18, they must access their records with parental permission. If the student is over 18 and not a Special Education student, parent permission is not required. [Refer to the Protection of Pupil Rights Amendment (PPRA) 20 U.S.C. §1232h.]

### **21. Are districts obligated to release the name(s) of the person making the referral?**

No. It is best practice that the SAP Team show parents trends in behavior through a compilation of the observable behaviors from all teachers. This will ensure that no one teacher's observations are singled out and that the observations are deemed valid as more than one teacher expressed the same concerns. However, the parent does have the right to review the SAP records including any individual forms a teacher compiled on their child as a part of the SAP record. Follow your school district policy on parental rights and access to records.

### **22. What routinely should be kept in a Students SAP educational record?**

When in doubt about what should be placed in a student's SAP record, consider the following suggestions (this list is not all inclusive):

-Referral form with reason for referral (should only include observable behaviors, not opinion and hearsay)

- Date and SAP team action
  - Date and outcome of parental contacts
  - Student Information forms (behavioral observation forms)
  - Written Parental permission form
  - Documentation of parent refusal
  - Documentation of follow-up contact with parents
  - Date and SAP team action following parent permission
  - If applicable, the name of agency and the date the screening or assessment was completed.
  - If applicable, agency and/or district release of information forms
  - Follow-up action taken by SAP team
  - Copy of SAP Student Reporting Form (PDE 4092)
- \* It is recommended not to include any written copies of reports from treatment agencies with the SAP record.

**23. Can SAP school records be kept electronically?**

Yes, if the following is maintained:

- A. Teams must comply with their district electronic media and student record retention/information policies.
- B. Student information must be protected as per FERPA **at all times**.
- C. Compiled data must be accessed by only those with a legitimate educational need to know.

Also, remember that once in cyberspace, always in cyber space, so information can't be disposed of in the way paper can.

**24. Can behavior checklist (student information forms) be collected electronically?**

Yes, as long as conditions noted in #28 are adhered to. It is also imperative once behavior checklist is submitted electronically, it can not be accessed or sent to another person. Ensure all safeguards are in place to secure site and transmission.

**25. Do districts need to have written policy and procedures for their SAP Program? What should be included? How often should they be reviewed and updated?**

Yes, school districts should have a written policy/ procedures for the Student Assistance Program. The policy/procedures should be specific to the duties of the SAP team members and the SAP process. It should be cross referenced with other district policies such as ATOD use etc. The SAP team members should receive a written copy. All staff and students should be inserviced about the SAP Program each year.

It also should be published so that parents and families are made aware of the program. The policy/procedures should be reviewed every two years.

**26. What are the guidelines around destruction of SAP records?**

SAP records, since they are part of the student's permanent record fall under whatever the district POLICY states about purging student records. There must be a written policy/ procedure that indicate when records should be reviewed and items purged that are no longer educationally pertinent.

**27. How long do SAP records need to be kept?**

In regards to SAP records, there is not a specific recommended length of time that they are to be kept. It is best practice that the records be maintained during the student's enrollment in school, and that schools follow their policy regarding maintaining records as well as what is maintained after graduation. SAP records are Category "B" data according to PA School Code Chapter 12 [Student Rights and Responsibilities 022 Pa. Code §12.33. Guidance2.2.]. They are a part of the student's permanent file. They should be reviewed annually and maintained only as long as educationally relative.

Category B data includes verified information of clear importance, but not absolutely necessary to the school, over time, in helping the child or in protecting others. Specifically, scores on standardized intelligence and aptitude tests, interests inventory results, health data, family background information, systematically gathered teacher or counselor ratings and

observations, and verified reports of serious or recurrent behavior patterns are included in this category.

**28. Should SAP records on students currently enrolled in school be kept in the student's main permanent file instead of separately?**

Due to the confidential nature of the SAP record, it is advisable to; maintain the SAP record separate from the main permanent file. SAP records are part of the student's educational file; however, can be maintained in a separate secure location with restricted access. SAP records are category B data and only those with an educational need to know should be granted access by the principal or his/her designee. They should be kept in a secure location, such as in a locked filing cabinet or a permanent secure database. Maintenance, access, and dissemination follow your district policy for this classification of record.

**TRAINING:**

**29. What training is required for SAP team members?**

Professional training for team members in all phases of the student assistance process, which is consistent with state guidelines and conducted by a training provider approved by the Commonwealth SAP Interagency Committee, is required. This ensures the appropriateness of the recommended services, effective interagency collaboration, and compliance with state and federal laws protecting the privacy rights of parents and students.

Student assistance team members are trained to identify problems, determine whether or not the representing problems lie within the responsibility of the school, and make recommendations to assist the student and the parent.

The rigorous training required for team members, which results in a certificate from the Commonwealth Approved Training Provider, ensures the board of school directors, school administrators, parents, students and the public that team members have received up-to-date professional training. Training is consistent with accountable standards and appropriate professional procedures. Commonwealth-Approved SAP Training Providers issue certificates to trainees after completion of the training and on-site competency assignments.

**30. Can support/service staff attend SAP Training?**

Yes, support/service staff such as nurse assistants, office personnel, and school bus drivers may attend SAP Training. However, SAP Awareness Training (for non-

team members) may be more appropriate if they are not going to serve as team members.

**31. Can educators trained in SAP Awareness or Leadership Training serve on a SAP team?**

No, they must attend the full team training.

**32. What is the difference between SAP Training, SAP Leadership Training, SAP Awareness Training and Renewal Training?**

SAP Add-On Training is a competency-based training for new team members. It is the only training that permits individuals to serve on SAP teams.

SAP Leadership Training is to provide school and community leaders with an up-to-date understanding of the Commonwealth of Pennsylvania's Student Assistance Program model and its effective implementation to assist at-risk students in our schools. The training will focus on issues of importance to school district administrators, building principals, assistant principals, school board members and other school staff in leadership roles as well as administrators of SAP-related drug and alcohol and mental health agencies. Participants will receive information on current best practices in SAP, the legal environment in which student assistance operates in Pennsylvania, and strategies for measuring, maintaining, improving, and supporting SAP in their schools.

SAP Awareness Training is to provide school staff that will not be serving as members of a SAP core team (i.e. bus drivers, support staff, etc.) with an understanding of the current Commonwealth of Pennsylvania's Student Assistance Program model. The training will focus on student behavioral and performance indicators that warrant a referral to the student assistance core team. Participants will receive information on current best practices in SAP, the role of school staff who are not members of the core team, the referral process, and expected outcomes from a SAP referral.

Renewal Training is designed for individuals who attended SAP Training more than three years ago to enhance their roles and learn of new changes in SAP. This is often utilized as team maintenance training and can be customized to the individual school SAP team's needs.

**33. If an individual is trained in the secondary SAP model, are they also certified to serve on an elementary SAP team?**

No. It is necessary for an individual who was previously trained in secondary SAP to receive elementary SAP training in order to serve on an elementary team. Both trainings address content issues that are grade level specific.

This also applies if an individual is trained in elementary SAP and wants to serve on the secondary SAP team. It is necessary for an individual previously trained in elementary SAP to receive secondary SAP training in order to serve on a secondary team.

**34. Can an individual go to the SAP training, come back to their district and train others for SAP certification?**

No. The Pennsylvania SAP model, as outlined in Basic Education Circular (BEC) 24. P.S. §15.1547, requires that all SAP team members be trained by a Commonwealth Approved SAP Training Provider. SAP trained individuals are not certified as trainers simply through attending a SAP Training and are not approved by the Commonwealth to certify other team members.

**35. How often should SAP team members receive SAP training?**

Currently, there is neither training certificate expiration date nor retraining requirement. However, to remain up-to-date, a SAP member has to attend updates, networking days and be an active member of a team. If this has not occurred, retraining is necessary. Also, in situations where someone had basic SAP Core Team training prior to 1999 -2000 and has not been on a team for years it is recommended that they be retrained before participating as a member.

It is best practice for all SAP Team members to attend additional SAP related trainings on at risk issues, interviewing students, legal issues, etc. through updates, networking days and workshops.

To substantiate SAP training certification, team members are expected to maintain SAP training certificates and related training records. This will be requested during Student Assistance Program monitoring.

**36. Do you have to complete "Group facilitator's training" before co-facilitating an educational support group with the MH or ATOD Liaison?**

In order to understand the purpose, function, and boundaries of educational support groups along with co-facilitation responsibilities, attending Group Facilitator's Training is strongly advised.

**37. Does Pennsylvania have reciprocity with any other states for SAP core team participation?**

No. The Pennsylvania SAP training model is very specific to regulations and policies required in Pennsylvania. Fidelity is maintained through a comprehensive statewide training and monitoring system with collaborative oversight by

representatives of the SAP Interagency Team. SAP Team members may only serve on a SAP team upon completion of the PA SAP training, core competency requirements, and a receipt of a PA SAP certificate.

**38. Can a Graduate Intern attend SAP training?**

Yes, graduate interns may attend SAP training as a representative of the school district in which they are completing their internship. The graduate intern must maintain core team affiliation during his/her internship in order to complete the core competency requirement.

**39. Can an Undergraduate student attend SAP training?**

No. Pre-service teachers are not permitted to receive SAP certificates in Pennsylvania.

**PARENT INVOLVEMENT**

**40. If a regular education student has demonstrated chronic problems covered under SAP such as signs and symptoms of drug abuse and the school does not have a SAP Team to address this problem, what recourse does a parent have to get help for their child?**

The parent should first contact the principal to request access to the SAP process for their child. This might include referral to a community drug and alcohol liaison for a screening/assessment as well as in-school supports. If, after pursuing this with the school and at the district level they have not met with success, the parent should contact their Department of Education's Network for Student Assistance Services' Regional Coordinator. School districts or schools that do not exhaust administrative remedies or offer programs that meet the needs of the student put not only the student in jeopardy, but makes the district potentially liable.

**41. If a parent is concerned their child is having behavioral changes or emotional concerns, what can they do to help their child?**

The parent should contact the school to request access to the SAP Process for their child. Along with the parent(s), the SAP Team may recommend that a student receive in-school supports tailored to meet the needs of the student. If the student's needs go beyond the scope of the school, the school will recommend a screening/assessment by a community drug and alcohol or mental health liaison or other community services.

**42. Is written parental consent needed for the SAP process?**

Yes. The Protection of Pupil Rights Act (PPRA) requires that the student's and parent's rights be recognized and respected, especially in instances of surveys, analysis, or evaluations. PPRA requires written parental permission when interviewing students regarding ".....mental or psychological problems of the student or the student's family; sex behavior or attitudes; illegal, anti-social, self-incriminating, or demeaning behavior...."

**43. When a parent/guardian gives written permission for the SAP process, does that permission also cover the Mental Health and/or Drug and Alcohol screening/assessment conducted by a SAP liaison or provider agency if recommended by the SAP team?**

No. The SAP team has to obtain a separate written parental permission for the screening/assessment. One of the functions of the SAP team is to foster parental/guardian involvement throughout the SAP process. Written parent/guardian permission should be obtained for the following three areas of the SAP process:

- A. initial onset of the SAP process (this can be before or after student information forms are collected as long as it is before student interview)
- B. when the SAP team suggests a MH and/or D&A screening/assessment
- C. if any in-school supports, such as an educational support group, are recommended

**44. What happens if a student is referred to SAP but a parent refuses help for their child?**

If a parent refuses help, the SAP team should make a written record of the refusal. Best practice would then be to check back with the referral source thirty days after the original referral. Contact the parent again to establish good communication and update and share information. Make attempts to keep lines of communication open and maintain a log of all calls/actions including the date and times the parents have been called. The SAP team may decide to utilize in-school alternatives that are within their scope of authority to help the child. However, the rights of parents under PPRA must be observed. If a student is in danger of harming themselves or others, the crisis response plan of the district should be implemented immediately.

**45. In the SAP process, when must the parent/guardian notification occur?**

An LEA is required to obtain prior written consent from parents before students are required to submit to a survey that concerns one or more of the eight protected areas listed above in question #42. Since the SAP process often than falls into one

or more of the areas stated above, it is clear that schools must obtain written consent from parents/guardians prior to interviewing the child.

Above and beyond what may be required by law, is the concept of “best practices”. The best practice is for SAP teams to contact the parent as soon as the team receives the referral. This allows the team to involve the parent at the earliest stage, thus making the parent a partner and ally in the SAP process.

School Districts should establish a clear policy on when parents/guardians are to be contacted and permission sought to interview or conduct an assessment of their child. The Protection of Pupil Rights Amendment applies to the programs and activities of an LEA, or other recipient of funds under any program funded by the U.S. Department of Education. It governs the administration to students of a survey, analysis, or evaluation that concerns one or more of the following eight protected areas:

- A. political affiliations or beliefs of the student or the student’s parent;
- B. mental or psychological problems of the student or the student’s family;
- C. sex behavior or attitudes;
- D. illegal, anti-social, self-incriminating, or demeaning behavior;
- E. critical appraisals of other individuals with whom respondents have close family relationships;
- F. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- G. religious practices, affiliations, or beliefs of the student or student’s parent; or
- H. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

**46. Is the requirement for written parent permission affected by Act 147?**

No. Act 147 is related to mental health treatment. SAP is not a treatment program.

**47. Do both parents have to sign for SAP services to proceed?**

It is important that the SAP team check to see if the school district currently has a policy regarding custody agreements and parent permission for SAP.

In cases where a student's parents are married and living in the same home, only one parent needs to sign the form.

In situations where the parents are divorced/separated and there is a written custody agreement around educational decisions, request a copy of it and follow the agreement.

If the agreement gives both parents the authority to make educational decisions, either parent may sign. (It is best practice to include both parents in all correspondence/communication to assure that both parents are involved.

If only one parent has legal custody, then they are the only one that can sign for permission for SAP services.

**48. How long are written parent consents for the SAP process valid?**

- SAP consents are only valid for the current school year that the consent was obtained.
- There could be exceptions to this, such as the following:
  - A. the consent form indicates a termination date
  - B. the student turns 18 or becomes emancipated

**49. Can school districts utilize Behavior Checklists (student information forms) without parent permission?**

Data collection conducted in the normal course of instructional activity does not require parental permission. According to BEC 24 P.S. §15-1547 "the school is responsible for managing the process of identifying and clarifying the nature of problems impacting school performance and mobilizing and coordinating in-school and community resources to address these problems. In all cases it is the team's responsibility to involve and communicate with the parent regarding the issue(s) affecting the child's performance in school, provide information and recommendations on available school based services, provide information on community resources and the options to resolve the problem." The Student Information Form is an efficient way to collect information on student behavior from a variety of individuals who have had daily contact with that student.

## **AGENCY**

### **50. Can individuals representing county and/or community-based agencies serve on a SAP team?**

Yes. The Pennsylvania model provides liaisons for drug and alcohol and mental health services. Annual written service agreements (letters of agreement) between the agency and the school district sanction the liaison's involvement on the SAP team.

### **51. Can other agency personnel such as School-based Probation officers, Children and Youth Case Managers, and School Resource Officers (SRO) serve on SAP teams?**

Yes. If an individual representing one of these entities is trained in the PA SAP model and works closely with the school district, they can serve on the SAP team through written letters of agreement. If one of these individuals has not completed SAP training, they are not permitted to be a part of the SAP team, but can be invited to sit in on specific cases that are also on their caseloads.

### **52. Does Act 147 (Minors Consent Act) affect Student Assistance Programs in the schools?**

No. Act 147 does not affect referral and participation in SAP because SAP is not a treatment program. The focus of SAP is on identification of barriers to learning and referral for assessment if needed. However, liaisons and SAP professionals should be versed in this law in order to help schools, parents, and students navigate the mental health treatment process.

### **53. How does Act 147 apply to school-based mental health programs?**

Currently, school-based mental health programs are an extension of a local community mental health agency. Schools should have clear letters of agreements and contracts outlining the process for student referral to the treatment program. Letters of Agreement should be reviewed and signed annually.

### **54. What is the difference between a SAP screen and SAP assessment?**

A screening or pre-assessment is less invasive and less clinical in nature. They gather enough information to determine if the situation warrants further evaluation and/or the severity of the students needs to determine the timeline of need for services.

An assessment is done by an agency staff member from a drug and alcohol or mental health provider. Typically, this assessment occurs in an agency but in some

counties may take place in the school setting. An assessment is much more detailed and clinical in nature. It delves deeper into specifics of mental health and/or drug and alcohol issues. There are credentials that the assessor needs to have to conduct a full assessment. In general, there are fewer requirements for the screener/pre-assessor than for an assessor. Contact your county administrators for drug and alcohol or mental health as each may have different expectations for the role of the SAP liaison in a school setting.

**55. Do SAP Liaisons have to provide services to all elementary, secondary, charter, and cyber charter schools if they have a SAP Team?**

Funding for basic SAP services is available to all secondary schools. The DPW provides funding to the County MH/MR programs for mental health services and the DOH provides funding to the SCA's for drug and alcohol services. Services for elementary, charter, and cyber-charter schools depends on the availability of funds. Therefore, collaboration with the County MH/MR or County Drug & Alcohol Program is strongly recommended to ascertain the availability of liaison resources and other funding options (i.e. grants) to assist with program implementation for sites other than secondary schools.

**MISCELLANEOUS**

**56. Where does the funding come from for SAP teams and training?**

There is no direct funding from the Department of Education for SAP. However, school districts use Safe and Drug Free Schools and Communities funds, Safe School Initiative Grants, Accountability Block Grants and other local school funds to support SAP. Each county/county joinder receives funds from the PA Department of Health to provide drug and alcohol liaison services to schools and from the PA Department of Public Welfare to provide mental health liaison services to schools.

**57. If we have a SWPBS core team, do we have to have a SAP team?**

SAP is mandatory, where as SWPBS is not. A SAP team is required, but there are no regulations as to whether these teams can be combined as long as they continue to meet the requirements of SAP. If you would like to combine the efforts of the teams required of both initiatives, please contact your Regional SAP coordinator for assistance in making this happen.

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**Prepared by the:**

Commonwealth Student Assistance Program (SAP) Interagency Committee

Departments of Education, Health, and Public Welfare

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