

WEST CHESTER AREA SCHOOL DISTRICT
Policy Review Committee
 May 15, 2023
 6:00 pm
 Spellman Education Center

AGENDA

•	Public Comment on Agenda Items	
★	Approval of April 17, 2023 Minutes	K. Fleming
★	Review and Approval of Revised Policy 103 Discrimination/ Sexual Harassment Affecting Students	K. Reynolds
•	Revised 103AG1: Discrimination/Sexual Harassment/Retaliation Report Form	K. Reynolds
★	Review and Approval of Revised Policy 113.2 Behavior Intervention	M. Kleiman
★	Review and Approval of Revised Policy 137 Home Education Programs	S. Missett
★	Review and Approval to Retire Administrative Guideline 137AG1 Home Education Programs Non-District Programs Guidelines	S. Missett
★	Review and Approval of Revised Policy 137.1 Extracurricular Participation by Home Education Students	S. Missett
★	Review and Approval of New Policy 137.2 Participation in Cocurricular Activities and Academic Courses by Home Edu Students	S. Missett
★	Review and Approval of New Administrative Guideline 137.2AG1 Participation in Cocurricular Activities and Academic Courses by Home Edu Stu Guidelines	S. Missett
★	Review and Approval of New Policy 137.3 Participation in Career and Technical Education Programs by Home Edu Students	S. Missett
★	Review and Approval of New Administrative Guideline 140AG2 Procedures for Consideration of Charter School Applications	K. Reynolds
★	Review and Approval of Revised Policy 204 Attendance	M. Kleiman
•	Revised 204AG1 Attendance Guidelines	M. Kleiman
★	Review and Approval to Retire Administrative Guideline 204AG3: Attendance Guidelines – WC Cyber Program	M. Kleiman
★	Review and Approval of Revised Policy 215 Promotion & Retention	S. Missett
•	Revised 215AG1: Promotion & Retention Guidelines	S. Missett
★	Review and Approval of Revised Administrative Guideline 218AG1 Student Discipline Guidelines	S. Missett

★	Review and Approval of Revised Policy 218.2 Terroristic Threats	S. Missett
★	Review and Approval of Revised Policy 218.3 Student Integrity	S. Missett

Public Comment Protocol

- Residents wishing to make public comment on agenda items must register prior to the start of the meeting.
- Public comments on agenda items will be taken at the beginning of the meeting prior to voting.
- Policy 903: Public Participation in Board Meetings governs public comment.
- The committee chair or designee will call residents in the order in which they signed in.
- A three-minute timer will be projected on the screen and will start after the speaker gives their name and township/borough.

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WEST CHESTER AREA SCHOOL DISTRICT
Policy Review Committee

Policy Review Committee Meeting Minutes

April 17, 2023

Spellman Education Center Board Room

Start: 5:45 pm – Finish: 6:33 pm

Attending Committee Members:

☒ Karen Fleming (chair) ☒ Gary Bevilacqua ☒ Laura Detre ☒ Stacey Whomsley

Other Board Members:

☒ Joyce Chester ☒ Alex Christy ☒ Daryl Durnell ☒ Karen Herrmann ☒ Sue Tiernan

Administration:

☒ Kalia Reynolds ☒ Wayne Birster ☒ Melissa Kleiman ☐ Una Martin ☒ Sara Missett
☒ Cheryl Newton-Woods ☒ John Scully ☐ Jeff Ulmer ☒ Michael Wagman

Public Comment:

Name	Agenda Item
Bob Rafetto	Policy 016
Judi DiFonzo	Policy 113.2

Items on Agenda

- Approval of March 20, 2023 Minutes
- Review and Approval of Policy 113.1 Discipline of Students with Disabilities
- Review and Approval of Revised Policy 113.2: Behavior Intervention
- Review and Approval of Revised Policy 216: Student Records
- Review and Approval of Revised Policy 218: Student Discipline
- Policy 237: Use of Personal and District Technology Devices
- Review and Approval of New Administrative Guideline 830AG1: Electronic Data Storage Guidelines
- Review and Approval of Revised Policy 006: Meetings
- Review and Approval of Revised Policy 006.1: Attendance at Meetings Via Electronic Communications
- Review and Approval of Revised Policy 006.2 Rules of Order
- Review and Approval of Revised Policy 006.3: Broadcasting Board Meetings
- Policy 007: Policy Manual Access
- Review and Approval of Revised Policy 009: Policy Development
- Review and Approval of Revised Policy 016: Electronic Communications

Policy Review Committee Actions/Outcomes

Agenda Item	Vote
Approval of March 20, 2023 Minutes	4-0
Approval of Policy 113.1 Discipline of Students with Disabilities	4-0
Approval of Revised Policy 113.2: Behavior Intervention: <i>returned to committee for further review</i>	No vote
Approval of Revised Policy 216: Student Records	4-0
Approval of Revised Policy 218: Student Discipline	4-0
Approval of New Administrative Guideline 830AG1: Electronic Data Storage Guidelines	4-0
Approval of 006: Meetings: <i>returned to committee for further review</i>	No vote
Approval of Revised Policy 006.1: Attendance at Meetings Via Electronic Communications: <i>returned to committee for further review</i>	No vote
Approval of Revised Policy 006.2 Rules of Order: <i>returned to committee for further review</i>	No vote
Approval of Revised Policy 006.3: Broadcasting Board Meetings	4-0
Approval of Revised Policy 009: Policy Development	4-0
Approval of Revised Policy 016: Electronic Communications: <i>returned to committee for further review</i>	No vote

Next Meeting: **Monday, May 15, 2023**

April Board Consent Agenda items:

- Revised Policy 251: Students Experiencing Homelessness, Foster Care or other Educational Instability, Second Reading
- Revised Policy 830 Electronic Data Storage (formerly known as Breach of Computerized Personal Information), Second Reading
- Revised Approval of Revised Policy 003: Functions, Second Reading
- Revised Policy 004: Membership, Second Reading
- Revised Policy 005: Organization, Second Reading
- New Administrative Guideline: 005AG1 Board Organization Guidelines, Second Reading



Book	Policy Manual
Section	100 Programs
Title	Discrimination/Title IX Sexual Harassment Affecting Students
Code	103
Status	Review
Adopted	August 1, 2015
Last Revised	November 22, 2021
Prior Revised Dates	3/25/2019; 9/29/2020; 4/26/2021

Authority

The Board declares it to be the policy of this district to provide an equal opportunity for all students to achieve their maximum potential through the programs and activities offered in the schools without discrimination on the basis of race, color, age, creed, religion, sex, sexual orientation, gender identity, ancestry, national origin, marital status, pregnancy or handicap/disability.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)

The Board also declares it to be the policy of this district to comply with federal law and regulations under Title IX prohibiting sexual harassment, which is a form of unlawful discrimination on the basis of sex. Such discrimination shall be referred to throughout this policy as Title IX sexual harassment. Inquiries regarding the application of Title IX to the district may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

The district is committed to the maintenance of a safe, positive learning environment for all students that is free from discrimination. Discrimination is inconsistent with the rights of students and the educational and programmatic goals of the district and is prohibited on school property, and at or, in the course of, district-sponsored programs or activities, including on any conveyance providing transportation to or from school or school-sponsored activities.

Violations of this policy, including acts of retaliation as described in this policy, or knowingly providing false information, may result in disciplinary consequences under applicable Board policy and procedures.[\[18\]](#)[\[19\]](#)[\[20\]](#)[\[21\]](#)

The Board directs that the foregoing statement of Board policy be included in each student and staff handbook, and that this policy and related administrative guidelines be posted to the district's website.

The Board requires a notice stating that the district does not discriminate in any manner, including Title IX sexual harassment, in any district education program or activity, to be issued to all students, parents/guardians, employment applicants, employees and all unions or professional organizations holding collective bargaining or professional agreements with the district. All discrimination notices and information shall include the title, office address, telephone number and email address of the individual(s) designated as the Compliance Officer and Title IX Coordinator.

Reports of Title IX Sexual Harassment and Other Discrimination and Retaliation

The Board encourages students and third parties who believe they or others have been subject to Title IX sexual harassment, other discrimination or retaliation to promptly report such incidents to the building principal. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination.

The student's parents/guardians or any other person with knowledge of conduct that may violate this policy is encouraged to immediately report the matter to the building principal.

A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal, as well as properly making any mandatory police or child protective services reports required by law.[22]

If the building principal is the subject of a complaint, the student, third party or a reporting employee shall report the incident directly to the Title IX Coordinator.

The complainant or the individual making the report may use the Discrimination/Sexual Harassment/Retaliation Report Form (103AG1) for purposes of reporting an incident or incidents in writing; however, verbal reports of an incident or incidents shall be accepted, documented and the procedures of this policy and the relevant administrative guidelines followed.

The building principal shall promptly notify the Title IX Coordinator of all reports of discrimination, Title IX sexual harassment or retaliation. The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

The Title IX Coordinator shall conduct an assessment to determine whether the reported circumstances are most appropriately addressed through the Discrimination Complaint Procedures prescribed in Administrative Guideline 103AG2, or if the reported circumstances meet the definition of Title IX sexual harassment and are most appropriately addressed through the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Administrative Guideline 103AG3, or other Board policies.

Disciplinary Procedures When Reports Allege Title IX Sexual Harassment

When a report alleges Title IX sexual harassment, disciplinary sanctions may not be imposed until the completion of the grievance process for formal complaints outlined in 103AG3. The district shall presume that the respondent is not responsible for the alleged conduct until a determination has been made at the completion of the grievance process for formal complaints.

When an emergency removal, as described in 103AG3, is warranted to address an immediate threat to the physical health or safety of an individual, and it is not feasible to continue educational services remotely or in an alternative setting, the normal procedures for suspension and expulsion shall be conducted to accomplish the removal, including specific provisions to address a student with a disability where applicable.[18][20][23][24]

When an emergency removal is not required, disciplinary sanctions shall be considered in the course of the Title IX grievance process for formal complaints. Following the issuance of the written determination and any applicable appeal, any disciplinary action specified in the written determination or appeal decision shall be implemented in accordance with the normal procedures for suspensions, expulsions or other disciplinary actions, including specific provisions to address a student with a disability where applicable.[18][19][20][23]

Discipline/Placement of Student Convicted or Adjudicated of Sexual Assault

Upon notification of a conviction or adjudication of a student in this district for sexual assault against another student enrolled in this district, the district shall comply with the disciplinary or placement requirements established by state law and Board policy.[25][26]

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a report and the investigation related to any form of discrimination or retaliation, including Title IX sexual harassment, shall be handled in accordance with applicable law, regulations, this policy, administrative guidelines, and the district's legal and investigative obligations.[27][28][29][30][31]

Retaliation

The Board prohibits retaliation by the district or any other person against any person for:[30]

1. Reporting or making a formal complaint of any form of discrimination or retaliation, including Title IX sexual harassment.
2. Testifying, assisting, participating or refusing to participate in a related investigation process or other proceeding or hearing.
3. Acting in opposition to practices the person reasonably believes to be discriminatory.

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against anyone for actions described above. Individuals are encouraged to contact the Title IX Coordinator immediately if retaliation is believed to have occurred.

Definitions

Complainant shall mean an individual who is alleged to be the victim.

Respondent shall mean an individual alleged to be the perpetrator of the discriminatory or harassing conduct.

Discrimination

Discrimination shall mean to treat individuals differently, or to harass or victimize based on a protected classification including race, color, age, creed, religion, sex, sexual orientation, gender identity, ancestry, national origin, marital status, pregnancy, or handicap/disability.

Harassment is a form of discrimination based on protected classification listed in this policy, consisting of unwelcome conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance and when such conduct is:

1. Sufficiently severe, persistent or pervasive; and
2. A reasonable person in the complainant's position would find that it creates an intimidating, threatening or abusive educational environment such that it deprives or adversely interferes with or limits an individual or group of the ability to participate in or benefit from the services, activities or opportunities offered by a school.

Definitions Related to Title IX Sexual Harassment

Formal complaint shall mean a document filed by a complainant or signed by the Title IX Coordinator alleging Title IX sexual harassment and requesting that the district investigate the allegation under the grievance process for formal complaints. The authority for the Title IX Coordinator to sign a formal complaint does not make the Title IX Coordinator a party in the grievance process for formal complaints. The phrase "document filed by a complainant" refers to a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.[29][32]

Supportive measures shall mean nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. [\[32\]](#)

Supportive measures shall be designed to restore or preserve equal access to the educational program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or to deter sexual harassment. Supportive measures may include, but are not limited to: [\[32\]](#)

1. Counseling.
2. Extensions of deadlines or other course-related adjustments.
3. Modifications of class schedules.
4. Campus escort services.
5. Mutual restrictions on contact between the parties.
6. Increased security.
7. Monitoring of certain areas of the campus.
8. Assistance from domestic violence or rape crisis programs.
9. Assistance from community health resources including counseling resources.

Supportive measures may also include, when in accordance with applicable law, regulation or Board policy, assessments or evaluations to determine eligibility for special education or related services, or the need to review an Individualized Education Program (IEP) or Section 504 Service Agreement based on a student's behavior. [\[17\]\[18\]\[23\]\[24\]\[33\]](#)

Title IX sexual harassment means conduct on the basis of sex that satisfies one or more of the following: [\[32\]](#)

1. A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as *quid pro quo sexual harassment*.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.
3. Sexual assault, dating violence, domestic violence or stalking.
 - a. **Dating violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors: [\[34\]](#)
 - i. Length of relationship.
 - ii. Type of relationship.
 - iii. Frequency of interaction between the persons involved in the relationship.
 - b. **Domestic violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. [\[34\]](#)

- c. **Sexual assault** means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. [\[35\]](#)
- d. **Stalking**, under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either: [\[34\]](#)
 - i. Fear for their safety or the safety of others.
 - ii. Suffer substantial emotional distress.

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An **education program or activity** includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus. [\[28\]](#)[\[29\]](#)[\[32\]](#)

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Director of Human Resources or designee as the district's Compliance Officer and the Director of Equity and Assessment or designee as the district's Title IX Coordinator. [\[36\]](#)

The Compliance Officer can be contacted at:

Address: 782 Springdale Drive, Exton PA 19341
 Email: complianceofficer@wcasd.net
 Phone: 484-266-1006

The Title IX Coordinator can be contacted at:

Address: 782 Springdale Drive, Exton PA 19341
 Email: titleIXcoordinator@wcasd.net
 Phone: 484-266-1201 **1000**

The Compliance Officer and Title IX Coordinator shall fulfill designated responsibilities to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of the district's nondiscrimination procedures in the following areas as appropriate:

1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.
2. Training - Provide training for students and staff to prevent, identify and alleviate problems of discrimination.
3. Resources - Maintain and provide information to staff on resources available to complainants in addition to the school complaint procedure or Title IX procedures, such as making reports to the police, available supportive measures such as assistance from domestic violence or rape crisis programs and community health resources including counseling resources.
4. Student Access - Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
5. District Support - Assure that like aspects of the school programs and activities receive like support as to staffing and compensation, facilities, equipment, and related areas. [\[37\]](#)
6. Student Evaluation - Review of assessments, procedures, and guidance and counseling materials for stereotyping and discrimination.

7. Reports/Formal Complaints - Monitor and provide technical assistance to individuals involved in managing informal reports and formal complaints.

Guidelines

Title IX Sexual Harassment Training Requirements

The Compliance Officer and Title IX Coordinator, investigator(s), decision-maker(s), or any individual designated to facilitate an informal resolution process related to Title IX sexual harassment shall receive training, as required or appropriate to their specific role.

All training materials shall promote impartial investigations and adjudications of formal complaints of Title IX sexual harassment without relying on sex stereotypes.

All training materials shall be posted on the district's website.

Disciplinary Consequences

A student who is determined to be responsible for violation of this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include but is not limited to: [18][19][20]

1. Loss of school privileges.
2. Permanent transfer to another school building, classroom or school bus.
3. Exclusion from school-sponsored activities.
4. Detention.
5. Suspension.
6. Expulsion.
7. Referral to law enforcement officials.

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.[21][38]

Reports of Discrimination

Any reports of discrimination that are reviewed by the Title IX Coordinator and do not meet the definition of Title IX sexual harassment but are based on race, color, age, creed, religion, sex, sexual orientation, gender identity, ancestry, national origin, marital status, pregnancy or handicap/disability shall follow the Discrimination Complaint Procedures in Administrative Guideline 103AG2.

Reports of Title IX Sexual Harassment

Any reports deemed by the Title IX Coordinator to meet the definition of sexual harassment under Title IX shall follow the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Administrative Guideline 103AG3.

Other Reports

Any reports reviewed by the Title IX Coordinator which do not meet the definition of Title IX sexual harassment or discrimination of a protected class will be processed under the relevant Board policy.

Right to Alternative Complaint Procedure

Nothing in this policy shall deny the right of any individual to pursue other avenues of recourse to address concerns relating to prohibited harassment including initiating civil action, filing a complaint with outside agencies or seeking redress under state or federal law.

Legal

- [1. 22 PA Code 12.1](#)
- [2. 22 PA Code 12.4](#)
- [3. 22 PA Code 15.1 et seq](#)
- [4. 22 PA Code 4.4](#)
- [5. 24 P.S. 1301](#)
- [6. 24 P.S. 1310](#)
- [7. 24 P.S. 1601-C et seq](#)
- [8. 24 P.S. 5004](#)
- [9. 43 P.S. 951 et seq](#)
- [10. 20 U.S.C. 1681 et seq](#)
- [11. 34 CFR Part 106](#)
- [12. 29 U.S.C. 794](#)
- [13. 42 U.S.C. 12101 et seq](#)
- [14. 42 U.S.C. 1981 et seq](#)
- [15. 42 U.S.C. 2000d et seq](#)
- [16. U.S. Const. Amend. XIV, Equal Protection Clause](#)
17. Pol. 103.1
18. Pol. 113.1
19. Pol. 218
20. Pol. 233
21. Pol. 317
22. Pol. 806
23. Pol. 113.2
24. Pol. 113.3
25. Pol. 218.4
- [26. 24 P.S. 1318.1](#)
- [27. 20 U.S.C. 1232g](#)
- [28. 34 CFR 106.44](#)
- [29. 34 CFR 106.45](#)
- [30. 34 CFR 106.71](#)
- [31. 34 CFR Part 99](#)
- [32. 34 CFR 106.30](#)
33. Pol. 113
- [34. 34 U.S.C. 12291](#)
- [35. 20 U.S.C. 1092](#)
- [36. 34 CFR 106.8](#)
37. Pol. 150
38. Pol. 317.1
- [18 Pa. C.S.A. 2709](#)

[20 U.S.C. 1400 et seq](#)

[28 CFR Part 35](#)

[28 CFR Part 41](#)

[34 CFR Part 100](#)

[34 CFR Part 104](#)

[34 CFR Part 110](#)

[U.S. Const. Amend. I](#)

Bostock v. Clayton County, 590 U.S., 140 S. Ct. 1731 (2020)

Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)

Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)

Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998)

[Office for Civil Rights - Resources for Addressing Racial Harassment](#)

Pol. 122

Pol. 123

Pol. 138

Pol. 216

Pol. 220

Pol. 247

Pol. 249

Pol. 251

Pol. 252

Pol. 320

Pol. 352

Pol. 701

103AG1 DISCRIMINATION/SEXUAL HARASSMENT/RETALIATION REPORT FORM

The Board declares it to be the policy of this district to provide a safe, positive learning and working environment that is free from sexual harassment, discrimination, and retaliation. If you have experienced, or if you have knowledge of, any such actions, we encourage you to complete this form. The Title IX Coordinator will be happy to support you by answering any questions about the report form, reviewing the report form for completion and assisting as necessary with completion of the report. ~~The Title IX Coordinator's contact information is:~~

The Title IX Coordinator can be contacted at:

Position: Director of Equity and Assessment

Address: 782 Springdale Drive Exton PA 19341

Email: ~~dmader@wcasd.net~~ titleIXcoordinator@wcasd.net

Phone Number: 484-266-1201 **1000**

Retaliation Prohibited

The district, its employees and others are prohibited from intimidating, threatening, coercing, or discriminating against you for filing this report. Please contact the Title IX Coordinator immediately if you believe retaliation has occurred.

Confidentiality

Confidentiality of all parties, witnesses, the allegations and the filing of a report shall be handled in accordance with applicable law, regulations, Board policy, procedures, and the district's legal and investigative obligations. The school will take all reasonable steps to investigate and respond to the report, consistent with a request for confidentiality as long as doing so does not preclude the school from responding effectively to the report. If you have any questions regarding how the information contained in this report may be used, please discuss them with the Title IX Coordinator prior to filing the report. Once this report is filed, the district has an obligation to investigate the information provided.

Note: For purposes of Title IX sexual harassment, this Report Form serves initially as an informal report, not a formal complaint of Sexual Harassment under Title IX.

I. Information About the Person Making This Report:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

I am a:

☐ Student ☐ Parent/Guardian ☐ Employee ☐ Volunteer ☐ Visitor☐ Other _____ (please explain relationship to the district)

If you are not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is: ☐ Your Child ☐ Another Student ☐ A District Employee☐ Other: _____ (please explain relationship to the alleged victim)**II. Information About the Person(s) You Believe is/are Responsible for the Harassment or Discrimination You are Reporting**

What is/are the name(s) of the individual(s) you believe is/are responsible for the conduct you are reporting?

Name(s):

The reported individual(s) is/are:☐ Student(s) ☐ Employee(s)☐ Other _____ (please explain relationship to the district)

III. Description of the Conduct You are Reporting

In your own words, please do your best to describe the conduct you are reporting as clearly as possible. Please attach additional pages if necessary:

When did the reported conduct occur? (Please provide the specific date(s) and time(s) if possible):

Where did the reported conduct take place?

Please provide the name(s) of any person(s) who was/were present, even if for only part of the time.

Please provide the name(s) of any other person(s) that may have knowledge or related information surrounding the reported conduct.

Have you reported this conduct to any other individual prior to giving this report?

☐ Yes ☐ No

If yes, who did you tell about it?

If you are the victim of the reported conduct, how has this affected you?

I affirm that the information reported above is true to the best of my knowledge, information and belief.

Signature of Person Making the Report

Date

Received By

Date

FOR OFFICIAL USE ONLY

This section is to be completed by the Title IX Coordinator based on reviewing the report with the complainant or other individual making the report.

The purpose of this form is to assist the Title IX Coordinator in gathering information necessary to properly assess the circumstances surrounding the reported conduct to determine if the allegations fall under the definition of Title IX sexual harassment or if the matter merits review and action under the Code of Student Conduct and/or other Board policies. The Title IX Coordinator shall gather as much information as possible in cases of incomplete or anonymous reports (including those that may be received through the Safe2Say Something program) to assess the report.

Upon receipt of the report, The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures as described in Policy 103 and 103AG3. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.

I. Reporter Information:

Name: _____

Address: _____

Phone Number: _____

School Building: _____

Reporter is a:

☐ Student ☐ Parent/Guardian ☐ Employee ☐ Volunteer ☐ Visitor

☐ Other _____ (please explain relationship to the district)

If the reporter is not the victim of the reported conduct, please identify the alleged victim:

Name: _____

The alleged victim is: ☐ Reporter's Child ☐ Another Student ☐ Another Employee

☐ Other: _____ (please explain relationship to the alleged victim)

II. Respondent Information

Please state the name(s) of the individual(s) believed to have conducted the reported violation:

Name(s):

The reported respondent(s) is/are:

- ☐ Student(s) ☐ Employee(s)
- ☐ Other _____ (please explain relationship to the district)

III. Level of Report:

- ☐ Informal ☐ Formal (see additional information below on Title IX formal complaints)

IV. Type of Report:

- ☐ Title IX Sexual Harassment ☐ Discrimination ☐ Retaliation Other _____

Nature of the Report (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Age |
| <input type="checkbox"/> Color | <input type="checkbox"/> Creed |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Sex |
| <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Sexual Harassment (Title IX) |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Gender Identity |
| <input type="checkbox"/> Marital Status | <input type="checkbox"/> Ancestry |
| <input type="checkbox"/> Handicap/Disability | <input type="checkbox"/> Pregnancy |

V. Reported Conduct

Describe the reported conduct below, including specific actions, dates, times, locations and any other details necessary to properly assess the reported incident(s).

How often did the conduct occur?

Is it being repeated? ☐ Yes ☐ No

Do the circumstances involve a student identified as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act?

☐ No.

☐ Yes, please identify the student with a disability and contact the Director of Special Education.

Date Director of Special Education was contacted: _____

How has the conduct affected the alleged victim's ability to fully participate in the school's academic, programs, activities or school employment?

What is the alleged victim's relationship with the alleged respondent?

Insert names, descriptions, and/or contact information of individuals believed to have observed the conduct or who otherwise may have knowledge of the conduct and/or related circumstances.

Additional observations or evidence including pictures, texts, emails, video or other information submitted to the Title IX Coordinator.

VI. Safety Concerns

Are there safety concerns that may require Emergency Removal of or Administrative Leave for a respondent? (This requires an individualized safety and risk analysis as to whether there is an immediate threat to the physical health or safety of a student or other individual.)

☐ No.

☐ Yes, please describe:

VII. Other Reports

Has the conduct been reported to the police or any other agency?

☐ No

☐ Yes Date reported: _____ Agency: _____

VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

☐ Policy 103. Discrimination/Title IX Sexual Harassment Affecting Students

☐ Policy 104. Discrimination/Title IX Sexual Harassment Affecting Staff

☐ Policy 247. Hazing

Policy 249. Bullying

Other _____

To meet the definition of Title IX sexual harassment, the conduct must have taken place during a district education program or activity involving a person in the United States. An **education program or activity** includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the sexual harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus, including conveyance on district provided transportation.

Did the incident occur during a during a school program or activity involving a person in the United States?

☐ Yes

☐ No

To meet the definition of Title IX sexual harassment, the conduct needs to satisfy one or more of the following (please check all that apply):

☐ A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo sexual harassment.

☐ Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.

☐ Sexual assault, dating violence, domestic violence or stalking.

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:

- Length of relationship.
- Type of relationship.
- Frequency of interaction between the persons involved in the relationship.

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Sexual assault means a sexual offense under a state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Stalking means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either:

1. Fear for their safety or the safety of others.
2. Suffer substantial emotional distress.

IX. Recommended Course of Action

After consultation with the complainant and consideration of the reported information, the Title IX Coordinator directs the report to proceed under the provisions of (check all that apply):

☐ No further action at this time. Reason:

- ☐ Policy 247. Hazing
☐ Policy 249. Bullying
☐ Other

☐ Policy 103 Discrimination/Title IX Sexual Harassment Affecting Students: 103AG2

Discrimination Complaint Procedures

- ☐ Policy 104 Discrimination/Title IX Sexual Harassment Affecting Staff: 104AG2
Discrimination Complaint Procedures
- ☐ Policy 103. Discrimination/Title IX Sexual Harassment Affecting Students: 103AG3 Title IX
Sexual Harassment Procedures and Grievance Process for Formal Complaints
- ☐ Policy 104. Discrimination/Title IX Sexual Harassment Affecting Staff: 104AG3 Title IX
Sexual Harassment Procedures and Grievance Process for Formal Complaints

X. Title IX Information to Complainant

What supportive measures were discussed with the complainant, and what were the complainant's wishes with respect to supportive measures?

Upon designating a course of action under Title IX sexual harassment, the Title IX Coordinator will promptly:

1. Explain to the complainant the process for filing a formal complaint.
2. Inform the complainant of the continued availability of supportive measures with or without the filing of a formal complaint.
3. The Title IX Coordinator shall contact a student complainant's parents/guardians and provide them with information regarding the report and Title IX sexual harassment procedures and grievance process for formal complaints.

If the complainant/reporter, school staff or others with professional knowledge relating to the complainant's health and well-being indicate that notifying the parents/guardians could cause serious harm to the health or well-being of the complainant or other person(s), the Title IX Coordinator will determine, in consultation with such individuals and upon advice of legal counsel, whether to withhold or delay notification of the report from the complainant's parents/guardians.

4. Determine what supportive measures may be offered to the respondent.
5. Determine whether the complainant wishes this report to be treated as a formal complaint.

XI. Title IX Coordinator Signature

I recommend the above course of action based on my consultation with the complainant and the information available at this time.

Title IX Coordinator: _____

Date: _____

XII. Title IX Formal Complaint Action

The Title IX Coordinator shall have the complainant check the appropriate box and sign and date below to indicate whether or not the complainant wishes to have this form serve as a formal complaint pursuant to Title IX.

I would like my report to be treated as a formal complaint pursuant to Title IX.

☐ Yes

☐ No

Complainant's Signature: _____

Date: _____

If the complainant does not wish this report to be treated as a formal complaint pursuant to Title IX, the Title IX Coordinator must assess whether actions limited to supportive measures are a sufficient response to alleged behavior, or whether a formal complaint process is necessary to investigate and address the situation adequately. For example, if disciplinary action would be warranted if allegations are true, if the respondent is an employee, or if further investigation is needed to assess the extent of the behavior and impact on others, it may be clearly unreasonable not to initiate the formal complaint process. The Title IX Coordinator may consult with the school solicitor and other district officials in making this decision.

As Title IX Coordinator, I have determined that, notwithstanding the complainant's preference, it is necessary to proceed with the Grievance Process for Formal Complaints for the following reasons:

Therefore, I am signing this form for the purpose of serving as the formal complaint initiating that process:

Title IX Coordinator's Signature: _____

Date: _____



Book	Policy Manual
Section	100 Programs
Title	Discrimination/Sexual Harassment/Retaliation Student Report Form
Code	103AG1
Status	Review
Adopted	August 1, 2015
Last Revised	October 6, 2021
Last Reviewed	January 22, 2018
Prior Revised Dates	3/25/2019, 9/29/2020

To open and complete this form, you must right click on the link, select 'Save Link As', and then save the file to your desktop. You can then print, complete, and submit the form.

 [103Ag1 REPORT FORM FOR COMPLAINTS OF DISCRIMINATION rev 5.2023.pdf \(296 KB\)](#)



Book	Policy Manual
Section	100 Programs
Title	Behavior Intervention
Code	113.2
Status	Review
Adopted	August 1, 2015
Last Revised	February 22, 2021
Last Reviewed	August 24, 2015

Purpose

Students with disabilities shall be educated in the least restrictive environment (LRE) in accordance with their Individualized Education Program (IEP), and shall only be placed in settings other than the regular education class when the nature or severity of the student's disability is such that education in the regular education class with the use of appropriate supplementary aids and services cannot be achieved satisfactorily and cannot meet the needs of the student. The IEP team for a student with a disability shall develop a Positive Behavior Support Plan if the student requires specific intervention to address behavior that interferes with learning. The identification, evaluation, and plan or program shall be conducted and implemented in accordance with state and federal laws and regulations. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

Authority

The Board directs that the district's behavior support programs shall be based on positive rather than negative behavior techniques to ensure that students shall be free from demeaning treatment and unreasonable use of restraints or other aversive techniques. The use of restraints shall be considered a measure of last resort and shall only be used after other less restrictive measures, including de-escalation techniques. Behavior support programs and plans shall be based on a functional behavioral assessment and shall include a variety of research-based techniques to develop and maintain skills that will enhance students' opportunity for learning and self-fulfillment. [\[1\]](#)[\[3\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

Definitions

The following terms shall have these meanings, unless the context clearly indicates otherwise. [\[1\]](#)

Aversive techniques - deliberate activities designed to establish a negative association with a specific behavior.

Behavior support - development, change and maintenance of selected behaviors through the systematic application of behavior change techniques.

Positive Behavior Support Plan or Behavior Intervention Plan - plan for students with disabilities who require specific intervention to address behavior that interferes with learning. A Positive Behavior Support Plan shall be developed by the IEP team, be based on a functional behavioral assessment, and

become part of the individual student's IEP. These plans must include methods that use positive reinforcements, other positive techniques and related services required to assist a student with a disability to benefit from special education.

Positive techniques - methods that utilize positive reinforcement to shape a student's behavior, ranging from the use of positive verbal statements as a reward for good behaviors to specific tangible rewards.

Restraints - application of physical force, with or without the use of any device, designed to restrain free movement of a student's body, excluding the following:

1. Briefly holding a student, without force, to calm or comfort the student.
2. Guiding a student to an appropriate activity.
3. Holding a student's hand to escort the student safely from one area to another.
4. Hand-over-hand assistance with feeding or task completion.
5. Techniques prescribed by a qualified medical professional for reasons of safety or for therapeutic or medical treatment, as agreed to by the student's parents/guardians and specified in the IEP.
6. Mechanical restraints governed by this policy, such as devices used for physical or occupational therapy, seatbelts in wheelchairs or on toilets used for balance and safety, safety harnesses in buses, and functional positioning devices.

Seclusion - confinement of a student in a room, with or without staff supervision in the same room at all times, in order to provide a safe environment to allow the student to regain self-control.

Students with disabilities - school-aged children within the jurisdiction of the district who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services.[9]

Delegation of Responsibility

The Superintendent or designee shall ensure that this Board policy is implemented in accordance with federal and state laws and regulations.

The Superintendent or designee shall develop administrative ~~regulations~~ **guidelines** to implement this policy.

The Superintendent or designee shall provide regular training and retraining of staff in the use of specific procedures, methods and techniques, including de-escalation techniques, emergency responses, restraints and seclusions, that will be used to implement positive behavior supports or interventions in accordance with students' IEPs, Positive Behavior Support Plans and Board policy.[1]

The Superintendent or designee shall maintain and report data on the use of restraints, as required. Such report shall be readily available for review during the state's cyclical compliance monitoring. Procedures shall be established requiring reports to be made to the district by entities educating students with disabilities who attend programs or classes outside the district, including private schools, agencies, intermediate units and career and technical schools.[1]

Guidelines

Development of a separate Positive Behavior Support Plan is not required when appropriate positive behavioral interventions, strategies and supports can be incorporated into a student's IEP.[1][5]

When an intervention is necessary to address problem behavior, the positive techniques and types of intervention chosen for a student shall be the least intrusive necessary.

Physical Restraints

Restraints to control acute or episodic aggressive behavior may be used only when the student is acting in a manner that presents a clear and present danger to the student, other students or employees, and only when less restrictive measures and techniques have proven to be or are less effective.[\[1\]](#)

The ~~Director~~ **Supervisor** of Special Education or designee shall notify the parent/guardian as soon as practicable of the use of restraints to control the aggressive behavior of the student and shall convene a meeting of the IEP team within ten (10) school days of the use of restraints, unless the parent/guardian, after written notice, agrees in writing to waive the meeting. At this meeting, the IEP team shall consider whether the student needs a functional behavioral assessment, re-evaluation, a new or revised Positive Behavior Support Plan, or a change of placement to address the inappropriate behavior.[\[1\]](#)

The use of restraints shall not be included in the IEP for the convenience of staff, as a substitute for an educational program, or employed as punishment. Restraints may be included in an IEP with parental consent only if: [\[1\]](#)

1. The restraint is used with specific component elements of a Positive Behavior Support Plan.
2. The restraint is used in conjunction with teaching socially appropriate alternative skills or behaviors.
3. Staff are authorized to use the restraint and have received appropriate training.
4. Positive Behavior Support Plan includes efforts to eliminate the use of restraints.

Mechanical Restraints

Mechanical restraints, which are used to control involuntary movement or lack of muscular control of a student when due to organic causes or conditions, may be employed only when specified by an IEP and as determined by a medical professional qualified to make the determination, and as agreed to by the student's parents/guardians.[\[1\]](#)

Mechanical restraints shall prevent a student from injuring the student or others, or promote normative body positioning and physical functioning.

Seclusion

The district permits involuntary seclusion of a student for a limited period of time in accordance with the student's IEP or in an emergency to prevent immediate or imminent injury to the student or others, but the seclusion must be the least restrictive alternative. District staff shall provide continuous supervision of students in seclusion, which need not always involve presence of staff within the same room **as agreed to by student's parent/guardian. Parent/guardian shall be notified of a seclusion as soon as practical.**

The district prohibits the seclusion of students in locked rooms, locked boxes and other structures or spaces from which the student cannot readily exit.[\[1\]](#)

Aversive Techniques

The following aversive techniques of handling behavior are considered inappropriate and shall not be used in educational programs:[\[1\]](#)

1. Corporal punishment.
2. Punishment for a manifestation of a student's disability.
3. Locked rooms, locked boxes, other locked structures or spaces from which the student cannot readily exit.
4. Noxious substances.
5. Deprivation of basic human rights, such as withholding meals, water or fresh air.

6. Suspensions constituting a pattern as defined in state regulations. [\[12\]](#)
7. Treatment of a demeaning nature.
8. Electric shock.
9. Methods implemented by untrained personnel.
10. Prone restraints, which are restraints by which a student is held face down on the floor.

Referral to Law Enforcement

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The Superintendent or designee shall respond to such incidents in accordance with the district's Special Education Plan and, if applicable, the procedures, methods and techniques defined in the student's Positive Behavior Support Plan. [\[1\]](#)[\[6\]](#)[\[9\]](#)[\[10\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)[\[21\]](#)[\[22\]](#)[\[23\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)[\[27\]](#)

For a student with a disability who has a Positive Behavior Support Plan at the time of referral, subsequent to notification to law enforcement, the district shall convene the student's IEP team and an updated functional behavioral assessment and Positive Behavior Support Plan shall be required. [\[1\]](#)[\[11\]](#)[\[17\]](#)

If, as a result of such referral, the student is detained or otherwise placed in a residential setting located outside the district, the Director of Special Education or designee shall ensure that the responsible school district or intermediate unit is informed of the need to update the student's functional behavioral assessment and Positive Behavior Support Plan. [\[1\]](#)

For a student with a disability who does not have a Positive Behavior Support Plan, subsequent to notification to law enforcement, the district shall convene the student's IEP team to consider whether a Positive Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations and Board policy. [\[1\]](#)[\[17\]](#)

Relations With Law Enforcement

The district shall provide a copy of its administrative ~~regulations~~ **guidelines** and procedures for behavior support, developed in accordance with the Special Education Plan, to each local police department that has jurisdiction over school property. Updated copies shall be provided each time the administrative ~~regulations~~ **guidelines** and procedures for behavior support are revised by the district. [\[9\]](#)[\[17\]](#)[\[19\]](#)[\[27\]](#)

The district shall invite representatives of each local police department that has jurisdiction over school property to participate in district training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention, as included in the district's Special Education Plan and positive behavior support program. [\[1\]](#)[\[9\]](#)[\[17\]](#)[\[19\]](#)[\[27\]](#)

- Legal
- [1. 22 PA Code 14.133](#)
 - [2. 22 PA Code 14.145](#)
 - [3. 20 U.S.C. 1414](#)
 - [4. 34 CFR 300.114](#)
 - [5. 34 CFR 300.324](#)
 - [6. 20 U.S.C. 1415](#)

[7. 34 CFR 300.34](#)

[8. 34 CFR 300.530](#)

9. Pol. 113

10. Pol. 113.1

11. Pol. 113.3

[12. 22 PA Code 14.143](#)

[13. 24 P.S. 1302.1-A](#)

[14. 22 PA Code 10.2](#)

[15. 22 PA Code 10.21](#)

[16. 22 PA Code 10.22](#)

[17. 22 PA Code 10.23](#)

[18. 22 PA Code 10.25](#)

[19. 22 PA Code 14.104](#)

[20. 34 CFR 300.535](#)

21. Pol. 103.1

22. Pol. 218

23. Pol. 218.1

24. Pol. 218.2

25. Pol. 222

26. Pol. 227

27. Pol. 805.1

[24 P.S. 1303-A](#)

[20 U.S.C. 1400 et seq](#)

[34 CFR Part 300](#)

[Pennsylvania Training and Technical Assistance Network, Question and Answer Compendium, January 2020](#)



Book	Policy Manual
Section	100 Programs
Title	Home Education Programs
Code	137
Status	Review
Adopted	August 1, 2015
Last Revised	October 25, 2022

Authority

~~Home education programs for students of compulsory school age residing in the school district shall be conducted in accordance with state law and regulations.~~ [\[1\]](#)[\[2\]](#)[\[3\]](#)

Definitions

~~**Appropriate Education** – a program consisting of instruction in the required subjects for the time required by law and in which the student demonstrates sustained progress in the overall program.~~ [\[2\]](#)

~~**Hearing Examiner** – shall not be an officer, employee, or agent of the Department of Education or of the school district or intermediate unit of residence of the child in the home education program.~~

~~**Home Education Program** – a program conducted in compliance with law by the parent/guardian or person having legal custody of a child. A home education program shall not be considered a nonpublic school under the provisions of law.~~

~~**Supervisor** – the parent/guardian or person having legal custody of a child who is responsible for providing instruction, provided that such person has a high school diploma or its equivalent.~~

Delegation of Responsibility

~~-~~

~~The Superintendent or designee shall develop and distribute administrative guidelines for registering and monitoring home education programs.~~

Guidelines

Affidavits

~~Prior to commencement of the home education program and annually thereafter on August 1, the parent/guardian or person having legal custody of the child shall file a notarized affidavit with the Superintendent or designee setting forth the information required by law. An unsworn declaration made~~

~~under penalty of perjury may be submitted when compliant with and permitted by law. The document shall set forth: [2]~~

- ~~1. Name of the supervisor of the home education program who will be responsible for the provision of instruction.~~
- ~~2. Name and age of each child who will participate in the home education program.~~
- ~~3. Address and telephone number of the home education program site.~~
- ~~4. That subjects required by law are offered in the English language, including an outline of proposed education objectives by subject area.~~
- ~~5. Evidence that the child has been immunized and has received the health and medical services required for students of the child's age or grade level. [4][5]~~
- ~~6. Certification signed by the supervisor that the supervisor, all adults in the home, and persons having legal custody of a child in the home education program have not been convicted of criminal offenses as enumerated in the School Code. [6]~~
- ~~7. That the home education program shall comply with the provisions of Section 1327.1, 24 P.S. §13-1327.1. [2]~~

Transfers

~~If a home education program is relocating to another Pennsylvania school district, the supervisor must request from the Superintendent or designee a letter of transfer for the home education program. The request must be made by registered mail thirty (30) days prior to relocation. [2]~~

~~The Superintendent or designee shall issue the letter of transfer within thirty (30) days after receipt of the supervisor's registered mail request. [2]~~

~~The supervisor shall file the letter of transfer with the superintendent of the new district of residence. [2]~~

~~If a home education program is out of compliance, the Superintendent or designee shall inform the home education supervisor and superintendent of the new district of residence of this status and the reason for denial of the transfer letter. [2]~~

~~If a home education program is in hearing procedures, the Superintendent or designee shall inform the home education supervisor, hearing examiner and superintendent of the new district of residence of this status and the reason for denial of the transfer letter. [2]~~

~~If the Superintendent or designee is informed of pending proceedings related to a home education program relocating to the district, s/he shall continue the home education program until the appeal process is finalized. [2]~~

Instructional Program

~~The instructional program for home education students shall include such courses as required by law. [2]~~

Appropriate Education/Compliance Determination

~~A home education evaluator shall certify that an appropriate education is occurring in the home education program. The supervisor shall submit the certification to the Superintendent or designee by June 30 of each year. If the supervisor fails to submit the certification, the Superintendent or designee~~

shall send a letter to the supervisor notifying the supervisor that s/he has ten (10) days to submit the certification.[\[2\]](#)

If the Superintendent or designee has a reasonable belief at any time during the school year that appropriate education may not be occurring in the home education program, s/he may submit a letter to the supervisor requiring an evaluation be conducted and that an evaluator's certification stating that an appropriate education is occurring be submitted to the district by the supervisor within thirty (30) days. The letter shall include the basis for the Superintendent's or designee's reasonable belief.[\[2\]](#)

If the Superintendent or designee has a reasonable belief that the home education program is out of compliance with the School Code requirements, s/he shall submit a letter to the supervisor requiring a certification be submitted within thirty (30) days indicating the program is in compliance. The letter shall include the basis for the Superintendent's or designee's reasonable belief.[\[2\]](#)

As required by law, all letters shall be sent by certified mail, return receipt requested, and the time for submission of the requested documentation begins upon receipt of the letter.[\[2\]](#)

Hearing(s).

If the supervisor fails to submit a certification as required, the Board shall provide a hearing by a qualified and impartial hearing examiner within thirty (30) days.[\[2\]](#)

If the hearing examiner finds that an appropriate education is not taking place in the home education program, the home education program will be determined out of compliance; and the student will be promptly enrolled in a district school, a nonpublic school or a licensed private academic school.[\[2\]](#)

Appeal

The supervisor or Superintendent may appeal the decision of the hearing examiner to the Secretary of Education, Commonwealth Court or Court of Common Pleas. The home education program may continue during the appeals process.[\[2\]](#)

Loan of Instructional Materials

The district shall, at the request of the supervisor, lend to the home education program copies of the school's planned courses, textbooks, and other curriculum materials appropriate to the student's academic level.[\[2\]](#)

Student Portfolio and Evaluations

For each student participating in the home education program, the supervisor shall:[\[2\]](#)

1. Maintain a portfolio of records and materials as set forth in the School Code.
2. Provide an annual written evaluation of the student's educational progress by a home education evaluator as set forth in the School Code.

Requirements of Supervisor

In order to demonstrate that appropriate education is occurring, the supervisor shall provide and maintain on file for each student enrolled in the home education program a portfolio of records and materials.[\[2\]](#)

The portfolio shall consist of a log, made contemporaneously with the instruction, that designates by title the reading materials used; samples of any writings; worksheets, workbooks or creative materials used or developed by the student; and in grades three, five and eight results of nationally-normed

~~standardized achievement tests in reading, language arts, and mathematics or results of statewide tests administered in these grade levels.~~

~~The supervisor shall ensure that the nationally-normed standardized tests or the statewide tests are not administered by the child's parent/guardian.~~

Evaluation Requirements

~~A teacher or administrator who evaluates a portfolio at the elementary level or secondary level shall meet the requirements established in law.~~[\[2\]](#)

~~An annual written evaluation of the student's educational progress as determined by a licensed clinical or school psychologist, a teacher certified by the Commonwealth, or a nonpublic school teacher or administrator is required. The evaluation shall also be based on an interview of the child and a review of the portfolio and shall certify whether or not an appropriate education is occurring. At the request of the supervisor, persons with other qualifications may conduct the evaluation with the prior consent of the Superintendent. In no event shall the evaluator be the supervisor or his/her spouse.~~

Graduation Requirements

~~The following minimum courses in grades 9 through 12 are established as a requirement for graduation in a home education program: four (4) years of English; three (3) years of mathematics; three (3) years of science; three (3) years of social studies; and two (2) years of arts and humanities.~~[\[2\]](#)

~~The school district shall not award a diploma or acknowledge completion of a student's education in a home education program.~~

Diplomas

~~Students who complete all of the graduation requirements of the home education program shall receive a high school diploma issued by the supervisor or a Pennsylvania Department of Education approved diploma-granting organization.~~[\[2\]](#)

Students With a Disability

~~A home education program shall meet compulsory attendance requirements for a student with a disability only when the program addresses the specific needs of the student and is approved by a teacher with a valid Pennsylvania certificate to teach special education, or a licensed clinical or certified school psychologist. Written notice of such approval must be submitted with the required affidavit.~~[\[1\]](#)

~~The supervisor may request that the school district or intermediate unit of residence provide services that address the specific needs of a student with a disability.~~[\[1\]](#)

~~When the provision of services is agreed to by both the supervisor and the school district or intermediate unit, all services shall be provided in the public schools or in a private school licensed to provide such programs and services.~~[\[1\]](#)

Participation in Curricular Non-district Programs

~~Students in home education programs may participate in CCIU Technical College High School programs in accordance with 137AG1 Home Education Program Administrative Guidelines.~~

Extracurricular Participation

~~Students in home education programs may participate in extracurricular programs in accordance with 137.1 Extracurricular Participation by Home School Students.~~[\[7\]](#)

Authority

Home education programs for students of compulsory school age residing in the school district shall be conducted in accordance with state law and regulations. [1][2][3]

Definitions

Appropriate education - a program consisting of instruction in the required subjects for the time required by law and in which the student demonstrates sustained progress in the overall program. [2]

Hearing examiner - shall not be an officer, employee or agent of the Department of Education or of the school district or intermediate unit of residence of the child in the home education program.

Home education program - a program conducted in compliance with law by the parent/guardian or person having legal custody of a child. A home education program shall not be considered a nonpublic school under the provisions of law.

Supervisor - the parent/guardian or person having legal custody of a child who is responsible for providing instruction, provided that such person has a high school diploma or its equivalent.

Delegation of Responsibility

The Superintendent or designee shall develop and distribute administrative guidelines for registering home education programs, maintaining appropriate records in accordance with law and other guidelines necessary to implement this policy. [2]

Guidelines

Notarized Affidavit

Prior to the commencement of the home education program, and annually thereafter on or before August 1, the parent/guardian or other person having legal custody of the child or children shall file a notarized affidavit with the Superintendent or designee, which contains certification that the supervisor of the home education program and all adults living in the home and persons having legal custody of a child or children in the home education program have not been convicted of criminal offenses enumerated in School Code, in accordance with law. The affidavit shall also include all information required by law. [2] An unsworn declaration made under penalty of perjury may be submitted when compliant with and permitted by law. The document shall set forth:

1. Name of the supervisor of the home education program who will be responsible for the provision of instruction.
2. Name and age of each child who will participate in the home education program.
3. Address and telephone number of the home education program site.
4. That subjects required by law are offered in the English language, including an outline of proposed education objectives by subject area.
5. Evidence that the child has been immunized and has received the health and medical services required for students of the child's age or grade level. [4][5]
6. Certification signed by the supervisor that the supervisor, all adults in the home, and persons having legal custody of a child in the home education program have not been convicted of criminal

offenses as enumerated in the School Code.[\[6\]](#)

7. That the home education program shall comply with the provisions of Section 1327.1, 24 P.S. §13-1327.1.[\[2\]](#)

Instructional Program

The instructional program for home education students shall include such courses as required by law.[\[2\]](#)
[\[4\]](#)[\[5\]](#)

Loan of Instructional Materials

At the request of the supervisor, the district shall lend to the home education program copies of the school's planned courses, textbooks and curriculum materials appropriate to the student's age and grade level.[\[2\]](#)

Student Portfolio and Evaluations

For each student participating in a home education program, the supervisor shall:[\[2\]](#)

1. Maintain a portfolio of records and materials, in accordance with applicable law.
2. Provide an annual written evaluation of the student's educational progress, in accordance with the provisions of applicable law.

Graduation Requirements

The following minimum courses in grades 9 through 12 are established as a requirement for graduation in a home education program: four (4) years of English; three (3) years of mathematics; three (3) years of science; three (3) years of social studies; and two (2) years of arts and humanities.[\[2\]](#)

Diplomas

Students who complete all of the graduation requirements of the home education program shall receive a high school diploma issued by the supervisor or a Pennsylvania Department of Education approved diploma-granting organization.[\[2\]](#)

Students With Disabilities

A home education program meets compulsory attendance requirements for a student with a disability only when the program addresses the specific needs of the student and is approved by a teacher with a valid Pennsylvania certificate to teach special education, a licensed clinical psychologist or a certified school psychologist. Written notice of such approval must be submitted with the required affidavit.[\[1\]](#)

The supervisor may request that the school district or intermediate unit of residence provide services that address the specific needs of a student with a disability.[\[1\]](#)

When the provision of services is agreed to by both the supervisor and the school district or intermediate unit, all services shall be provided in public schools or in a private school licensed to provide such programs and services.[\[1\]](#)

Appropriate Education/Compliance

A home education evaluator shall certify that an appropriate education is occurring in the home education program. The supervisor shall submit the certification to the Superintendent by June 30 of each year. If the supervisor fails to submit the certification, the Superintendent shall send a letter to the supervisor notifying the supervisor that they have ten (10) days to submit the certification.[\[2\]](#)

If the Superintendent has a reasonable belief at any time during the school year that appropriate education may not be occurring in the home education program, the Superintendent may submit a letter to the supervisor requiring an evaluation to be conducted and that an evaluator's certification

stating that an appropriate education is occurring shall be submitted to the district by the supervisor within thirty (30) days. The letter shall include the basis for the Superintendent's reasonable belief. [2]

If the Superintendent has a reasonable belief that the home education program is out of compliance, the Superintendent shall submit a letter to the supervisor requiring a certification to be submitted within thirty (30) days indicating the program is in compliance. The letter shall include the basis for the Superintendent's reasonable belief. [2]

As required by law, all letters shall be sent by certified mail, return receipt requested, and the time for submission of the requested documentation begins upon receipt of the letter. [2]

Hearings

If the supervisor fails to submit a certification as required, the Board shall provide a hearing by a qualified and impartial hearing examiner within thirty (30) days. [2]

If the hearing examiner finds that an appropriate education is not taking place in the home education program, the home education program will be determined out of compliance; and the student will be enrolled promptly in a public school, a nonpublic school or a licensed private academic school. [2]

If a home education program has been determined to be out of compliance, the supervisor or spouse of the supervisor of the home education program is prohibited by law from supervising a home education program for that child or children for a period of twelve (12) months from the date of such determination. [2]

Appeal

The supervisor or Superintendent may appeal the decision of the hearing examiner to the Secretary of Education, Commonwealth Court or Court of Common Pleas. The home education program may continue during the appeals process. [2]

Transfers

If a home education program is relocating to another Pennsylvania school district, the supervisor must request from the Superintendent a letter of transfer for the home education program. The request must be made by registered mail thirty (30) days prior to relocation. [2]

The Superintendent shall issue the letter of transfer within thirty (30) days after receipt of the supervisor's registered mail request. [2]

The supervisor shall file the letter of transfer with the Superintendent of the new district of residence. [2]

If a home education program is out of compliance, the Superintendent shall inform the home education supervisor and Superintendent of the new district of residence of this status and the reason for denial of the transfer letter. [2]

If a home education program is in hearing procedures, the Superintendent shall inform the home education supervisor, hearing examiner and Superintendent of the new district of residence of this status and the reason for denial of the transfer letter. [2]

If the Superintendent is informed of pending proceedings related to a home education program relocating from a previous district to this district, the Superintendent shall continue the home education program until the appeal process in the previous district is finalized. [2]

Legal

[1. 24 P.S. 1327](#)

[2. 24 P.S. 1327.1](#)

[3. 22 PA Code 11.31a](#)

4. Pol. 203

5. Pol. 209

[6. 24 P.S. 111](#)

7. Pol. 137.1

[22 PA Code 11.33](#)



Book	Policy Manual
Section	100 Programs
Title	Home Education Program NonDistrict Administrative Guidelines to be retired
Code	137AG1
Status	
Adopted	August 1, 2015

Participation in Technical College High Schools

A home-schooled student who would like to participate in a technical college high school, provided by the intermediate unit, shall submit a request to the Superintendent. The Superintendent, in conjunction with appropriate personnel from the intermediate unit and the technical college high school, will determine if the technical college high school is able to accommodate additional participation.

Home-school students shall be required to comply with the technical college high school's enrollment process, application process, and policies and timelines. In the event the intermediate unit or the technical college high school has implemented quotas for the school district for student participation in the technical college high school, the home-school student shall receive no priority due to home-school status, and shall be considered for admission in the same manner as any other student in the school district. Home-school students shall only be eligible to attend and participate in technical college high schools, and programs offered by the same that students in the high school of residence and grade level would be eligible to attend and participate in. The home-school student shall arrange for their own transportation, at their own risk and liability, which shall not be provided by the school district.

Home-school students shall be required to comply with all policies, procedures, and regulations implemented by the technical college high school, and shall be subject to the policies, procedures, and regulations of the resident high school and school district while on school district property.

Participation in a technical college high school does not absolve the supervisor of the student's home education program from compliance with state and district home education program requirements.



Book	Policy Manual
Section	100 Programs
Title	Extracurricular Participation by Home Education Students
Code	137.1
Status	Review
Adopted	August 1, 2015
Last Revised	October 25, 2022

Authority

The Board shall approve participation in the district's extracurricular activities and interscholastic athletic programs by a student enrolled in a home education program who meets all the ~~conditions~~ **requirements** stated in **law and** Board policy **and administrative guidelines**. [1][2][3][4][5]

The Board shall not provide individual transportation for students enrolled in home education programs who participate in the district's extracurricular activities or interscholastic athletic programs. When the district provides transportation to and from an away competition, game, event or exhibition and requires district students to use district transportation, home education students shall be required to use the transportation provided by the district.

The Board shall establish and collect student activity fees for participation in extracurricular activities in accordance with Board policy. [6]

Guidelines

Students attending home education programs shall be given an equal opportunity to compete for positions and participate in district extracurricular activities and interscholastic athletic programs.

A home education student may participate in extracurricular activities and interscholastic athletic programs only at the school building the student would be assigned to if ~~s/he~~ **the student** was enrolled in the school district. ~~except w~~ **Where the** ~~extracurricular~~ activities or **interscholastic athletic** programs which are located in other school buildings are otherwise open to district students from schools located in the same attendance areas where the home school student resides, **the home education student may participate in the activities or programs**. Home education students may only participate in **extracurricular** activities or **interscholastic athletic** programs which are ~~open~~ **available** to their grade level.

Prior to trying-out or joining an activity, a home education student shall submit required documents and written verification of eligibility to the building principal or designee. **Verification may include, but not be limited to, attendance records, weekly grades or academic achievement or other documents demonstrating completion of eligibility criteria.** [1]

To be considered in attendance in accordance with Board policy, the home education student must participate in a full, normally scheduled academic program, in accordance with the planned home education program **and submitted documentation**.^{[5][7]}

The following conditions shall govern participation in the district's extracurricular activities and interscholastic athletic programs by home education students, who shall:

1. Be a resident of the school district.
2. Meet the required eligibility criteria.^{[3][4]}
3. Maintain appropriate insurance coverage, consistent with the coverage requirements for district students.^[4]
4. Comply with Board policies and school rules and regulations **administrative guidelines**, regarding extracurricular activities, interscholastic athletics, and student discipline **conduct**.^{[3][4][8]}
5. Comply with policies, **administrative guidelines**, rules and regulations, or their equivalent, of the activity's governing organization.^{[1][2]}
6. Meet attendance and reporting requirements established for all participants of the activity or program.^[7]
7. Meet the requirements for physical examinations and physical fitness and any height and/or weight restrictions.^{[2][4]}
8. Comply with all requirements and directives of the district staff, coaches, **activity advisors** and administrators involved with the extracurricular activity or interscholastic athletic program.
9. ~~Home education students shall come to district property solely for the purpose of participating in the programs and activities and will leave the district property when the activity, program or event is completed, except for those period of times when the public is generally admitted to district property or buildings.~~

~~Students in home education programs may participate in the following extracurricular and interscholastic programs only:~~

1. ~~Performing and visual arts activities, including band, chorus, theatre, art and the Arts and Enrichment Program.~~
2. ~~Interscholastic athletic teams.~~
3. ~~Extracurricular clubs.~~

~~If a class for credit held during the school day by the school district is required for participation in activities that take place outside of the class, home education students shall not be eligible to participate in such activities.~~

Delegation of Responsibility

The Superintendent or designee shall post information regarding the availability of the district's extracurricular activities and interscholastic athletics programs, as well as a copy of this Board policy, on the district's publicly available website and provide participation

information upon request by students enrolled in home education programs or their parents/guardians. [1]

The building principal or designee shall distribute eligibility criteria regarding student participation in extracurricular activities and interscholastic athletics provided to students by the district. Such information shall be distributed through publications or the district's publicly available website.[1]

The building principal or designee shall receive and review verification from the parent/guardian **or home education program supervisor** that a student has met and continues to meet the established eligibility criteria for an extracurricular activity or interscholastic athletic program.

The Superintendent or designee may establish administrative guidelines necessary to implement this policy.

Legal

[1. 24 P.S. 511](#)

[2. 24 P.S. 1327.1](#)

3. Pol. 122

4. Pol. 123

5. Pol. 137

6. Pol. 122.1

7. Pol. 204

8. Pol. 218



Book	Policy Manual
Section	100 Programs
Title	Participation in Cocurricular Activities and Academic Courses by Home Education Students
Code	137.2
Status	Review

Authority

The Board approves participation in the district's cocurricular activities and academic courses by a student enrolled in a home education program who meets all the requirements stated in law and Board policy and administrative guidelines.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

Definition

Cocurricular activities - district activities that merge extracurricular activities with a required academic course, including but not limited to, band, orchestra and other activities that include a for credit component that takes place during the school day.[\[1\]](#)[\[2\]](#)[\[4\]](#)

Guidelines

Students attending home education programs shall be given an equal opportunity to compete for positions and participate in district cocurricular activities and academic courses in accordance with Board policy and administrative guidelines on the same basis as other students enrolled full-time in the district.[\[1\]](#)[\[6\]](#)[\[7\]](#)

A home education student may participate in cocurricular activities and academic courses only at the school building the student would be assigned to if the student was enrolled in the district.

Prior to trying-out or auditioning for a cocurricular activity or enrolling in an academic course, a home education student shall submit required documents and written verification of eligibility or completion of prerequisites to the building principal or designee. Verification may include, but not be limited to, attendance records, portfolio records documenting completion of curriculum or other documents demonstrating completion of eligibility criteria.[\[1\]](#)

The following conditions shall govern participation in the district's cocurricular activities and academic courses by home education students, who shall:

1. Be a resident of the district.
2. Meet the required eligibility criteria or their equivalent for the cocurricular activity or the prerequisites for the academic course.[\[1\]](#)[\[2\]](#)[\[9\]](#)
3. Comply with Board policies, school rules and administrative guidelines.[\[1\]](#)[\[2\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)
4. Comply with policies, rules and administrative guidelines and regulations, or their equivalent, of the cocurricular activity's governing organization, where applicable.

5. Meet attendance and reporting requirements established for all participants of the cocurricular activity or academic course, including any sign-in and sign-out procedures for school building attendance purposes. Home education students must participate in the full class period for an academic course, unless an exception has been granted in accordance with Board policy, administrative guidelines, and school rules.[14]
6. Comply with all Board policies, administrative guidelines, school rules and requirements and directives of the district staff, activity advisors and administrators involved with the cocurricular activity or academic course.[1]

Academic Courses

Students attending home education programs are eligible to enroll in district academic courses in accordance with law and Board policy and administrative guidelines, and may participate in academic courses equaling up to one quarter ($\frac{1}{4}$) of the school day for full-time district students.[1]

Students enrolled in home education programs shall only be eligible to participate in cocurricular activities and/or academic courses that are scheduled in consecutive time periods during the school day if the student's parent/guardian is not able to provide supervision for the student between the scheduled cocurricular activities and/or academic courses.[1]

The district shall provide the student's home education program supervisor with a grade for each cocurricular activity and academic course completed by a student enrolled in a home education program, in accordance with Board policy and administrative guidelines. The home education program supervisor shall be responsible for maintaining the material in the student's portfolio of records.[1][3][15]

Transportation

Parents/Guardians of home education students shall be responsible for transportation of students participating in district cocurricular activities and academic courses, except that a home education student may utilize district transportation to or from school during the times a bus is otherwise already operating, and space is available.[1]

Delegation of Responsibility

The Superintendent or designee shall post information regarding the district's cocurricular activities and academic courses, as well as a copy of this Board policy, on the district's publicly available website and provide participation information upon request by students enrolled in home education programs or their parents/guardians.

The building principal or designee shall request and review verification from the parent/guardian or home education program supervisor that a student has met and continues to meet the established eligibility criteria for a cocurricular activity or academic course.

The Superintendent or designee may establish administrative guidelines for prioritization of enrollment in district cocurricular activities and academic courses based on the established number of allowable participants in designated activities and courses. The Superintendent or designee may establish administrative guidelines necessary to implement this policy.

Legal [1. 24 P.S. 1327.1](#)

2. Pol. 122

3. Pol. 137

4. Pol. 137.1

5. Pol. 137.3

6. Pol. 103

7. Pol. 103.1

[8. 10 U.S.C. 2031](#)

9. Pol. 105

10. Pol. 218

11. Pol. 222

12. Pol. 227

13. Pol. 235

14. Pol. 204

15. Pol. 212



Book	Policy Manual
Section	100 Programs
Title	Participation in Cocurricular Activities and Academic Courses by Home Education Student Guidelines
Code	137.2AG1
Status	Review

Portion of the School Day

Students attending home education programs may participate in academic courses equaling up to one quarter ($\frac{1}{4}$) of the school day for full-time district students. Ninety-eight (98) minutes constitutes one quarter ($\frac{1}{4}$) of a school day at all levels.

Supervision

A school building shall not be required to alter the building's master schedule, course offerings, or class schedules in order to provide a home education student with the opportunity to attend classes, courses or cocurricular activities in consecutive time periods, at a particular time of the school day, or on a particular day of the week.

When a home education student's class, course or cocurricular activity coincides with the start of the school day, the student shall arrive at the school building at the start of the school day and report to the class, course or cocurricular activity in the same manner as district students.

When a home education student's class, course or cocurricular activity does not coincide with the start of the school day, the student's parent/guardian shall report to the building's office with the student and sign the student into school no earlier than five (5) minutes prior to the start time of the course, class, or cocurricular activity they are attending.

At the conclusion of the course, class or cocurricular activity:

1. If the home education student is scheduled for a course, class or cocurricular activity in a consecutive time period, the home education student will proceed to the next course, class or cocurricular activity.
2. If the home education student is scheduled for a class or cocurricular activity, but it is not scheduled consecutively with the prior class or course, or the home education has nothing else scheduled for the remainder of the school day, the home education student shall report to the building's office. The home education student's parent/guardian shall report to building's office promptly at the conclusion the course, class or cocurricular activity and shall sign the home education student out of school building. The home education student and their parent/guardian shall leave district property.

3. If at the conclusion of the course, class or cocurricular activity, it is the end of the school day, the home education student shall be dismissed from school in the same manner as district students.
4. Home education students may not remain in the school building or on school property during the school day other than when attending scheduled classes, courses or cocurricular activities. Parents/guardians of home education students may not remain in the school building or on school property during the school day while their students are attending scheduled courses, classes or cocurricular activities or while waiting for a scheduled course, class or cocurricular activity. Notwithstanding the foregoing, should the district have an event in the school building or on school property during the school day to which members of the public are invited, home education students and their parents/guardians may attend the event on the same terms and conditions as members of the public.

Assignment

Elementary School

For kindergarten through and including 5th grade, home education students shall be assigned to classes in the same manner as district students.

Middle and High School

Where a home education student has selected for registration a course, class or cocurricular activity and the minimum number of students to operate the course, class or cocurricular activity is not met by the time the master schedule is finalized, consistent with its practices for district students, the course, class or cocurricular activity will be canceled and the district shall not be required to provide the course, class or cocurricular activity.

Where the home education student has selected for registration a course, class or cocurricular activity and the number of students seeking to enroll in the course, class or cocurricular activity exceeds the maximum size for the course, class or cocurricular activity, consistent with its practices for district students, the district shall assign all students to the course, class or cocurricular activity based on the following priority:

1. For cocurricular activities requiring try-outs or auditions, students will be prioritized for enrollment based on their ranking in the try-out or audition.
2. For cocurricular activities which do not require try-outs or auditions, and academic courses or classes, students will be enrolled based on their order of registration provided they meet the eligibility or prerequisite requirements for the course, class or cocurricular activities.

Where the home education student has selected for registration courses, classes or cocurricular activities that are offered at conflicting times on the master schedule, consistent with its practices for district students, the home education student will be assigned to one of the courses, classes or cocurricular activities, provided eligibility and prerequisite requirements are met.

For home education students seeking to enroll mid-year in a course, class or cocurricular activity, consistent with its practices for district students, they may enroll in a class, course and cocurricular activity if space is available, provided eligibility and prerequisite requirements are met.

Home education students may enroll in dual/concurrent enrollment classes in the same manner as district students, provided eligibility and prerequisite requirements are met.

Home education students shall comply with Board policies and administrative guidelines and building rules, regulations, guides and deadlines regarding changes in levels or courses or course withdrawals or additions.



Book	Policy Manual
Section	100 Programs
Title	Participation in Career and Technical Education Programs by Home Education Students
Code	137.3
Status	Review

Authority

The Board approves participation in a career and technical education program by a student enrolled in a home education program who meets all the requirements stated in law and Board policy and administrative guidelines.[1](#)[2](#)[3](#)[4](#)[5](#) [6](#)

Students attending home education programs shall be eligible to participate in a career and technical education program at the Chester County Intermediate Unit's Technical College High School ("TCHS"), in accordance with the TCHS admission policy and procedures on the same basis as other district students.

Guidelines

Students attending home education programs shall be given an equal opportunity to apply for placement in available programs at TCHS.

Prior to enrolling in a career and technical education program, a home education student shall submit required documents and written verification of eligibility or completion of prerequisites to the building principal or designee. Verification may include, but not be limited to, attendance records, portfolio records documenting completion of curriculum or other documents demonstrating completion of eligibility criteria.[1](#) [3](#)[6](#)[7](#)[8](#)

The following conditions shall govern participation in career and technical education programs by home education students, who shall:

1. Be a resident of the district.
2. Meet the required eligibility criteria or their equivalent or the prerequisites for the career and technical education program.[1](#)[4](#)[6](#)[9](#)
3. Comply with applicable policies and school rules and administrative regulations and guidelines of TCHS regarding student conduct in school and at school-sponsored activities, and comply with all applicable policies and school rules and administrative guidelines of the district when on district property or utilizing district transportation.[1](#)[10](#)[11](#)[12](#)[13](#)
4. Meet attendance and reporting requirements established for all participants of the career and technical education program, including any sign-in and sign-out procedures for building attendance purposes. Home education students must participate in the required courses for

the program on the same basis as students enrolled in the district, unless an exception has been granted in accordance with applicable Board policy, administrative guidelines and school or program rules.[14]

TCHS shall provide the student's home education program supervisor with a grade for each career and technical education program course completed by a student enrolled in a home education program, in accordance with Board policy and administrative guidelines. The home education program supervisor shall be responsible for maintaining the material in the student's portfolio of records.[1][5][15]

Transportation

Students attending home education programs who participate in career and technical education programs may use district transportation to or from the career and technical education program during the times when district transportation is already operating, and space is available.[1]

Delegation of Responsibility

The Superintendent or designee shall post information regarding the district's options for career and technical education programs, as well as a copy of this Board policy, on the district's publicly available website and provide information upon request by students enrolled in home education programs or their parents/guardians.

The building principal or designee shall request and review verification from the parent/guardian or home education program supervisor that a student has met and continues to meet the established eligibility criteria for participation in career and technical education programs.

The Superintendent or designee may establish administrative guidelines for prioritization of enrollment in career and technical education programs, in accordance with the Articles of Agreement and the established number of allowable participants for designated programs at TCHS. [1] The Superintendent or designee may establish administrative guidelines necessary to implement this policy.



Book	Policy Manual
Section	100 Programs
Title	Procedures for Consideration of Charter School Applications
Code	140AG2
Status	Review

1. Applications for the creation of a charter school pursuant to the Charter School Law shall be filed with the Superintendent of the district, as agent for this purpose of the Board.
2. Any application for a charter school shall be deemed received on the date of actual receipt by the Superintendent.
3. Upon receipt of a charter school application, the Superintendent shall promptly: (i) advise each member of the Board of the receipt of the application, (ii) provide a copy of the application to each member of the Board, and (iii) consult with legal counsel to insure that the application is properly evaluated by the Board and that the duties of the district and the Board with respect to the application are fulfilled.
4. The Superintendent shall cause at least one public hearing to be scheduled in a timely manner with reasonable notice of the date, time and location of the hearing to be given to the applicant and to the public. The notice of said public meeting shall be in such form and substance as recommended by legal counsel and shall be published in accordance with the Sunshine Act. The Board may: (i) hold such additional hearings pertaining to any application for a charter as it deems appropriate; and (ii) may schedule, recess, postpone, adjourn, and reschedule such hearings as it deems appropriate.
5. The hearing(s) conducted by the Board are legislative in nature and are to be held for purposes of determining whether a charter should be issued in accordance with the terms and conditions of the Charter School Law and other applicable legal requirements.
6. Legal counsel retained by the district shall preside at any hearing of the Board held for purposes of considering a charter school application and shall, as the presiding official, make such rulings and establish such procedures as necessary to maintain order.
7. A hearing(s) conducted to consider a charter school application shall generally conform to the following procedure, the order of which shall be in the discretion of the presiding officer:
 - a. The hearing(s) shall be stenographically recorded at district expense. If the applicant or any other individual or entity desires to obtain a copy of the transcript of the hearing(s), they can do so at their sole cost and expense.
 - b. The application that was submitted to the district shall be made a part of the official record of the proceedings. The district shall establish a deadline for the submission of any supplemental materials by the applicant, after which no additional materials will be accepted and/or considered by the Board, except in the Board's sole discretion. Any other documents or exhibit(s) that any interested party or individual desires to present shall, if accepted and timely, be properly marked

and made a part of the official record of the proceedings. If the applicant is permitted to submit any additional materials at the hearing, the applicant must supply eleven (11) paper copies to the district, as well as a thumb drive or CD containing an electronic copy of the materials. If the district administration desires to submit any material at the hearing, it shall provide eleven (11) paper copies to the Board, as well as a thumb drive or CD containing an electronic copy of the materials and two (2) paper copies to the applicant.

c. The technical rules of evidence shall not apply. It is the intent of the Board that the hearing shall be informal. However, matters which are of minimal or no relevance to the matters at hand may be excluded and matters which cannot be offered in light of the time allotments provided by the district will not be considered.

d. The applicant, or its designated representatives, shall make a presentation which shall last no more than thirty (30) minutes, unless the presiding officer allows additional time. The individual(s) making the presentation shall take the usual oath for witnesses.

e. Public comment will be taken on the application only. Only residents or taxpayers of the district may speak at this public comment session. Each resident or taxpayer shall be limited to three (3) minutes and may speak only once. Each individual who desires to speak shall fully complete and provide all required information on the Public Comment Registration Card prior to providing public comment, and shall preface their comments by announcement of their name and township or borough.

f. Legal counsel for the district shall question the applicant or its representatives, who shall respond to the questions. Questions shall be associated with the contents of the application, including by way of example and not limitation, the identity of the applicant(s), governance, facilities, financing, insurance, fiscal and child accounting practices, food service, safety, school health services, the governing structure and administration of the school, administrative and business practices, admission policies and practices, curriculum, attendance, personnel, policies and practices to comply with all applicable law, goals and objectives of the school, educational program, school accountability, student evaluation, school support, extra-curricular activities, need for the school, school demographics, qualifications of employees or prospective employees, job descriptions, policy manual(s), administrative guidelines, and relationships with other entities, such as associations and management companies. Each individual responding on behalf of the applicant shall take the usual oath for witnesses.

g. Members of the district administration or their designees may make a presentation regarding the application. Each individual speaking on behalf of the district administration shall take the usual oath for witnesses. The presentation by the administration shall contain information that the administration deems relevant to the Board's consideration, including the prospect that education to students will be improved upon by the applicant. The district administration may submit relevant exhibits or documents to supplement its presentation.

h. Legal counsel for the district may question the district administration or its representatives, who shall respond to the questions. Questions shall be associated with the contents of the application, including by way of example and not limitation, the identity of the applicant(s), governance, facilities, financing, insurance, fiscal and child accounting practices, food service, safety, school health services, the governing structure and administration of the school, administrative and business practices, admission policies and practices, curriculum, attendance, personnel, policies and practices to comply with all applicable law, goals and objectives of the school, educational program, school accountability, student evaluation, school support, extra-curricular activities, need for the school, school demographics, qualifications of employees or prospective employees, job descriptions, policy manual(s), administrative guidelines, and relationships with other entities, such as associations and management companies.

i. The applicant shall be granted up to fifteen (15) minutes to make a closing presentation to the Board.

8. Following the completion of the hearing(s), the applicant shall be given the opportunity to file proposed findings of fact and conclusions of law to assist the Board to make the determination of whether a charter should be granted. The time for filing said proposed findings of fact and conclusions of law shall be set by the presiding officer and shall be determined in light of the complexity of the issues and the time by which the Board is to make a decision under the Charter School Law.

9. The decision by the Board shall be in the form and substance determined by the Board.

10. In the event that the district receives any application for a regional charter school where the application has also been filed with other school districts, the district may consult with the other school districts and may agree upon an orderly, cost effective and efficient method for conducting a hearing(s) and issuing a decision on the application in accordance with the Charter School Law. Any agreements in that regard that are made by the Superintendent or by legal counsel retained by district for this purpose shall supersede these procedures to the extent that such agreements are inconsistent with these procedures.



Book	Policy Manual
Section	200 Pupils
Title	Attendance
Code	204
Status	Review
Adopted	August 1, 2015
Last Revised	July 27, 2020
Prior Revised Dates	6/26/2017

Purpose

The Board **recognizes that attendance is an important factor in educational succes, and supports a comprehensive approach to identify and address attendance issues.** ~~requires that school age students enrolled in district schools attend school regularly, in accordance with state laws. The educational program offered by the district is predicated upon the presence of the student and requires continuity of instruction and classroom participation.~~ [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)

Authority

The Board requires the attendance of all students during the days and hours that school is in session, except that temporary student absences may be excused by authorized district staff in accordance with applicable laws and regulations, Board policy and administrative guidelines. [\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

Definitions

Compulsory Attendance School Ages shall mean the period of a student's life from the time the student's person in parental relation elects to have the student enter school, which shall be no later than six (6) years of age, until the student reaches eighteen (18) years of age. The term does not include a student who holds a certificate of graduation from a regularly accredited, licensed, registered or approved high school. [\[8\]](#)[\[9\]](#)

~~With certain exceptions, children from the ages of six (6) to eighteen (18), inclusive, must be in attendance at a school in which the subjects required by law and the State Board of Education are taught in the English language.~~ [\[2\]](#)[\[5\]](#)

Habitually truant shall mean six (6) or more school days of unexcused absences during the current school year by a student subject to compulsory school attendance. [\[8\]](#)

Truant shall mean having incurred three (3) or more school days of unexcused absences during the current school year by a student subject to compulsory school attendance. [\[8\]](#)

Person in parental relation shall mean a:[8]

1. Custodial biological or adoptive parent.
2. Noncustodial biological or adoptive parent.
3. Guardian of the person of a student.
4. Person with whom a student lives and who is acting in a parental role of a student.

This term shall not include any county agency or person acting as an agent of the county agency in the jurisdiction of a dependent child as defined by law.[10]

School-based or community-based attendance improvement program shall mean a program designed to improve school attendance by seeking to identify and address the underlying reasons for a student's absences. The term may include an educational assignment in an alternative education program, provided the program does not include a program for disruptive youth established pursuant to Article XIX-C of the Pennsylvania Public School Code.[8]

Authority

~~Attendance shall be required of all students enrolled in district schools during the days and hours that the school is in session, except that a principal or teacher may excuse a student for temporary absences when they s/he receives satisfactory evidence of mental, physical, or other urgent reasons that may reasonably cause the student's absence. The term urgent reasons shall be strictly construed and is not intended to permit irregular attendance.~~[3][7][9][10][11][12]

~~The Board considers the following conditions to constitute reasonable cause for absence from school:~~

1. ~~Sickness.~~[12][9]
2. ~~Quarantine.~~
3. ~~Death in immediate family.~~
4. ~~Weather so inclement as to endanger the health of the child or make roads impassable.~~
5. ~~Observance of a religious holiday.~~[13]
6. ~~Educational tours and trips, with prior approval.~~[14]
7. ~~Other exceptional reasons, with the approval of the administration.~~

~~Attendance need not always be within school facilities. A student shall be considered in attendance if present at any place where school is in session by authority of the Board; the student is receiving approved tutorial instruction, or health or therapeutic services; the student is engaged in an approved and properly supervised independent study, work study or career education program; the student is receiving approved homebound instruction.~~[3][11][15][16][17][18][19]

~~All absences occasioned by observance of the student's religion shall be excused, and no student so excused shall be deprived of an award or eligibility to compete for an award or the opportunity to make up a test given on the religious holiday. The administration shall excuse the student for those days that the parent/guardian provides written documentation of the religious holiday.~~[13]

~~The Board shall, upon written request of the parents/guardians, release from attendance a student participating in a religious instruction program. Such instruction shall not require the child's absence from school for more than thirty six (36) hours per school year, and its organizers must inform the~~

~~Board of the child's attendance record. The Board shall not provide transportation to religious instruction. A penalty shall not be attached to an absence for religious instruction.~~[\[13\]](#)[\[20\]](#)

~~The Board shall permit a student to be excused for participation in a project sponsored by a statewide or countywide 4-H, FFA or combined 4-H and FFA group upon written request prior to the event.~~[\[6\]](#)[\[9\]](#)

~~The Board will recognize other justifiable absences for part of the school day. These shall include medical or dental appointments, court appearances, family emergencies, or other urgent reasons.~~[\[11\]](#)[\[12\]](#)

~~The Board shall excuse the following students from the requirements of attendance at district schools, upon request and with the required approval:~~

- ~~1. On certification by a physician or submission of other satisfactory evidence and on approval of the Department of Education, children who are unable to attend school or apply themselves to study for mental, physical, or other reasons that preclude regular attendance.~~[\[9\]](#)[\[10\]](#)[\[21\]](#)
- ~~2. Students enrolled in nonpublic or private schools in which the subjects and activities prescribed by law are taught.~~[\[3\]](#)[\[22\]](#)
- ~~3. Students attending college who are also enrolled part time in district schools.~~[\[23\]](#)
- ~~4. Students attending a home education program in accordance with law.~~[\[24\]](#)[\[25\]](#)
- ~~5. Students fifteen (15) or sixteen (16) years of age whose enrollment in private trade or business schools has been approved.~~[\[3\]](#)
- ~~6. Students fifteen (15) years of age, and fourteen (14) years of age who have completed the highest elementary grade, engaged in farm work or private domestic service under duly issued permits.~~[\[10\]](#)
- ~~7. Students sixteen (16) years of age regularly employed during the school session and holding a lawfully issued employment certificate.~~[\[10\]](#)[\[16\]](#)

~~The Board may excuse the following students from the requirements of attendance at district schools:~~

- ~~1. Students receiving tutorial instruction in a field not offered in the district's curricula from a properly qualified tutor approved by the Superintendent, when the excusal does not interfere with the student's regular program of studies.~~[\[3\]](#)[\[15\]](#)[\[18\]](#)
- ~~2. School-age children unable to attend school upon recommendation of the school physician and a psychiatrist or school psychologist, or both, and with approval of the Secretary of Education.~~[\[21\]](#)
- ~~3. Students enrolled in special schools conducted by the Chester County Intermediate Unit or the Department of Education.~~[\[3\]](#)

~~The Board shall report to appropriate authorities infractions of the law regarding the attendance of students below the age of eighteen (18). The Board shall issue notice to those parents/guardians who fail to comply with the statutory requirements of compulsory attendance that such infractions of the statute will be prosecuted.~~[\[7\]](#)[\[26\]](#)[\[27\]](#)

Educational Tours/Trips

~~The Board may excuse a student from school attendance to participate in an educational tour or trip not sponsored by the district if the following conditions are met:~~[\[14\]](#)

- ~~1. The parent/guardian submits a written request for excusal prior to the absence.~~
- ~~2. The student's participation has been approved by the Superintendent or designee.~~

3. ~~The adult directing and supervising the tour or trip is acceptable to the parents/guardians and the Superintendent.~~

~~The Board may limit the number and duration of tours or trips for which excused absences may be granted to a student during the school term.~~

Delegation of Responsibility

The Superintendent or designee shall annually notify students, **persons in parentals/guardians relation**, and staff about the district's attendance policy by publishing such policy in the student handbooks **and newsletters on the** district website and **through** other efficient **communication** methods. [\[6\]](#)[\[39\]](#) [\[1\]](#)[\[11\]](#)

The Superintendent or designee **in coordination with the building principal** shall develop ~~procedures for the attendance of students which:~~ **be responsible for the implementation and enforcement of policy.**

The Superintendent or designee may develop administrative guidelines for the attendance of students which:

1. ~~Ensure a school session that conforms with requirements of state law and regulations.~~ [\[28\]](#)[\[29\]](#) [\[30\]](#)[\[31\]](#)[\[37\]](#)[\[38\]](#)
2. **1. Govern the maintenance** keeping of attendance records in accordance with **law.** state statutes. [\[32\]](#)[\[33\]](#) [\[34\]](#)[\[35\]](#)[\[36\]](#)
- 2.Detail the process for submission of requests and excuses for student absences.**
3. **Detail the process for written notices, School Attendance Improvement Conferences, School Attendance Improvement Plans, and referrals to a school-based or community-based attendance improvement program, the local children and youth agency, or the appropriate magisterial district judge.**
4. **Clarify the district's responsibility for collaboration with nonpublic schools in the enforcement of compulsory school attendance requirements.**
5. ~~Identify the habitual truant, investigate the causes of truant behavior, and consider modification of the student's educational program to meet particular needs and interests.~~
6. **5.** Ensure that students legally absent have an opportunity to make up work.
7. ~~Issue written notice to any parent/guardian who fails to comply with the compulsory attendance statute, within three (3) days of any proceeding brought under that statute. Such notice shall inform the parent/guardian of the date(s) the absence occurred; that the absence was unexcused and in violation of law; that the parent/guardian is being notified and informed of his/her liability under law for the absence of the student; and that further violations during the school term will be prosecuted without notice.~~ [\[26\]](#)[\[27\]](#)

~~See 204AG1— Attendance Guidelines for more details.~~

Guidelines

Compulsory School Attendance Requirements

All students of compulsory school age who reside in the district shall be subject to the compulsory school attendance requirements. [\[2\]](#)

A student shall be considered in attendance if present at any place where school is in session by authority of the Board; the student is receiving approved tutorial instruction, or health or therapeutic services; the student is engaged in an approved and properly supervised independent study, work-study or career education program; the student is receiving approved homebound instruction; or the student's placement is instruction in the home. [2] [5] [14] [15] [16] [17] [18] [19] [20]

The following students shall be excused from the requirements of attendance at district schools, upon request and with the required approval:

1. On certification by a physician or submission of other satisfactory evidence and on approval of the Department of Education, children who are unable to attend school or apply themselves to study for mental, physical or other reasons that preclude regular attendance. [3] [4] [21]
2. Students enrolled in nonpublic or private schools in which the subjects and activities prescribed by law are taught. [2] [22]
3. Students attending college who are also enrolled part-time in district schools. [23]
4. Students attending a home education program or private tutoring in accordance with law. [2] [18] [24] [25] [26] [27]
5. Students fifteen (15) or sixteen (16) years of age whose enrollment in private trade or business schools has been approved. [2]
6. Students fifteen (15) years of age, as well as students fourteen (14) years of age who have completed the highest elementary grade, engaged in farm work or private domestic service under duly issued permits. [4]
7. Students sixteen (16) years of age regularly engaged in useful and lawful employment during the school session and holding a valid employment certificate. Regularly engaged means thirty-five (35) or more hours per week of employment. [4] [15]

Excused/Lawful Absence

For purposes of this policy, the following conditions or situations constitute reasonable cause for absence from school:

1. Illness, including if a student is dismissed by designated district staff during school hours for health-related reasons. [3] [6]
2. Obtaining professional health care or therapy service rendered by a licensed practitioner of the healing arts in any state, commonwealth or territory. [3]
3. Quarantine
4. Required court attendance.
5. Death in the immediate family.
6. Weather so inclement as to endanger the health of the student or make roads impassable.
7. Participation in a project sponsored by a statewide or countywide 4-H, FFA or combined 4-H and FFA group, upon prior written request. [1] [3]

8. **Participation in a musical performance in conjunction with a national veterans' organization or incorporated unit, as defined in law, for an event or funeral.** [\[3\]](#)
 - a. **The national veterans' organization or incorporated unit must provide the student with a signed excuse, which shall include the date, location, and time of the event or funeral.**
 - b. **The student shall furnish the signed excuse to the district prior to being excused from school.**
10. **Observance of a religious holiday observed by a bona fide religious group, upon prior written request from the person in parental relation.** [\[28\]](#)
11. **Nonschool-sponsored educational tours or trips, if the following conditions are met:** [\[3\]](#) [\[29\]](#)
 - a. **The person in parental relation submits the required documentation for excusal prior to the absence, within the appropriate timeframe.**
 - b. **The student's participation has been approved by the Superintendent or designee.**
 - c. **The adult directing and supervising the tour or trip is acceptable to the person in parental relation and the Superintendent.**

12. College, postsecondary institution or career visits, with prior approval.

13. Other urgent reasons that may reasonably cause a student's absence, as well as circumstances related to homelessness, foster care and other forms of educational instability. [\[3\]](#)[\[6\]](#)[\[30\]](#)

The district may limit the number and duration of nonschool-sponsored educational tours or trips and college or postsecondary institution visits for which excused absences may be granted to a student during the school year.

Temporary Excusals –

The following students may be temporarily excused from the requirements of attendance at district schools:

1. **Students receiving tutorial instruction in a field not offered in the district's curricula from a properly qualified tutor approved by the Superintendent, when the excusal does not interfere with the student's regular program of studies.** [\[2\]](#)[\[14\]](#)[\[18\]](#)
2. **Students participating in a religious instruction program, if the following conditions are met:** [\[28\]](#)[\[31\]](#)
 - a. **The person in parental relation submits a written request for excusal. The request shall identify and describe the instruction, and the dates and hours of instruction.**
 - b. **The student shall not miss more than thirty-six (36) hours per school year in order to attend classes for religious instruction.**
 - c. **Following each absence, the person in parental relation shall submit a statement attesting that the student attended the instruction, and the dates and hours of attendance.**
3. **School age children unable to attend school upon recommendation of the school physician and a psychiatrist or school psychologist, or both, and with approval of the Secretary of Education.** [\[21\]](#)

Parental Notice of Absence –

Absences shall be treated as unexcused until the district receives a written excuse explaining the absence, to be submitted within three (3) school days of the absence.

A maximum of ten (10) days of cumulative lawful absences verified by parental notification shall be permitted during the school year.

All absences beyond ten (10) cumulative days shall require an excuse from a licensed practitioner of the healing arts.

Unexcused/Unlawful Absence

For purposes of this policy, absences which do not meet the criteria indicated above for excused absences shall be permanently considered unexcused.

An out-of-school suspension may not be considered an unexcused absence. [\[8\]](#)

Parental Notification –

District staff shall provide prompt notice to the person in parental relation upon each incident of unexcused absence.

Enforcement of Compulsory Attendance Requirements***Student is Truant –***

When a student has been absent for three (3) days during the current school year without a lawful excuse, district staff shall provide notice to the person in parental relation who resides in the same household as the student within ten (10) school days of the student's third unexcused absence. [\[32\]](#)

The notice shall: [\[32\]](#)

1. Be in the mode and language of communication preferred by the person in parental relation;
2. Include a description of the consequences if the student becomes habitually truant; and
3. When transmitted to a person who is not the biological or adoptive parent, also be provided to the student's biological or adoptive parent, if the parent's mailing address is on file with the school and the parent is not precluded from receiving the information by court order.

The notice may include the offer of a School Attendance Improvement Conference. [\[32\]](#)

If the student incurs additional unexcused absences after issuance of the notice and a School Attendance Improvement Conference was not previously held, district staff shall offer a School Attendance Improvement Conference. [\[32\]](#)

School Attendance Improvement Conference (SAIC) –

District staff shall notify the person in parental relation in writing and by telephone of the date and time of the SAIC. [\[32\]](#)

The purpose of the SAIC is to examine the student's absences and reasons for the absences in an effort to improve attendance with or without additional services. [\[8\]](#)

The following individuals shall be invited to the SAIC: [\[8\]](#)

1. **The student.**
2. **The student's person in parental relation.**
3. **Other individuals identified by the person in parental relation who may be a resource.**
4. **Appropriate school personnel.**
5. **Recommended service providers.**

Neither the student nor the person in parental relation shall be required to participate, and the SAIC shall occur even if the person in parental relation declines to participate or fails to attend the scheduled conference. [\[32\]](#)

The outcome of the SAIC shall be documented in a written School Attendance Improvement Plan (SAIP). The SAIP shall be retained in the student's file. A copy of the SAIP shall be provided to the person in parental relation, the student and appropriate district staff. [\[32\]](#)

The district may not take further legal action to address unexcused absences until the scheduled SAIC has been held and the student has incurred six (6) or more days of unexcused absences. [\[32\]](#)

Student is Habitually Truant –

When a student under fifteen (15) years of age is habitually truant, district staff: [\[33\]](#)

1. **Shall refer the student to:**
 - a. **A school-based or community-based attendance improvement program; or**
 - b. **The local children and youth agency.**
2. **May file a citation in the office of the appropriate magisterial district judge against the person in parental relation who resides in the same household as the student. [\[33\]](#)**

When a student fifteen (15) years of age or older is habitually truant, district staff shall: [\[33\]](#)

1. **Refer the student to a school-based or community-based attendance improvement program; or**
2. **File a citation in the office of the appropriate magisterial district judge against the student or the person in parental relation who resides in the same household as the student.**

District staff may refer a student who is fifteen (15) years of age or older to the local children and youth agency, if the student continues to incur additional unexcused absences after being referred to a school-based or community-based attendance improvement program, or if the student refuses to participate in such program. [\[33\]](#)

Regardless of age, when district staff refer a habitually truant student to the local children and youth agency or file a citation with the appropriate magisterial district judge, district staff shall provide verification that the school held a SAIC. [\[33\]](#)

Filing a Citation –

A citation shall be filed in the office of the appropriate magisterial district judge whose jurisdiction includes the school in which the student is or should be enrolled, against the student or person in parental relation to the student. [\[34\]](#)

Additional citations for subsequent violations of the compulsory school attendance requirements may only be filed against a student or person in parental relation in accordance with the specific provisions of the law. [\[34\]](#)

Special Needs and Accommodations

If a truant or habitually truant student may qualify as a student with a disability, and require special education services or accommodations, the Director of Pupil Services shall be notified and shall take action to address the student's needs in accordance with applicable law, regulations and Board policy. [\[16\]](#)[\[35\]](#)[\[36\]](#)[\[37\]](#)

For students with disabilities who are truant or habitually truant, the appropriate team shall be notified and shall address the student's needs in accordance with applicable law, regulations and Board policy. [\[16\]](#)[\[35\]](#)[\[37\]](#)

Discipline

The district shall not expel or impose out-of-school suspension, disciplinary reassignment or transfer for truant behavior. [\[32\]](#)

Charter Schools

Where the district is required by law to prosecute a habitually truant charter school student upon notification by the charter school, the district shall utilize the charter school's attendance policy to determine unlawful absences.

Legal

[1. 24 P.S. 1301](#)

[2. 24 P.S. 1326](#)

[3. 24 P.S. 1327](#)

[4. 22 PA Code 11.12](#)

[5. 22 PA Code 11.13](#)

[6. 22 PA Code 11.41](#)

[7. 22 PA Code 12.1](#)

8. Pol. 200

[9. 24 P.S. 1329](#)

[10. 24 P.S. 1330](#)

[11. 22 PA Code 11.23](#)

[12. 22 PA Code 11.25](#)

[13. 22 PA Code 11.21](#)

[14. 22 PA Code 11.26](#)

[15. 22 PA Code 11.22](#)

[16. 22 PA Code 11.28](#)

17. Pol. 115

18. Pol. 116

19. Pol. 117

[20. 24 P.S. 1546](#)

[21. 22 PA Code 11.34](#)

[22. 22 PA Code 11.32](#)

[23. 22 PA Code 11.5](#)

[24. 24 P.S. 1327.1](#)

25. Pol. 137

[26. 24 P.S. 1333](#)

[27. 24 P.S. 1354](#)

[28. 24 P.S. 1501](#)

[29. 24 P.S. 1504](#)

[30. 22 PA Code 4.4](#)

[31. 22 PA Code 11.1](#)

[32. 24 P.S. 1332](#)

[33. 24 P.S. 1339](#)

[34. 24 P.S. 1338](#)

35. Pol. 218

36. Pol. 233

[37. 22 PA Code 11.2](#)

[38. 22 PA Code 11.3](#)

[39. 24 P.S. 510.2](#)

[24 P.S. 1333.1](#)

[24 P.S. 1333.2](#)

[22 PA Code 11.8](#)

[22 PA Code 11.24](#)

[22 PA Code 11.31](#)

[22 PA Code 11.31a](#)

[42 Pa. C.S.A. 6302](#)

Pol. 103.1

Pol. 113

Pol. 113.3

Pol. 114



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Guidelines

~~Parents/Guardians shall provide a written explanation for the absences of a student. These shall be required in advance for types of absence where advance notice is possible.~~

~~Excuse forms shall be completed and turned in to the school by the student within three (3) days after return from an absence. The absence of any student failing to comply with this time period will automatically become unlawful and the relevant school laws shall be applied.~~

Middle and Elementary School Guidelines

- ~~1. The parents/guardians of all students who miss ten (10) days may be notified in writing of the student's absence record.~~
- ~~2. A parent/guardian conference may be requested by the administration when a student has missed a total of fifteen (15) days or more.~~
- ~~3. After twenty (20) or more days of absence, an informal review of the student's record including days of absence, discipline, and academics may be made by the administration and recommendations, if any, shall be made in writing to the respective director regarding retention in grade.~~

High School Guidelines

- ~~1. Credit may be denied for those students who accrue more than twenty (20) cumulative absences in a year long course. Credit may also be denied for those students who accrue more than ten (10) cumulative absences in a semester course.~~
- ~~2. Unlawful class absences due to truancy or cutting of class may result in a "45" F grade for all class work missed that day.~~

High School Administrative Procedure

1. ~~Whenever a student misses ten (10) days (five (5) for a semester course) of cumulative absence or has been habitually late to school and has missed the same class ten (10) days (five (5) for a semester course), the student's counselor and grade level administrator may meet with the student and review the attendance record. As a result of the meeting, the parent/guardian may be notified in writing of the student's absence record. Parents/Guardians may be notified that all absences beyond the tenth absence will require a note from a licensed practitioner of the healing arts.~~
2. ~~An Attendance Review Team (ART), consisting of the grade level administrator, counselor and other staff deemed necessary by the administrator, may review the student's absence record when a student has missed a total of ten (10) days (five (5) for a semester course) of cumulative absence or has been habitually late to school and has missed the same class ten (10) times (five (5) for a semester course). The team may hold a parent/guardian conference with the student to discuss the absence record. The administrator shall make the request for the conference in writing if the parent/guardian does not respond to a phone call.~~
3. ~~The team shall continue to monitor the student's absence record. When the student has missed a total of fifteen (15) days (eight (8) for a semester course) of cumulative absence or has been habitually late to school and has missed the same class fifteen (15) times, the team may review the record again and notify the parent/guardian in writing of the record and possible consequences.~~
4. ~~When a student has missed a total of twenty (20) days (ten (10) for a semester course) of cumulative absence or has been habitually late to school and has missed the same class twenty (20) times, the ART may reconvene to review the student's absence record. The team shall determine if a RECOMMENDATION FOR NO COURSE CREDIT will be made to the principal.~~
5. ~~The principal shall review the recommendation by the team and make a final determination for NO COURSE CREDIT. If the principal supports the recommendation, the parent/guardian shall be notified in writing of the consequence. The decision of the principal shall be final.~~

Early Dismissals (not applicable to cyber programs)

Each school **building** shall establish procedures to validate requests for early dismissal to assure that students are released only for proper reasons and into proper hands **to proper parties.**

No student may be released on the basis of an unvalidated telephone call or e-mail address.

Children of estranged **separated** parents may be released only upon the request of the parent who has actual or de facto custody **under the custody agreement on file with the school building.** If there is a dispute **regarding to which parent the student may be released under the custody agreement or otherwise** concerning which parent has actual or de facto custody, the designated administrator should **will** be contacted; if s/he is **they are** unavailable, then the district's solicitor may be contacted.

Absences

Excuse forms shall be completed and turned in to the school by the student within three (3) school days of the absence. The absence of any student failing to comply with this time period will automatically become unlawful or unexcused. Excuse notes may be submitted by e-mail from a registered e-mail address in the district's student information system without an original signature. All other excuse notes shall require an original signature.

Where board policy or guideline requires preapproval of an absence, the required preapproval shall be obtained in advance of the absence. Failure to obtain advance preapproval will automatically render the absence unlawful or unexcused.

Excused or lawful Absences will generally be recognized as cumulative or noncumulative. **Cumulative absences** refer to days that contribute to the allotted number of days a student may be absent **and excused by parent note**. **Noncumulative absences** are absences that do not contribute to the specified days students may be absent **and excused by parent note**.

The following limitations apply for cumulative excused/lawful absences verified by note from a person in parental relation ("parent note"):

Cumulative Absences

~~**Excused absences:** Those absences where any licensed practitioner of the healing arts or upon any other satisfactory evidence furnished, shows that a student is unable to attend school and/or classes, or is prevented from study because of illness or other urgent reasons including but not limited to the following:~~

1. A maximum of ten (10) days **of excused** absences for a students verified by a parental note **are permitted per school year**. All absences beyond the tenth (**10th**) day of parental cumulative absences will require a note from a licensed practitioner of the healing arts.
2. **Nonschool sponsored education tours or trip, including family vacations.** Family vacation, preapproved by the principal, at his/her ~~their~~ sole discretion, while school is in session, up to a **A** maximum of five (5) days per school year **may be preapproved by the building principal per school year**. The following will be taken into consideration by the **building** principal in granting permission for the trip:
 - a. The student's academic standing.
 - b. The student's attendance record.
 - c. The effect the absence will have on the student's educational welfare.
 - d. The exceptionality of the request.
3. In lieu of family vacation days, parents may use the five (5) designated days as parent notes for illness or other urgent reasons previously listed. No more than fifteen (15) total days may be excused via a parental note.
4. **When a single absence extends more than five (5) consecutive days in length, a licensed practitioner of the healing arts note is required by the sixth (6th) day of absence, even if parent notes are not exhausted.**

~~**Unlawful absences:** Any absence which does not meet the definition of an excused absence including but not limited to the following:~~

1. Any day for which a written excuse is not submitted within three (3) school days of a student's return from an absence, including notes from a licensed practitioner of the healing arts.
2. Any absence not excused by a note from a licensed practitioner of the healing arts after ten (10) or fifteen (15) total days of absences verified by receipt of parental excuses.
3. Truancy—Frequent or prolonged absence without satisfactory reason, or willful violation of the compulsory attendance laws, which are subject to the penalties provided for in the school laws of Pennsylvania.

4. ~~Class cut.~~

5. ~~Unlawful tardies and/or early dismissals as set forth herein. A tardy is defined as a minimum of one minute of lateness to school. An early dismissal is considered leaving prior to the end of the student day more than 60 minutes early. Eight (8) tardies to school and/or early dismissals will be considered one (1) unlawful absence in grades K-8. Unlawful tardies and cutting class in grades 9-12 will be handled under discipline as a Level One offense.~~

~~—6. Any absence due to a family vacation while school is in session after the fifth of the greater than five (5) days maximum per school year will be considered unlawful beginning at Day 6.~~

~~For students who are 18 or older and not of compulsory age, unlawful absences shall be unexcused absences.~~

Noncumulative Absences

The following excused or lawful absences are designated as “noncumulative” only when the student and person in parental relation comply with board policy and guidelines; all other excused or lawful absences are considered to be “cumulative” and are counted toward the limitation of absences permitted to be excused by parent notes:

1. Suspensions from school.
2. Illness verified by a note from a licensed practitioner of the healing arts submitted within three (3) **school** days of a student's return. **Please note: A note from a licensed practitioner of the healing arts must include the general reason for the absence. (i.e.: appointment, illness, hospitalization, etc.) and the specific dates for the identified reason for the absence for which the practitioner is providing an excusal note.**
3. Death in the family, when accompanied by a note within three (3) **school** days of a student's return. Up to 5 **five** days will be approved for an immediate family member. If services are occurring outside of the country, any additional days will need to be approved by the building administrator.
4. Religious holidays, when accompanied by a note within three (3) **school** days of a student's return.
5. Preapproved college, **postsecondary institution or career** visits, **only** when College **and Career** Visit Permission/Verification Form 204AG2 is: **(1) submitted to the building principal or designee in advance of the visit for approval; (2) the building principal or designee approves the visit in their sole discretion; (3) the form is signed by a representative of the college, postsecondary institute or business; and (4) the form is submitted to the school within three (3) school days of the student's return. Failure to comply with all steps will result in an unlawful or excused absence.**
6. Court hearings, **when accompanied by a note within three (3) school days of a student's return.** ~~involving Children, Youth & Families or Juvenile Probation Officer.~~
7. ~~A student can be excused from school to p~~ **Participation** ~~one~~ in a musical performance in conjunction with a national veterans' organization or incorporated unit for an event or funeral, **provided the required verification is submitted prior to the date of the absence.** ~~The organization or unit must provide the student with a signed excuse detailing the date, location and time of the event or funeral. The student must furnish the excuse to the school district prior to being excused.~~
8. **Participation in a project sponsored by a statewide or countywide 4-H or FFA or combined 4-H and FFA group, provided written approval is obtained prior to the date**

of the absence.

Unlawful or unexcused absences: Any absence which does not meet the definition of an excused or lawful absence, including but not limited to the following:

1. Any day for which a written excuse is not submitted within three (3) school days of a student's return from an absence, including notes from a licensed practitioner of the healing arts.
2. Any cumulative absence not excused by a note from a licensed practitioner of the healing arts after ten (10) days of absences verified by receipt of a parent note.
3. Any absence due to a non-school-sponsored education tour or trip, including a family vacation, after the fifth of the five (5) day maximum per school year.
4. Any absence requiring preapproval or verification where preapproval or verification was not obtained.
5. Any other absence not meeting the criteria for an excused or lawful absence.

For students who are 18 or older and not of compulsory age, unlawful absences shall be unexcused absences.

All unlawful/unexcused absences shall be considered to be cumulative absences.

Additional Guidelines

1. Ten (10) consecutive days of absence. Unless the district has been provided with evidence that the absence may be legally excused or the district is pursuing compulsory attendance prosecution, a student will be dropped from the district's active attendance roll after ten (10) consecutive school days of absence. Where the district is notified in advance the family is utilizing ten (10) parent notes and five (5) preapproved non-school sponsored trip notes consecutively, the student will be dropped from the district's active attendance roll after fifteen (15) school days of absences. Removal from the district's active attendance roll does not remove the person in parental relations' compulsory attendance obligations for a student of compulsory attendance age. The disenrollment procedure is not applicable to students with an IEP. The district will comply with state and federal law when disenrolling a student with an IEP.

2. Fifteen (15) or more days of absences, excused by a licensed practitioner of the healing arts: The school nurse will call the licensed practitioner of the healing arts to seek more information regarding the absences to ensure that the appropriate supports can be put in place for the students.

~~**1. Up to 15 days of consecutive absences:** Parents can use 5 vacation days and 10 parent notes. Notes from a licensed practitioner of the healing arts will be required for all future absences or they will be considered unlawful for students of compulsory age and unexcused for students over the age of 18. If a student does not return on the 16th day, the district will follow the compulsory attendance guidelines. Unless the district has been provided with evidence that the absence may be legally excused or the district is pursuing compulsory attendance prosecution, the student will be dropped from the district's active attendance roll after 10 days of absence. If the student is in the US, the absence will be coded as withdrawn-dropped. If the student is out of the country, the absence will be coded as withdrawn-moved. If the student returns, the parent will need to reenroll the student. Removal from the district's active attendance roll does not remove the parent/guardian's compulsory attendance obligations for the student and the district may pursue citations and/or referral to Children, Youth & Families.~~

- ~~1. **Short-Term Withdraw:** This encompasses absences that are between 16-45 day duration or one marking period. The principal will work with the respective Director and Assistant Superintendent to develop a reentry plan. No plan can be implemented without prior approval from the Assistant Superintendent. Unless the district has been provided with evidence that the absence may be legally excused or the district is pursuing compulsory attendance prosecution, the student will be dropped from the district's active attendance roll. If the~~

student is in the US, the absence will be coded as withdrawn-dropped. If the student is out of the country, the absence will be coded as withdrawn-moved. If the student returns, the parent will need to reenroll the student. No other absence codes are used in this type of absence. Removal from the district's active attendance roll does not remove the parent/guardian's compulsory attendance obligations for the student and the district may pursue citations and/or referral to Children, Youth & Families. Families with special circumstances should contact the district regarding their circumstances.

3. Attendance Process

- **Parents/guardians will receive notification after the 1st, 2nd, and 3rd unlawful absence.**
 - **Following the 4th unlawful absence, parents/guardians will be contacted with a request to attend a Student Attendance Improvement Conference (SAIC) where a Student Attendance Improvement Plan (SAIP) will be developed. A SAIC meeting will take place and can include the student, family, school team and outside supports.**
 - **Following the 6th unlawful absence the school team will make a determination regarding referrals and/or the filing of citations for the habitual truancy.**
 - **School teams, including principal, grade level administrator, counselor, caseworker, nurse, and other staff deemed necessary, may meet to review, discuss, and determine supports needed for the student.**
1. **A single absence more than 5 consecutive days in length:** A licensed practitioner of the healing arts note is required by the 6th day of absence, even if parent notes have not been exhausted.
 2. **15 or more days of absences, excused by a licensed practitioner of the healing arts:** The school nurse will call the licensed practitioner of the healing arts to seek more information regarding the absences to insure that the appropriate supports can be put in place for the students.
 3. **A College Visit Permission/Verification form (204AG2)** must be completed and is required for each college visit. The student must submit the form to the building principal or designee in advance of the college visit for approval. The building principal or designee may approve the college visit in his or her sole discretion. If approved, the form must be signed by a representative of the college and then submitted to the attendance secretary within 3 days of returning from the visit. If the form is not preapproved by the building principal or designee, signed by a representative of the college or isn't timely submitted, it will be considered an unlawful absence.
 4. **Charter Schools:** Where the district is required by law to prosecute a habitually truant charter school student upon notification by the charter school, the district shall utilize the charter school's attendance policy to determine unlawful absences.
 5. **WC Cyber Program:** Refer to 204AG3 for Attendance Guidelines.
 6. **Excuse notes via email** from a registered email address in PowerSchool will be accepted without an original signature.



Book	Policy Manual
Section	200 Pupils
Title	Attendance Guidelines - WC Cyber Program retire 5.2023
Code	204AG3
Status	
Adopted	August 24, 2020
Last Revised	July 25, 2022
Prior Revised Dates	7/26/2021

Students are expected to be in attendance daily. For students in grades 6-12, attendance is taken through two measures: daily homeroom check-in via Schoology and completion of some work in all assigned courses within a week.

Parents/Guardians shall provide a written explanation for the absences of a student. These shall be required in advance for types of absence where advance notice is possible.

Excuse forms shall be completed and turned in by the student within three (3) days after return from an absence. The absence of any student failing to comply with this time period will automatically become unlawful and the relevant school laws shall be applied.

Absences

Absences will generally be recognized as cumulative or noncumulative. Cumulative absences refer to days that contribute to the allotted number of days a student may be absent. Noncumulative absences are absences that do not contribute to the specified days students may be absent.

Cumulative Absences. Cumulative absences include both excused and unlawful absences.

Excused absences: Those absences where a licensed practitioner of the healing arts or upon any other satisfactory evidence furnished, shows that a student is unable to attend school and/or class, or is prevented from study because of illness or other urgent reasons, including but not limited to the following:

1. A maximum of ten (10) days absence for students verified by a parental note. All absences beyond the tenth day of parental cumulative absences will require a note from a licensed practitioner of the healing arts.
2. Family vacation, preapproved by the principal, at his/her sole discretion, while school is in session, up to a maximum of five (5) days per school year. The following will be taken into consideration by the principal in granting permission for the trip:
 - a. The student's academic standing.
 - b. The student's attendance record.
 - c. The effect the absence will have on the student's educational welfare.

d. The exceptionality of the request.

3. In lieu of family vacation days, parents may use the five (5) designated days as parent notes for illness or other urgent reasons previously listed. No more than fifteen (15) total days may be excused via a parental note.

Unlawful absences: Any absence which does not meet the definition of an excused absence, including, but not limited to the following:

1. Any day for which a written excuse is not submitted within three (3) school days of a student's return from an absence, including notes from a licensed practitioner of the healing arts.
2. Any absence not excused by a note from a licensed practitioner of the healing arts after ten (10) or fifteen (15) total days of absences verified by receipt of parental excuses.
3. Truancy – Frequent or prolonged absence without satisfactory reason, or willful violation of the compulsory attendance laws, which are subject to the penalties provided for in the school laws of Pennsylvania.
4. Class cut.
5. Unlawful tardies as set forth herein. A tardy is defined as a minimum of one minute of lateness to school. Eight (8) tardies to school and/or early dismissals will be considered one (1) unlawful absence in grades K-8. Unlawful tardies and cutting class in grades 9-12 will be handled under discipline as a Level One offense.
6. Any absence due to a family vacation while school is in session after the fifth of the five (5) day maximum per school year.

For students who are 18 or older and not of compulsory school age, unlawful absences shall be classified as unexcused absences.

Noncumulative absences. The following absences do NOT count against the 15-day limit of cumulative absences:

1. Suspensions from school.
2. Illness verified by a note from a licensed practitioner of the healing arts submitted within three (3) days of a student's return.
3. Death in the family, when accompanied by a note within three (3) days of a student's return. Up to 5 days will be approved for an immediate family member. If services are occurring outside of the country, any additional days will need to be approved by the building administrator.
4. Religious holidays, when accompanied by a note within three (3) days of a student's return.
5. Preapproved college visits, when College Visit Permission/Verification Form 204AG2 is submitted.
6. Court hearings involving Children, Youth & Families or Juvenile Probation Officer.
7. A student can be excused from school to participate in a musical performance in conjunction with a national veterans' organization or incorporated unit for an event or funeral. The organization or unit must provide the student with a signed excuse detailing the date, location and time of the event or funeral. The student must furnish the excuse to the school district prior to being excused.

Additional Guidelines

1. **Up to 15 days of consecutive absences:** Parents can use 5 vacation days and 10 parent notes. Notes from a licensed practitioner of the healing arts will be required for all future absences or they will be considered unlawful for students of compulsory age and unexcused for students over the age of 18. If a student does not return on the 16th day, the district will follow the compulsory attendance guidelines. Unless the district has been provided with evidence that the absence may be legally excused or the district is pursuing compulsory attendance prosecution, the student will be dropped from the district's active attendance roll after 10 days of absence. If the student is in the US, the absence will be coded as withdrawn-dropped. If the student is out of the country, the absence will be coded as withdrawn-moved. If the student returns, the parent will need to reenroll the student. Removal from the district's active attendance roll does not remove the parent/guardian's compulsory attendance obligations for the student and the district may pursue citations and/or referral to Children, Youth & Families.
2. **A single absence more than 5 consecutive days in length:** A licensed practitioner of the healing arts note is required by the 6th day of absence, even if parent notes have not been exhausted.

3. **15 or more days of absences, excused by a licensed practitioner of the healing arts:** The school nurse will call the licensed practitioner of the healing arts to seek more information regarding the absences to ensure that the appropriate supports can be put in place for the students.
4. **Notifications/Student Attendance Improvement Plan (SAIP):** Parents/guardians will be contacted via mail and/or phone call regarding their child's fourth unlawful absence with a request to complete a Student Attendance Improvement Plan (SAIP). The SAIP conference can include the student, family, school team, and outside supports. At the sixth unlawful absence a referral to Children, Youth and Families or an attendance improvement program will be completed and citations can be issued to a District Magistrate.
5. **A College Visit Permission/Verification form (204AG2)** must be completed and is required for each college visit. The student must submit the form to the building principal or designee in advance of the college visit for approval. The building principal or designee may approve the college visit in his or her sole discretion. If approved, the form must be signed by a representative of the college and then submitted to the attendance secretary within 3 days of returning from the visit. If the form is not preapproved by the building principal or designee, signed by a representative of the college or isn't timely submitted, it will be considered an unlawful absence.

Attendance Monitoring Process

Students who have frequent absences from one or more cyber courses will be monitored more closely to support their progress in the WC Cyber Program.

1. Whenever a student misses ten (10) days (five (5) for a semester course) of cumulative absence or has missed the same class ten (10) days (five (5) for a semester course), the student's counselor and/or Cyber Administrator may meet with the student and review the attendance record. As a result of the meeting, the parent/guardian may be notified in writing of the student's absence record. Parents/Guardians may be notified that all absences beyond the tenth absence will require a note from a licensed practitioner of the healing arts.
2. An Attendance Review Team (ART), consisting of the Cyber Administrator, counselor and other staff deemed necessary by the administrator, may review the student's absence record when a student has missed a total of ten (10) days (five (5) for a semester course) of cumulative absence or has missed the same class ten (10) times (five (5) for a semester course). The team may hold a parent/guardian conference with the student to discuss the absence record. The Cyber Administrator shall make the request for the conference in writing if the parent/guardian does not respond to a phone call. As part of this conference, it may be deemed necessary for the student to report to the Cyber Center to work with the Cyber Teacher to get their learning back on pace.
3. The team shall continue to monitor the student's absence record. When the student has missed a total of fifteen (15) days (eight (8) for a semester course) of cumulative absence or has missed the same class fifteen (15) times, the team may review the record again and notify the parent/guardian in writing of the record and possible consequences, including the requiring the student to attend in person sessions at the Cyber Center (Fugett Middle School) and/or the potential removal from the WC Cyber Program. The team will consider if a cyber setting is the best learning environment for the student on a case-by-case basis. A parent/guardian conference may be requested.
4. When a student has missed a total of twenty (20) days (ten (10) for a semester course) of cumulative absence or has missed the same class twenty (20) times, the ART may reconvene to review the student's absence record. The team shall determine if a recommendation for no course credit (high school students, only) will be made to the Cyber Administrator. The team shall consider whether to make a recommendation for retention in grade (elementary and middle school students, only). The team will also consider if a cyber setting is the best learning environment for the student on a case-by-case basis.

5. The Cyber Administrator shall review the recommendation by the team and make a recommendation to the Cyber Administrator that no course credit be awarded (high school students, only). If the Cyber Administrator supports the recommendation, the parent/guardian shall be notified in writing of the consequence. The decision of the Cyber Administrator shall be final. Where it is determined that course credit will be denied, the student will earn the grade for the course, but be denied the credit. Where a recommendation for retention is made (~~elementary~~ and middle school, only), referrals consistent with Board Policy 215 will be made.
6. The Superintendent or his designee shall review any recommendation by the team that the student be removed from the Cyber program and be returned to their school of residence. If the Superintendent or his designee supports the recommendation, the parent/guardian shall be notified in writing of the student's return to their school of residence. The decision of the Superintendent or his designee shall be final. Notwithstanding the foregoing, the District shall comply with placement procedures for students IEPs of 504 plans where required by law.



Book	Policy Manual
Section	200 Pupils
Title	Promotion and Retention
Code	215
Status	Review
Adopted	September 25, 2017

Purpose

The Board recognizes that the emotional, social, physical and educational development of students will vary and that students should be placed in the educational setting most appropriate to their needs. The district shall establish and maintain academic standards for each grade and monitor individual student achievement in a continuous and systematic manner.

Authority

The Board establishes that each student shall be moved forward in a continuous pattern of achievement and development that corresponds with the student's progress, system of grade levels, and attainment of the academic standards established for each grade.

The evaluation of ~~pupils~~ **students** must be a continuous and forward-looking process producing a creative effect which improves present and future behavior and practice. The concern in the total evaluation process is the whole ~~child~~ **student**: ~~his/her~~ growth in an academic sense as well as ~~his~~ physical, social and emotional development.

A student shall be promoted when ~~s/he has~~ **they have** successfully completed the curriculum requirements and has achieved the academic standards established for the present level, based on the professional judgement of the teachers, school team and the results of assessments. A student shall earn the right to advance to the next grade by demonstrating mastery of the required skills and knowledge or meeting goals on an individual student plan. No student shall be retained in a grade level for more than one year.

Delegation of Responsibility

The Superintendent or designee shall develop administrative ~~regulations~~ **guidelines** for promotion and retention of students which assure that every effort will be made to remediate the student's difficulties before the student is retained. ~~See 215AG1—Promotion and Retention Guidelines.~~

References:

School Code - 24 P.S. Sec. 1531, 1532, 1533

State Board of Education Regulations - 22 PA Code Sec. 4.12, 4.13, 4.42

Board Policy 000, 100, 212, 213, 217



Book	Policy Manual
Section	200 Pupils
Title	Promotion and Retention Guidelines
Code	215AG1
Status	Review
Adopted	September 25, 2017
Last Revised	March 5, 2020
Prior Revised Dates	7/25/2018, 1/8/2019

The issue of retention is treated very seriously and will necessitate careful discussion. The vast body of current research does not support retention; however, each ~~child~~ **student** will be considered individually. Discussion regarding retention will focus on the ~~child's~~ **student's** social and emotional growth and academic achievement and other pertinent information.

In all cases of retention, the parents/guardians shall be involved and informed throughout the process. Parents/Guardians and the student shall be notified of the possibility of retention of a **the** student in advance of any determination.

- By January 31st, the student at risk for retention shall be brought to the attention of the Multi-tiered System of Supports ("MTSS"). Appropriate interventions as determined by MTSS will be implemented for a minimum of one marking period.
 - Baseline data to be considered by the MTSS shall include typical benchmark assessments and additional assessments based on areas of concern.
 - Parents/guardians will be notified if their student is at risk for retention after the MTSS meeting.
- No later than February 28th, a meeting including at a minimum, the school team (including, but not limited to, the classroom teacher, building principal, the appropriate Director of Education and Director of Pupil Services) and the parents/guardians shall occur to discuss data and review the student's progress.
- By April 30th, the school team and the parents/guardians will meet to review the student's progress. At this time, the school team will make a determination if retention is being recommended for the student.
- Items that will be considered as part of the school team's decision will include, but will not be limited to the following:
 - Date of ~~B~~ **b**irth
 - Pre-school experience, including Special Education Early Intervention
 - English ~~L~~ **a**nguage Learner, Special Education and 504 ~~S~~ **s**tatus
 - Reason for limited access to education
 - Attendance and grades
 - Grade level benchmark assessments
 - Progress monitoring data from the interventions implemented through the Multi-tiered System of Supports

- The Superintendent or ~~his/her~~ designee will communicate the final decision of the school team to the parents/guardians

If a parent/**guardian** requests that ~~his/her~~ **their** child be retained, the school Multi-tiered System of Supports will meet to review the student's profile and to create an intervention plan as needed.

Academic achievement, attitude, effort, work habits, behavior, attendance and other factors related to learning shall be evaluated regularly and communicated to students and parents/guardians.

The district shall utilize multiple measures of performance as determinants in promotion and retention decisions.

Grade acceleration requests will be considered by the administration, ~~and~~ school team including **and the parent/guardian**. Multiple data points will be reviewed to determine if needs can be met in the scheduled grade or if grade acceleration is the only option to meet the student's needs.

Progress toward high school graduation shall be based on the student's ability to achieve the established academic standards and pass the required subjects and electives necessary to earn the number of credits requirements mandated by the Board for graduation.

Where a student has missed ten (10) school days (five (5) school days for a semester course) of cumulative absences or has been late to school and missed the same course ten (10) times (five (5) for a semester course), the student will be referred to the MTSS team for monitoring. Parents/guardians will be informed of the referral. For cyber courses, as part of the monitoring, the MTSS team may consider whether the cyber setting is the best learning environment for the student, and may determine if removal from the cyber environment and returned to the school of residence is required. Notwithstanding the foregoing, the District shall comply with placement procedures for students IEPs or 504 plans where required by law.

Repetition of Courses

The placement of students into appropriate courses as well as continuous sequencing of courses are important factors that contribute to student success. A student will not be permitted to register again for a course covering generally the same academic material as a course ~~he or she~~ has already completed unless (1) the student has failed the course or (2) during course selection the classroom teacher and the guidance counselor both recommend repetition of the course. The determination of which courses at the secondary level cover generally the same academic materials shall be made by the ~~Director of Secondary Education~~ **Assistant Superintendent or designee** in his **their** sole discretion.

References:

Board Policy - 212, 213, 215, 217



Book	Policy Manual
Section	200 Pupils
Title	Student Conduct/Disciplinary Action Schedule
Code	218AG1
Status	Review
Adopted	July 25, 2016
Last Revised	July 25, 2022
Prior Revised Dates	8/2/2017, 9/6/2019, 5/29/2020, 8/24/2020

Student Discipline **Respecting Members of the School Community**

The fundamental premise of Board policy and guidelines related to student discipline is that students will show tolerance to all members of the school community. The Board shall adopt a Code of Student Conduct/Disciplinary Action Schedule to govern student discipline, and students shall not be subject to disciplinary action because of race, age, sex, color, religion, creed, sexual orientation, gender identity, national origin, ancestry, marital status, pregnancy, or handicap/disability. Each student must adhere to Board policies and the Code of Student Conduct/Disciplinary Action Schedule governing student discipline.

The West Chester Area School Board has the authority to make reasonable and necessary rules governing the conduct of students in school. **As Pp** provided by Section 1317 of the **Pennsylvania** School Code of **1949, as amended**, the Commonwealth of Pennsylvania: Authority of Teachers, Vice Principals, and Principals over Pupils; every teacher, vice principal, and principal in the public schools shall have the right to exercise the same authority as to conduct and behavior over the ~~pupils~~ **students** as their parents/guardians or persons in parental relation with the student when: (a) they are attending school in person, including technical college high schools, or remotely through a cyber program or by other virtual platforms; (b) during the time they are going to and from their homes to school or technical college high schools; and (c) when attending school-sponsored events and activities either as a participant or spectator.

- The teachers have the responsibility to maintain a suitable environment for learning, and the administrators have the responsibility for maintaining and facilitating the educational programs.
- The principal is authorized by statute to suspend students for cause.
- Rules and regulations shall be published and reviewed with students at the opening of each school year and shall be posted in prominent locations throughout each school as well as online. Copies shall be available in each school and also to students and parents/guardians upon request.
- The principal shall be responsible for informing both parents/guardians and students of school rules and regulations at the opening of the school year.
- The teacher has the authority to send a student from a class to an appropriate school official for cause.

- Teachers and school administrators shall administer discipline within federal and state statutes, regulations and guidance, and other specific policies **and administrative guidelines** relating to student behavior and discipline as adopted by the Board.

In order that infractions of the rules established for student conduct may be treated equitably and consistently, the Board has approved a Disciplinary Action Schedule for the district's schools. The intent of this schedule is to provide students with a definition of the limits of acceptable behavior, and to equip teachers and school administrators for their disciplinary responsibilities. The schedule shall be interpreted by the principals and their designees in a manner which they deem just, given the circumstances of the individual case. Additionally, students must understand that administrators shall have the authority to enforce other reasonable disciplinary action which they find warranted by situations not covered.

The provisions of this policy apply to all district schools, programs and platforms, unless specifically noted herein.

WHY DISCIPLINE?

Discipline should, as a minimum, have three (3) objectives in mind:

- PRESERVE the optimum environment in which to deliver instructional services.
- RESPOND to disruptive influences with corrective measures in a firm and consistent manner while attempting to correct deviant behavior and keep disrupters in school.
- REMOVE, as a last resort, the disrupters from the educational environment so that the majority may pursue their educational goals.

As present law now stands, it is the responsibility of the Board to continue with the education of the student until age eighteen (18) whether in the formal educational setting or in a setting outside that environment.

ELEMENTARY-STUDENT EXPECTATIONS

I. ELEMENTARY CODE OF CONDUCT

- Students will respect everyone's right to learn.
- Students will choose ways to resolve conflict without fighting.
- Students will accept others for who they are and respect differences.
- Students will show proper respect for:
 - Themselves.
 - Other Students.
 - Adults.
 - School property.
 - Personal property.

II. STUDENT JOB DESCRIPTION

~~My education is important. To the best of my ability, I will:~~

- ~~Be a good citizen of school.~~
- ~~Arrive at school on time every day.~~
- ~~Complete my homework and be prepared every day.~~
- ~~Be a cooperative learner.~~
- ~~Ask for help when I need it.~~
- ~~Help others when possible.~~
- ~~Demonstrate a positive attitude.~~
- ~~Follow school and classroom rules.~~

Students have the responsibility to conduct themselves according to the Code listed above and to **meet their responsibilities** by following the **Responsibilities of Students Job Description listed below**. Students who fail to do so will be subject to follow the schedule of disciplinary action.

Responsibilities of Students

These responsibilities and expectations are to be an integral part of student behavior enroute to and from school, during all extracurricular activities, day and field excursions, as well as within the typical school day and setting.

1. **Student responsibilities include regular school attendance, conscientious effort in classroom work and homework, and conformance to district and school rules and regulations.**
2. **Students, in conjunction with the administration and faculty, share a responsibility to develop a climate within the school that is conducive to wholesome learning and living.**
3. **No student has the right to interfere with the education of fellow students. It is the responsibility of each student to respect the rights of teachers, students, administrators and all others who are involved in the educational process.**
4. **Students should express their ideas and opinions in a respectful manner.**
5. **Student should:**
 - a. **Be aware of all rules and regulations for student behavior and conduct themselves in accordance with them. Students should assume that, until a rule is waived, altered or repealed in writing, it is in effect.**
 - b. **Volunteer information in matters relating to the health, safety and welfare of the school community and the protection of school property.**
 - c. **Dress and groom to meet standards of safety and health, and not to cause substantial disruption to the educational processes.**
 - d. **Assist the school staff in operating a safe school for the students enrolled therein.**
 - e. **Comply with applicable laws.**
 - f. **Exercise proper care when using public facilities and equipment.**
 - g. **Attend school daily and be on time at all classes and other school functions.**
 - h. **Make up work when absent from school.**
 - i. **Pursue and attempt to complete satisfactorily the courses of study prescribed by the district.**
 - j. **Report accurately in student media.**
 - k. **Not use obscene language in student media or on school premises.**

ADMINISTRATIVE ACTION
ELEMENTARY AND SECONDARY

At times during the school year, student misbehavior will necessitate action on the part of the Board. At this point, the school administration will have exhausted all approaches in attempting to correct the student's misbehavior. The administration may have, at various times, worked with the resources and shall keep records and documentation as evidence of other efforts. The resources shall include among others:

- Parents/guardians.
- Teachers.
- Guidance counselor.

- Social worker/counselor.
- Community resource personnel.
- Social agencies.
- Psychologist.

The breach of discipline within the schools will probably fall into two (2) major classes of offense:

1. Violation of the rules of conduct of the school (see Level I, II and III).
2. Violation of rules of conduct of the school because they are a violation of the law (a crime has been committed) (see certain Level III offenses).

This second category of infractions calls for dual corrective action of a school administered response as well as a community administered response. The school action would be considered a Level III infraction. In addition, the appropriate law enforcement agency would be brought into the matter and it may take action in addition to the penalties set forth herein.

SCHOOL OFFENSES

Any student subjected to disciplinary action which involves his/her **their** removal from the normal classroom environment is still to demonstrate mastery of all subject matter for advancement to the next grade level. It is the responsibility of the student subjected to such disciplinary action to ensure that s/he **they** remains current with course subject matter and that s/he **they** arranges with the administration for the taking of any examinations missed due to absence from school.

Parents/guardians of said student shall be notified immediately **as soon as practicable**, by phone, if possible, and in writing when a student has been suspended internally or externally from class.

Possession, distribution or use of alcoholic beverages or ~~drugs~~ **controlled substances** will result in the application of Board Policy 227.

A student who is on suspension shall not participate in, or attend any extracurricular school activity during the period of suspension or Saturday School. This will be in effect immediately upon notification of the suspension. Suspension shall be in effect until the start of the first school-day that the student is eligible to return to school. A student who is participating in an extracurricular activity must be in school in order to participate. Further, a student will be subject to the terms of the Extracurricular Code of Conduct.

I. ELEMENTARY SCHOOL DISCIPLINARY ACTION SCHEDULE

Different offenses should require different responses. The following is a categorization of offenses into levels.

A. LEVEL I

1. Use of personal and district technology devices in violation of Policy 237 (including misuse of the internet)
2. Disrespect to peer(s)
3. Student Integrity (Policy 218.3)
4. Other minor infractions of unacceptable behavior in or on school property, or while under school supervision or jurisdiction

B. LEVEL II

1. Cutting class
2. Smoking, Tobacco and Vaping Products; Non-tobacco products (Policy 222)
3. Insubordination
4. Fighting
5. Defacing school property
6. Violation of Student Acceptable Use of Internet, Computers and Network Resources (Policy 252) (including misuse of the internet)
7. Verbal assault
8. Intimidation

9. Foul and abusive language/gestures
10. Theft
11. Peer conflict/disrespect/disturbance
12. Use of personal and district technology devices in violation of Policy 237 (including misuse of the internet)
13. Student Integrity (Policy 218.3)
14. Other more serious infractions of unacceptable behavior in or on school property, or while under school supervision or jurisdiction

C. LEVEL III

1. Physical assault
2. Possessing a weapon (Policy 218.1)
3. Arson, false alarm, or 911 Call
4. Bomb threats
5. Vandalism
6. Controlled substance/paraphernalia (Policy 227)
7. Discrimination/Title IX Sexual Harassment-affecting Students (Policy 103)
8. Intentional contact
9. Terroristic threats (Policy 218.2)
10. Bullying (Policy 249)
11. Student Integrity (Policy 218.3)
12. Hazing (Policy 247)
13. Sexual Assault
14. False Safe2Say report
15. Commission of any act punishable under the Pennsylvania Crimes Code
16. Other most serious infractions of unacceptable behavior in or on school property, or while under school supervision or jurisdiction

II. ELEMENTARY SCHOOL ADMINISTRATIVE ACTION SCHEDULE

The Administration Action Schedule shall be interpreted by the principals and their designees in a manner which they deem just given the circumstances of the individual case.

~~For students attending by other virtual platform, depending on the nature and severity of the infraction, the Cyber Administrator may limit access to the internet or the network at any level of offense.~~

A. LEVEL I

Disciplinary options may include, but are not limited to, any one or more of the following:

1. Verbal reprimand
2. Detention
3. Restrictions
4. Parent/guardian notification and/or conference
5. Internal suspension

B. LEVEL II

Disciplinary options may include, but are not limited to, any Level I disciplinary option, plus any one or more of the following:

1. External suspension~~(except in the case of truancy)~~
2. Notification of local law enforcement agency (who may take action in addition to the penalties set forth herein).

C. LEVEL III

The offenses in this class are of a nature that their commission may represent a violation of law and may be subject to civil and/or criminal penalties. This type of behavior is obviously unacceptable in the educational environment. The local law enforcement agency will be notified of all Level III offenses and may take action in addition to the penalties set forth herein. In addition, the following action may be taken:

1. A first offense may result in a ten (10)-day external suspension from school or other Level II disciplinary option, where appropriate.
2. A second offense may result in a ten (10)-day external suspension from school and a Board hearing ~~shall~~ **may** be held with administration recommendation for exclusion of the student for the remainder of the school year

The administrator may, if ~~he/she~~ **they** considers the committing of offenses in this category serious enough to be a threat to the health, safety or welfare of others, request Board hearing for exclusion of the student upon commitment of the offense for the first time.

III. SECONDARY DISCIPLINARY ACTION SCHEDULE

Different offenses should require different responses. The following is a categorization of offenses into levels.

A. LEVEL I

1. Unexcused lateness to school (*HIGH SCHOOL ONLY*)
2. Unexcused lateness to class
3. Not reporting to detention
4. Failure to sign in at attendance
5. Student Integrity (Policy 218.3)
6. Not reporting to Saturday School (1st offense)
7. Other minor infractions of unacceptable behavior in or on school property, or while under school supervision or jurisdiction

B. LEVEL II

1. Cutting class
2. Leaving school or class without permission
3. Smoking, Tobacco and Vaping Products; Non-tobacco products (Policy 222)
4. Insubordination
5. Fighting
6. Defacing school property
7. Violation of Student Acceptable Use Policy 252 and related policies (including misuse of the internet)
8. Verbal assault
9. Intimidation
10. Forgery
11. Foul and abusive language/gestures
12. Failure to give name
13. Not reporting to Saturday School (2nd or more offense)
14. Peer conflict/disrespect/disturbance
15. Student Integrity (Policy 218.3)
16. Use of personal technology and technology devices in violation of Policy 237 (including misuse of the internet)
17. Seventh Level I Offense
18. Other more serious infractions of unacceptable behavior in or on school property, or while under school supervision or jurisdiction

C. LEVEL III

1. Theft

2. Physical assault
3. Possessing a weapon (Policy 218.1)
4. Arson, false alarm, or 911 call
5. Bomb threats
6. Vandalism
7. Controlled substance/paraphernalia (Policy 227)
8. Extortion
9. Discrimination/Title IX Sexual Harassment affecting Students (Policy 103)
10. Intentional contact
11. Terroristic threats (Policy 218.2)
12. Bullying/Cyberbullying (Policy 249)
13. Student Integrity (Policy 218.3)
14. Hazing (Policy 247)
15. Sexual Assault
16. False Safe2Say Report
17. Commission of any act punishable under the Pennsylvania Crimes Code
18. Other most serious infractions of unacceptable behavior in or on school property, or while under school supervision or jurisdiction

IV. SECONDARY ADMINISTRATIVE ACTION

The Administrative Action Schedule shall be interpreted by the principals and their designees in a manner which they deem just given the circumstances of the individual case.

For students attending the cyber program or other virtual platform, depending on the nature and severity of the infraction, the Cyber Administrator may limit access to the internet or the network at any level of offense.

A. Level I

1. Unexcused lateness to school (*High School ONLY*):
 - a. Each of the first four (4) offenses in a semester will be recorded in the student's file.
 - b. Fifth, sixth, seventh and eighth offenses in a semester will result in the student receiving one day of after school detention for each offense for students attending in person programs. For students in the cyber program or other virtual platform, the fifth, sixth, seventh and eighth offenses in a semester will result in a parent conference with teaching~~ers~~ and cyber administration.
 - c. Upon the recording of the ninth or more lateness in a semester, the result will be one day of Saturday School.
2. Unexcused lateness to class:
 - a. One (1) day of after school detention will be assigned for each offense for students attending in person programs. For students in the cyber program or other virtual platform, each offense will result in a parent conference with teaching~~ers~~ and cyber administration.
 - b. Upon recording of the ninth or more lateness in a year, the student will be assigned one day of Saturday School.
3. Not reporting to detention/late room:
 - a. One (1) day of Saturday School
4. Failure to sign in at attendance:
 - a. One (1) day of after school detention will be assigned for each offense for students attending in person programs. For students in the cyber program or other virtual platform, each offense will result in a parent conference with teaching~~ers~~ and cyber administration.

b. Upon recording of the ninth or more failure to sign in at attendance, the student will be assigned one day of Saturday School.

5. Student Integrity (see Policy 218.3)

6. Not Reporting to Saturday School (1st offense):

a. One-day external suspension and the student must repeat the Saturday School.

7. Other minor infractions of unacceptable behavior in or on school property, or while under school supervision or jurisdiction:

a. First, second, third and fourth offenses will result in a detention for students attending in person programs. For students in the cyber program or other virtual platform, first, second, third and fourth offenses will result in a parent conference with teachers and cyber administration

b. Upon recording of the fifth or more Level I offense, the student will receive a day of Saturday School.

NOTE: The accumulation of seven (7) Level I offenses shall result in a student being credited with one (1) Level II offense. Thereafter, subsequent accumulations of seven (7) Level I offenses shall likewise result in additional crediting of Level II offenses.

B. LEVEL II

1. With the exception of smoking/tobacco and vaping products/non-tobacco products use, fighting, verbal assault, and cutting Saturday School, these offenses, being of a more serious nature, will result in the following actions:

NOTE: The offense may be a repeat of a prior Level II offense or combination of offenses. Some Level II offenses may result in appropriate legal action.

- a. The first, second, third, and fourth offense will result in one (1) day of Saturday School for each offense.
- b. The fifth offense will result in a three-day external suspension and a mandatory principal conference with the parent/guardian and student.
- c. A sixth offense will result in a five-day external suspension. An informal hearing shall be held with the parent/guardian and the student.
- d. A seventh offense will result in a ten-day external suspension from school and a Board hearing may be held with administration recommendation for exclusion of the student from school for the remainder of the school year.

2. Smoking/tobacco and vaping products/non-tobacco products use and verbal assault will result in the following action:

- a. Each offense will result in a three-day external suspension.
- b. If the offense is the fifth or more Level II offense, the administrative action shall follow the Level II (1)(b) or higher level guidelines set forth above.
- c. If the first offense is the seventh or subsequent Level II offense, the administrative action shall follow the Level II (1) (d) or higher level guidelines set forth above.

3. Fighting will result in the following action:

- a. Each offense will result in a three to five-day external suspension and the local law enforcement agency will be notified, which may take action in addition to the penalties set forth herein.
- b. If the offense is the fifth or more Level II offense, the administrative action shall follow the Level II (1)(c) or higher level guidelines set forth above and local law enforcement will be notified which may lead to further actions in addition to the penalties set forth herein.

4. Not reporting to Saturday School will result in the following action:

- a. A first offense will result in a one-day external suspension and the student must repeat the

Saturday School.

b. A second or subsequent offense will result in a one-day external suspension **and the student must**, repeating the Saturday School.

c. If the offense is the fifth or more Level II offense, the administrative action shall follow the Level II (1)(b) or higher level guidelines set forth above.

5. Student Integrity (see Policy 218.3)

The administrator may, if he/she **they** considers a Level II offense sufficiently severe or disruptive to the school environment, provide for up to a three (3) day external suspension for any Level II offense.

C. LEVEL III

The offenses in this class are of a nature that their commission may represent a violation of law and be subject to civil and/or criminal penalties. This type of behavior is obviously unacceptable in the educational environment. The local law enforcement agency will be notified on all Level III offenses and may take action in addition to the penalties set forth herein. In addition, the following action may be taken:

1. A first offense will result in a 10-day external suspension from school or other Level II disciplinary option, where appropriate.
2. A second offense shall result in a 10-day external suspension from school and a Board hearing **shall may** be held with administration recommendation for exclusion of the student for the remainder of the school year.

The administrator may, if he/she **they** considers the committing of offenses in this category serious enough to be a threat to the health, safety or welfare of others, request Board hearing for exclusion of the student upon commitment of the offense for the first time.

V. Definitions & Special Notes

1. **Bullying** – Is an intentional electronic, written, verbal or physical act or series of acts directed at another student or students which occurs in a school setting and/or outside a school setting, that is severe, persistent or pervasive; and has the effect of doing any of the following: (1) substantially interfering with a student's education; (2) creating a threatening environment; or (3) substantially disrupting the orderly operation of the school. Bullying includes cyberbullying. (See Policy 249).
2. **Discrimination** – Discrimination is defined in accordance with the definitions found in Policy 103.
3. **Disrespect to Peer(s)** - Teasing and name calling, – oral or written, that does not rise to the level of bullying.
4. **Extortion** – Intentionally obtaining or withholding property of another by threatening to (1) inflict bodily harm on anyone or commit other criminal activities; (2) accuse anyone of criminal offense; (3) expose any secret intending to subject any person to hatred, contempt or ridicule.
5. **False Safe2Say Report:** knowingly or intentionally making a false Safe2Say report.
6. **Fighting** – An encounter with blows or other physical contact involving two or more students.
7. **Forgery** – Reproducing a parent's or guardian's signature, altering school records, other offenses as set forth in the Pennsylvania Crime Code, 18 Pa. C.S. §§ 4104 et. seq. as may be amended, or other similar actions.
8. **Foul and Abusive Language/Gestures** – Use of language or gestures that is vulgar, profane, or lewd.
9. **Hazing** - Hazing is defined in accordance with definitions found in Policy 247.
10. **Insubordination** – Refusing to follow a reasonable directive of either a school district professional employee or administrator acting within the scope of his/her **their** authority.

11. Intentional Contact – Intentionally causing contact with another, when such contact is neither invited or provoked and the purpose of such contact is insubordination, harassment, extortion or the threat or suggestion of physical assault. Intentional shoving, hitting, kicking, slapping, bumping, holding, pushing and throwing objects with a wrongful purpose are examples of such conduct. Unintentional or inadvertent conduct, reflexive conduct or conduct taken in the reasonable belief of self-defense or invitational, or conduct by a student with a recognized disability which affects his or her **their** ability to control his or her **their** actions, are not included. Even if provoked, persisting in such contact when a reasonable opportunity to stop is available, shall be included.

12. Intimidation – To frighten or make timid another student by threats, or other aggressive actions or language.

~~**13. Minor Bus Problems** – Those behaviors that are not chronic or jeopardize the safety of others.~~

~~**14. Misuse of the Internet** – Obtaining access to the Internet intentionally and without proper authorization or misuse of the Internet which can be viewed as any message(s) sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, **discrimination, harassment,** inappropriate language, **violation of Board policy or administrative guidelines** or any violation of local, state or federal laws relating to use of the Internet. (Policies 237, 252)~~

~~**15. Physical Assault** – (1) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury to another; (2) negligently causes bodily injury to another with a deadly weapon; (3) attempts by physical menace to put another in fear of imminent serious bodily harm; or (4) any offense prohibited by Chapter 27, "Assault", of the Pennsylvania Crimes Code (18 Pa. C.S.A. § 2701 et seq; and as may hereafter be amended).~~

~~**16. Plagiarism** – Intentionally or unintentionally stealing and using the idea, structure, language, context or writings of another as one's own without crediting the original author through parenthetical documentation, footnotes or bibliography.~~

~~**17. School Personnel** - Any school board member, school employee, agent, volunteer, contractor or other person subject to the supervision and control of the District.~~

~~**18. Sexual Assault** - Sexual offenses as defined in Chapter 31 of the Pennsylvania Crimes Code~~

~~**19. Student Integrity** – A violation of the student integrity policy (Board Policy 218.3), which includes, academic dishonesty **and plagiarism in accordance with the definitions in Policy 218.3.** Academic dishonesty is the act of cheating or participating in an act of unacceptable behavior in relation to academic expectations, class assignments, curriculum assessments or any material that contributes to a course grade. Academic dishonesty includes, but is not limited to, a student copying an assignment or test and submitting it as his/ her own; allowing someone to copy an assignment or test and submit it as his/her their own; unauthorized use of or communicating with notes, calculators, computers, textbooks, cell or smart phones, or any other electronic device during an exam or assignment; telling other students what is on a test or quiz or providing specific questions or answers; submitting the same work in two (2) or more courses without permission from the teachers; working with others on a project that was assigned individually; or securing answers in any other dishonest manner. Plagiarism (defined herein) is also a violation of the student integrity policy.~~

20. Technology

A. Personal Technology Devices (personal technology) - shall be defined as any device capable of capturing, storing, and/or transmitting information, including text, audio, picture, and/or video data, not owned by the District. These include, but are not limited to, such devices as cellular telephones, smartphones, handheld computers, laptop computers, tablet computers, digital musical players, including without limitation iPods and MP3 players, and still and video cameras and wearable technologies including without limitation smart watches, smart glasses, or earbuds.

B. District technology devices (district technology) shall be defined as any device capable of capturing, storing, and/or transmitting information, including text, audio, picture, and/or video data, that is owned by the district and loaned to students for academic purposes. These include, but are not limited to, such devices as handheld computers, tablet computers, and laptop computers, still and video cameras.

21. Terroristic Threats – A threat communicated either directly or indirectly to commit any crime of violence with the intent to: terrorize another; cause evacuation of a building, place of assembly, or facility of public transportation; or to otherwise cause serious public inconvenience, or cause terror, or serious public inconvenience with reckless disregard of the risk of causing such terror or inconvenience. (Policy 218.2)

22. Theft – Withholding property of another permanently or for such an extended period as to appropriate the major portion of its economic value, or with intent to restore only upon payment of reward or other compensation; or to dispose of the property so as to make unlikely that the owner will recover it; or any offense prohibited by Chapter 39, "Theft and Related Offenses", of the Pennsylvania Crime Code (18 Pa. C.S.A. § 3901 et seq. and as may hereafter be amended).

23. Title IX Sexual Harassment – Title IX Sexual Harassment is defined in accordance with the definitions in Policy 103.

24. Tobacco, Smoking and Vaping products; Non-tobacco products – State law defines the term tobacco product to broadly encompass not only tobacco but also vaping products including Juuls and other electronic cigarettes (e-cigarettes). Tobacco products, for purposes of this policy and in accordance with state law, shall be defined to include the following:

a. Any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including, but not limited to, a cigarette, cigar, little cigar, chewing tobacco, pipe tobacco, snuff and snus.

b. Any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe and a hookah.

c. Any product containing, made or derived from either:

Tobacco, whether in its natural or synthetic form; or
Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.

d. Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately.

Student smoking of any non-tobacco products or the possession of non-tobacco products in a form in which they may be smoked, including but not limited to non-tobacco cigarettes, cigars and little cigars (collectively "non-tobacco products") is prohibited.

25. Vandalism – Damaging tangible and intangible property of another intentionally, recklessly, or by negligence in the employment of fire, explosive, or other means; or recklessly or intentionally tampering with tangible property of another so as to cause or attempt to cause unjustified actual harm to tangible and intangible property of another.

26. Verbal Assault – Verbally addressing a teacher with lewd, vulgar or profane language and in an aggressive or otherwise disrespectful manner.

27. Weapons in the School – Weapons 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. Students are prohibited from possessing and bringing weapons and replicas of weapons into any school 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. (See Board Policy 218.1)

SPECIAL NOTES:

Defacing school property and vandalism represent the same type of deviant behavior. For purposes of response, damages in excess of \$10 will be considered as vandalism while those of less than \$10 will generally be considered as defacing school property. In cases of less than \$10 in damages, discretion may be exercised by the Administrator in classifying the action as vandalism based on extenuating circumstances, e.g. repeated offenses. In all cases, however, restitution will be sought with the application of disciplinary action as stated in the policy.

Pursuant to subsection 'a' of the statute 1317.2 of the Pennsylvania School Code, a school district or area technical college high school shall expel for a period of not less than one year, any student who is determined to have brought a weapon onto any school property, any school sponsored activity or any public conveyance providing transportation to a school or school sponsored activity. Any loaded or unloaded firearm or dangerous weapon possessed on or about a person while on district property is subject to seizure or forfeiture. Incidence of students possessing weapons will be reported to the student's parents/guardians and shall be reported to the police. Appropriate disciplinary and legal action will be taken against students who possess weapons and with students who assist possession in any way. However, weapons under the control of law enforcement personnel are permitted. The superintendent may authorize other persons to possess weapons in school buildings. The superintendent may prescribe special conditions or procedures to be followed before giving such authority.

Use of personal and district technology devices in violation of Policy 237 is a Level II offense where an administrator considers the student's actions sufficiently severe or disruptive to the school environment.

Terms otherwise undefined by this regulation shall be interpreted in the same manner as similar or identical terms in the Pennsylvania Crimes Code.



Book	Policy Manual
Section	200 Pupils
Title	Terroristic Threats
Code	218.2
Status	Review
Adopted	August 1, 2015
Last Revised	September 27, 2021
Last Reviewed	December 15, 2014

Purpose

The Board recognizes the danger that terroristic threats by students present to the safety and welfare of district students, staff, and community. The Board acknowledges the need for an immediate and effective response to a situation involving such a threat.

Definitions

Communicate - shall mean to convey in person or by written or electronic means, including telephone, electronic mail, Internet, facsimile, telex, and similar transmissions.^[1]

Terroristic threat - shall mean a threat communicated either directly or indirectly to commit any crime of violence with the intent to: terrorize another; cause evacuation of a building, place of assembly, or facility of public transportation; or to otherwise cause serious public inconvenience, or cause terror, or serious public inconvenience with reckless disregard of the risk of causing such terror or inconvenience.^[1]

Authority

The Board prohibits any district student from communicating terroristic threats directed at any student, employee, Board member, community member, or property owned, leased, or being used by the district.

Delegation of Responsibility

The Superintendent or designee, in coordination with the threat assessment team, shall react promptly to information and knowledge concerning a possible or actual terroristic threat. Such action shall be in compliance with state law and regulations, Board policy and administrative regulations **guidelines**, the procedures set forth in the memorandum of understanding with local law enforcement officials, and the district's emergency preparedness plan.^{[2][3][4][5][6]}

Guidelines

In all cases of terroristic threats, where a student's behavior 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. [3][4]

Staff members and students shall be made aware of their responsibility for informing the threat assessment team regarding any information or knowledge relevant to a possible or actual terroristic threat. [4][7]

The threat assessment team shall immediately inform the Superintendent or designee, School Safety and Security Coordinator and building principal of a terroristic threat, in accordance with Board policy and administrative regulations **guidelines**. [4]

The Superintendent or designee may report incidents involving terroristic threats 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][6][8][9][10]

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving a terroristic threat 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. [6][9][11]

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of terroristic threats to the Office for Safe Schools on the required form. [6][8]

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. [6][11][12][13][14][15]

If a student is expelled for making terroristic threats, the Board may require, prior to readmission, that the student provide competent and credible evidence from a behavioral service provider that the student does not pose a risk of harm to others. [4][14][16]

Legal

[1. 18 Pa. C.S.A. 2706](#)

[2. 24 P.S. 1302.1-A](#)

[3. 24 P.S. 1302-E](#)

4. Pol. 236.1

5. Pol. 805

6. Pol. 805.1

[7. 22 PA Code 12.2](#)

[8. 24 P.S. 1303-A](#)

[9. 22 PA Code 10.2](#)

[10. 22 PA Code 10.22](#)

[11. 22 PA Code 10.23](#)

[12. 20 U.S.C. 1400 et seq](#)

13. Pol. 103.1

14. Pol. 113.1

15. Pol. 113.2

16. Pol. 233

[22 PA Code 10.25](#)

[34 CFR Part 300](#)

Pol. 000



Book	Policy Manual
Section	200 Pupils
Title	Student Integrity
Code	218.3
Status	Review
Adopted	August 1, 2015
Last Revised	July 25, 2022
Last Reviewed	June 22, 2015

Purpose

The district supports students' learning and academic achievement by encouraging them to produce academic work that is their own best effort, done with integrity, and displaying the best academic ethical behavior. Academic dishonesty and plagiarism are unacceptable, and those engaged in such acts will face disciplinary consequences.

Authority

Violations of this policy shall subject students to disciplinary action ~~as outlined herein~~. This policy covers all school-related tests, quizzes, and in and out-of-class assignments and projects.

Definitions

Academic dishonesty is defined as the act of cheating or participating in an act of unacceptable behavior in relation to academic expectations, class assignments, curriculum assessments or any material that contributes to a course grade. **Academic dishonesty** includes, but is not limited to: a student copying an assignment or test/**quiz** and submitting it as his/her **their** own; allowing someone to copy an assignment or test/**quiz** and submit it as his/her **their** own; unauthorized use of or communicating with notes, calculators, computers, textbooks, cell or smart phones, or any other electronic device during an exam or assignment; telling other students what is on a test or quiz or providing specific questions or answers; submitting the same work in two (2) or more courses without permission from the teachers; working with others on a project that was assigned individually; or securing **or sharing** answers in any other dishonest manner.

Plagiarism is defined as intentionally or unintentionally stealing and using the idea, structure, language, context or writings of another as one's own without crediting the original author through parenthetical documentation, footnotes or bibliography.

Guidelines

When academic dishonesty or plagiarism takes place at the elementary school level, it shall be addressed by the classroom teacher on an individual basis.

When academic dishonesty or plagiarism takes place at the secondary levels, it shall be reported by the teacher to the building principal.

Secondary Action Schedule for Plagiarism and Academic Dishonesty

1st Offense - Zero on the assignment/project/test/**quiz**, and parent/guardian notification.

2nd Offense - Zero on the assignment/project/test/**quiz**, parent/guardian notification, and Saturday School. The offense shall be categorized as a Level II offense under 218AG1.

3rd Offense - Zero on the assignment/project/test/**quiz**, parent/guardian notification, and a five (5) to ten (10) day external suspension. The offense shall be categorized as a Level II offense under 218AG1.

Subsequent Offenses - Zero on the assignment/project/test, parent/guardian notification, and a five (5) to ten (10) day external suspension. The offense shall be categorized as a Level II offense under 218AG1.

The building principal may, if s/he **they** considers an act of plagiarism or academic dishonesty sufficiently severe or disruptive to the school environment or a threat to the health, safety or welfare of others, treat any offense as a Level III offense, resulting in a zero on the assignment/project/test/**quiz** and discipline for Level III offenses as set forth in the secondary administrative action schedule in Policy 218AG1.

If a student is found to have committed academic dishonesty or plagiarism, the National Honor Society advisor will be notified.

Legal

Pol. 218

Policy Review Committee

TO: Board of School Directors
FROM: Kalia Reynolds, EdD *KMR*
SUBJECT: May 24 Policy Review Committee Consent Agenda Items
DATE: May 11, 2023

The following policies were first reading approved at the April board meeting and have no changes for the 2nd reading. Unless we hear otherwise, the following will appear under the Policy Review Committee as consent agenda items on the May 24, 2023 School Board agenda.

Revised Policy 113.1: Discipline of Students with Disabilities
Revised Policy 216: Student Records
Revised Policy 218: Student Discipline
New Administrative Guideline 830AG1: Electronic Data Storage Guidelines
Revised Policy 006.3: Broadcasting Board Meetings
Revised Policy 009: Policy Development

If after reviewing this information you have any questions, please feel free to contact me.



Book	Policy Manual
Section	100 Programs
Title	Discipline of Students With Disabilities
Code	113.1
Status	Second Reading
Adopted	August 1, 2015
Last Revised	February 22, 2021
Last Reviewed	August 24, 2015

Purpose

~~The district shall develop and implement Positive Behavior Support Plans and programs for students with disabilities who require specific interventions to address behaviors that interfere with learning.~~ [1] [2] [3]

Students with disabilities who violate the Code of Student Conduct/Disciplinary Action Schedule, or engage in inappropriate behavior, disruptive or prohibited activities and/or actions injurious to themselves or others, which would typically result in corrective action or discipline of students without disabilities, shall be disciplined in accordance with state and federal laws and regulations and Board policy and, if applicable, their Individualized Education Program (IEP) and Positive Behavior Support Plan. [1] [4] [5] [6] [7]

Definitions

Students with disabilities - school-aged children within the jurisdiction of the district who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services. [2]

Suspensions from school - disciplinary exclusions from school for a period of one (1) to ten (10) consecutive school days. [7] [8]

Expulsions from school - disciplinary exclusions from school by the Board for a period exceeding ten (10) consecutive school days and may include permanent exclusion from school. [7] [8]

Interim alternative educational settings - removal of a student with a disability from the student's current placement. Interim alternative educational settings may be used by school personnel for up to forty-five (45) school days for certain infractions committed by students with disabilities. The IEP team shall determine the interim alternative educational setting; however, this does not constitute a change in placement for a student with a disability. [5] [9]

Authority

The Board directs that the district shall comply with provisions and procedural safeguards of the Individuals With Disabilities Education Act (IDEA) and federal and state regulations when disciplining students with disabilities for violations of Board policy or district rules or regulations. No student with a disability shall be subjected to a disciplinary change in placement if the student's particular misconduct is a manifestation of the student's disability. However, under certain circumstances a student with a disability may be placed in an interim alternative educational setting by school personnel or the IEP team could, if appropriate, change the student's educational placement to one which is more restrictive than the placement where the misconduct occurred. [\[4\]](#)[\[5\]](#)[\[9\]](#)

Provision of Education During Disciplinary Exclusions

During any period of expulsion, or suspension from school for more than ten (10) **consecutive or for more than fifteen (15)** cumulative days in a year, or placement in an interim alternative educational setting for disciplinary reasons, a student with a disability shall continue to receive a free and appropriate public education (FAPE), in accordance with law. [\[5\]](#)[\[8\]](#)[\[10\]](#)

Guidelines

Suspension From School

With the exception of a student with an intellectual disability, a student with a disability may be suspended for ten (10) consecutive and fifteen (15) nonconsecutive, cumulative days of school per school year, for the same reasons and duration as a student without a disability. Such suspension shall not constitute a change in the student's educational placement. [\[4\]](#)[\[5\]](#)[\[8\]](#)[\[9\]](#)[\[11\]](#)

Changes in Educational Placement/Manifestation Determinations

For disciplinary exclusions which constitute a change in educational placement, the district shall first determine whether the student's behavior is a manifestation of the student's disability. Expulsion, or exclusion from school for **up to ten (10) consecutive or for** more than fifteen (15) cumulative days in a **school** year, or patterns of suspensions for substantially identical behaviors constitute changes in educational placements requiring a manifestation determination. For students with intellectual disability, any disciplinary suspension or expulsion is a change in educational placement. [\[4\]](#)[\[5\]](#)

A student with a disability whose behavior is not a manifestation of the student's disability may be disciplined in accordance with Board policy and district rules and regulations in the same manner and to the same extent as students without disabilities. [\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

Parent/Guardian Appeals From Disciplinary Actions/Request for Hearing by District for Students Who Are a Danger to Themselves or Others

A due process hearing may be requested by a parent/guardian of a student with a disability who disagrees with a disciplinary placement or manifestation determination, or by the district if the district believes that the current placement is substantially likely to result in injury to the student or others. On parent/guardian appeal, or when the district requests a due process hearing, the hearing officer may return the student to the placement from which the student was removed or order the student's removal to an appropriate interim alternative educational setting for up to forty-five (45) school days if the hearing officer determines that maintaining the student's current placement is substantially likely to result in an injury to the student or others. [\[9\]](#)[\[12\]](#)

Placement during appeals of disciplinary actions shall be in the interim alternative educational setting pending the decision of the hearing officer or expiration of the time period set for the disciplinary exclusion from the student's regular placement unless the district and the parent/guardian agree otherwise. [\[9\]](#)[\[13\]](#)

Students Not Identified as Disabled/Pending Evaluation

Students who have not been identified as disabled may be subject to the same disciplinary measures applied to students without disabilities if the district did not have knowledge of the disability. If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation shall be expedited. Absent a danger, student placement remains in place until the evaluation is complete. [9][14]

Students who have not been determined to be eligible for special education may assert the same disciplinary protections provided above if the district had knowledge that the student was a child with a disability before the behavior that precipitated the disciplinary action occurred. [9][14]

The district will be deemed to have knowledge that a student is a child with a disability if, before the behavior that precipitated the disciplinary action occurred:

1. **The parent/guardian of the student has expressed concern in writing to supervisory or administrative personnel of the district, or a teacher of the student, that the student needs special education and related services;**
2. **The parent/guardian of the student has requested a special education evaluation of the student; or**
3. **The teacher of the child, or other personnel of the district, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the supervisory or administrative personnel of the district.**

Administrative Removal to Interim Alternative Educational Setting for Certain Infractions

School personnel may remove a student with a disability, including intellectual disability, to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability if the student: [5][9]

1. Carries a weapon to or possesses a weapon at school, on school property, or at school functions under the jurisdiction of the district. For purposes of this provision, **weapon** is defined as a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than two and one-half (2 ½) inches in length. [5][9][15][16]
2. Knowingly possesses or uses illegal drugs, as defined by law, or sells or solicits the sale of a controlled substance, as defined by law, while at school, on school property, or at school functions under the jurisdiction of the district. [5][9][17][18]
3. Has inflicted serious bodily injury upon another person while at school, on school property, or at school functions under the jurisdiction of the district. For purposes of this provision, **serious bodily injury** means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty. [5][9][19]

Referral to Law Enforcement and Reporting Requirements

For reporting purposes, the term **incident** shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use,

or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act. [\[20\]](#)[\[21\]](#)[\[22\]](#)

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity, or on a conveyance providing transportation to or from a school or school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement, and Board policies. The Superintendent or designee shall respond to such incidents in accordance with the district's Special Education Plan and, if applicable, the procedures, methods, and techniques defined in the student's Positive Behavior Support Plan. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[6\]](#)[\[9\]](#)[\[15\]](#)[\[17\]](#)[\[21\]](#)[\[23\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)[\[27\]](#)[\[28\]](#)[\[29\]](#)[\[30\]](#)[\[31\]](#)[\[32\]](#)[\[33\]](#)[\[34\]](#)

~~For a student with a disability who does not have a Positive Behavior Support Plan, subsequent to notification to law enforcement, the district shall convene the student's IEP team to consider whether a Positive Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations, and Board policies.~~ [\[1\]](#)[\[3\]](#)[\[26\]](#)[\[31\]](#)

When reporting an incident committed by a student with a disability to the appropriate authorities, the district shall provide the information required by state and federal laws and regulations and shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. The district shall ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records. [\[9\]](#)[\[21\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)[\[29\]](#)[\[34\]](#)[\[35\]](#)[\[36\]](#)[\[37\]](#)[\[38\]](#)

In accordance with state law, the Superintendent shall annually, by July 31, report to the Office for Safe Schools on the required form all new incidents committed by students with disabilities, including students for whom an evaluation is pending, which occurred on school property, at any school-sponsored activity, or on a conveyance providing transportation to or from a school or school-sponsored activity. [\[20\]](#)[\[34\]](#)

Positive Behavior Support Plan

When the IEP team determines a student with a disability is exhibiting behavior interfering with learning, or when the team determines that misconduct is a manifestation of student's disability, and the student does not have a Positive Behavior Support Plan, the student's IEP team shall convene to consider whether a Positive Behavior Support Plan should be developed to address the student's behavior, in accordance with legal requirements and Board policies. [\[3\]](#)[\[31\]](#).

When the student has a Positive Behavior Support Plan and the student's IEP team determines that misconduct is a manifestation of student's disability, the IEP team shall convene and review the Plan and make changes as deemed appropriate by the team and consider the need for a new functional behavioral assessment.

- Legal
- [1. 22 PA Code 14.133](#)
 2. Pol. 113
 3. Pol. 113.2
 - [4. 22 PA Code 14.143](#)
 - [5. 34 CFR 300.530](#)
 6. Pol. 218

7. Pol. 233

[8. 22 PA Code 12.6](#)

[9. 20 U.S.C. 1415](#)

[10. 20 U.S.C. 1412](#)

[11. 34 CFR 300.536](#)

[12. 34 CFR 300.532](#)

[13. 34 CFR 300.533](#)

[14. 34 CFR 300.534](#)

15. Pol. 218.1

[16. 18 U.S.C. 930](#)

17. Pol. 227

[18. 21 U.S.C. 812](#)

[19. 18 U.S.C. 1365](#)

[20. 24 P.S. 1303-A](#)

[21. 22 PA Code 10.2](#)

[22. 35 P.S. 780-102](#)

[23. 24 P.S. 1302.1-A](#)

[24. 22 PA Code 10.21](#)

[25. 22 PA Code 10.22](#)

[26. 22 PA Code 10.23](#)

[27. 22 PA Code 10.25](#)

[28. 22 PA Code 14.104](#)

[29. 34 CFR 300.535](#)

30. Pol. 103.1

31. Pol. 113.3

32. Pol. 218.2

33. Pol. 222

34. Pol. 805.1

35. Pol. 113.4

36. Pol. 216

[37. 20 U.S.C. 1232g](#)

[38. 34 CFR Part 99](#)

[20 U.S.C. 1400 et seq](#)

[24 P.S. 510](#)

[34 CFR Part 300](#)

Pol. 113.5

Pol. 146.1



Book	Policy Manual
Section	200 Pupils
Title	Student Records
Code	216
Status	Second Reading
Adopted	August 1, 2015
Last Revised	December 20, 2021
Prior Revised Dates	6/22/2015

Authority

The Board recognizes its responsibility for the collection, retention, disclosure, and protection of student records. The Board also recognizes the legal requirement to maintain the confidentiality of student records and prohibits the unauthorized access, reproduction, and/or disclosure of student education records, and personally identifiable information from such records. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)

The Board shall adopt a comprehensive **student records** plan for the collection, maintenance, and dissemination of student education records, ~~that~~ **which** complies with federal and state laws and regulations, and state guidelines. Copies of the adopted student records plan shall be maintained by the district, and revised as required by changes in federal or state law and regulations.

Copies of the student records plan shall be submitted to the **Pennsylvania** Department of Education, upon request.

Definitions

Attendance - includes, but is not limited to, attendance in person or by paper correspondence, video conference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not physically present in the classroom; and the period during which a person is working under a work-study program. [\[14\]](#)

Directory information - information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information includes, but is not limited to, the student's name; address; telephone listing; electronic mail address; parent phone number and electronic mail address; photograph; date and place of birth; major field of study; grade level; enrollment status; dates of attendance; participation in officially recognized school activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended. [\[1\]](#)[\[14\]](#)

Directory information does not include a student's Social Security Number; or student identification (ID) number, except that directory information may include a student ID number, user ID, or other unique personal identifier displayed on a student ID card/badge or used by the student for purposes of accessing or communicating in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user.

Disclosure - permitting access to or the release, transfer or other communication of personally identifiable information contained in education records by any means, including oral, written, or electronic means, to any party, except the party that provided or created the record.[\[14\]](#)

Education records - records that are directly related to a student, **and are** maintained by the school district or by a party acting for the school district.[\[1\]](#)[\[14\]](#)

The term does not include:

1. Records kept in the sole possession of the maker, which are used only as a personal memory aid, and are not accessible or revealed to another individual except a temporary substitute for the maker of the record-;
2. Records created or received by the district after an individual is no longer a student in attendance, and that are not directly related to the individual's attendance as a student-;
3. Grades on peer-graded papers before they are collected and recorded by a teacher-; **or**
4. Other records specifically excluded from the definition of education records under the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations.

Eligible student - a student who has attained eighteen (18) years of age.[\[14\]](#)

Emancipated minor - a student below the age of twenty-one (21) who has chosen to establish a domicile apart from the continued control and support of parents/guardians. The term includes a minor living with a spouse.

IEP - Individualized Education Program.[\[15\]](#)

Parent - **means a parent of a student and** includes a natural parent, a guardian or an individual acting as a parent of a student in the absence of a parent/guardian. The district shall give full rights to either parent unless the district has been provided with evidence that there is a state law, court order, or a legally binding document governing such matters as divorce, separation, or custody that specifically revokes these rights.[\[14\]](#)[\[16\]](#)

Personally identifiable information - includes, but is not limited to:[\[14\]](#)

1. The name of a student, the student's parents, or other family members.
2. The address of the student or student's family.
3. A personal identifier, such as the student's Social Security Number, student number, or biometric record.

4. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name.
5. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
6. Information requested by a person who the district reasonably believes knows the identity of the student to whom the education record relates.

School official with a legitimate educational interest - a person employed by the district as an administrator, supervisor, teacher, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board; a person or company with whom the school has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his/her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her **their** professional responsibility. Criteria for determining whether the official has a legitimate interest include, but are not limited to, whether particular information concerning the student is:

1. Presently or potentially relevant to the provision of education, education-related services, or extracurricular activities or experiences, or
2. Necessary to protect the health, safety, or welfare of school officials and/or other students with whom the student might have contact.

The phrase also applies to district officials and clerical staff who are responsible for the maintenance and security of education records or auditing the district's record keeping procedures and to attorneys, consultants, and Board members when Board action concerning the student is required by law or when the education or treatment of the student is the subject of present or potential litigation or legal dispute.

Student - includes any individual who is or has been in attendance at the district, and regarding whom the district maintains education records. [\[14\]](#)

Students with disabilities - a school-aged student within the jurisdiction of the district who has been evaluated and found to have one or more disabilities as defined by law and who require, because of such disabilities, special education and related services. [\[15\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)

Delegation of Responsibility

The Superintendent or his/her designee shall be responsible for developing, implementing, and monitoring the student records plan.

All district personnel having access to student education records shall receive training in the requirements of Board policy, student records plan, and applicable federal and state laws and regulations, as directed by the Superintendent.

Each district teacher shall prepare and maintain a record of the work and progress of each student, including, **but not limited to**, the final grade, and a recommendation for promotion or retention. [\[10\]](#)
[\[20\]](#)[\[21\]](#)[\[22\]](#)

Guidelines

The district's plan for the collection, retention, disclosure and protection of student records shall provide for the following:

1. Safeguards to protect the student records when collecting, retaining, and disclosing personally identifiable information.
 2. Ensuring that parents and eligible students, including those who are disabled or have a primary language other than English, are effectively notified of their rights and the procedures to implement those rights, annually and upon enrollment.[\[23\]](#)
 3. Procedures for the inspection, review, and copying of a student's education records by parents and eligible students.[\[24\]](#)[\[25\]](#)[\[26\]](#)
 4. Procedures for requesting the amendment of a student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.[\[27\]](#)
 5. Procedures for requesting and conducting hearings to challenge the content of the student's education records.[\[28\]](#)[\[29\]](#)
 6. Determining the types of personally identifiable information designated as directory information.[\[14\]](#)[\[30\]](#)
 7. Establishing guidelines for the disclosure and redisclosure of student education records and personally identifiable information from student records.[\[31\]](#)
 8. Reasonable methods to ensure that school district officials obtain access to only those education records in which they have a legitimate educational interest.[\[23\]](#)[\[32\]](#)
 9. Maintaining required records of requests for access and each disclosure of personally identifiable information from each student's education records.[\[33\]](#)
 10. Ensuring appropriate review, retention, disposal and protection of student records.[\[34\]](#)
 11. Transferring education records and appropriate disciplinary records to other school districts.[\[6\]](#)
- Missing Child Registration

In the event the district receives a request for information from the school records of a missing child, the district shall:[\[35\]](#)

1. Attempt to obtain information on the identity of the requester.
 2. Contact the appropriate law enforcement agency to coordinate a response.
- No information in the records shall be released to the requester without first contacting the appropriate law enforcement agency.

STUDENT RECORDS PROCEDURES

Collection, Maintenance and Destruction of Education Records

The collection, maintenance, destruction, access, disclosure, public notice and due process regarding student records shall adhere to the Family Educational Rights and Privacy Act (FERPA), **the** Individuals with Disabilities Education Act (IDEA), Protection of Pupil Rights Amendment, Pennsylvania Public

School Code, Regulations of Pennsylvania State Board of Education, Basic Education PA Code Chapter 22 and other applicable law.

Collection –

1. The district shall collect and maintain education records in accordance with the Records Management policy, rules, procedures, and schedules promulgated thereunder, and federal and state laws and regulations.[36]
2. By adoption of this policy, the Board gives consent for the collection of education records, provided that when a survey, analysis or evaluation is used, it is consistent with Board policy.[37]

Maintenance – Transfer, Conversion and Destruction –

1. Education records shall be transferred, converted, and destroyed in accordance with the Records Management policy, rules, procedures and schedules promulgated thereunder, and federal and state laws and regulations.[36]
2. When the district determines that any portion of the education record of a student with disabilities is scheduled for destruction, it shall notify, in writing, the parents/guardian or the eligible student of this determination. The written notice shall be in the native language of the parents/guardians or the eligible student, shall be mailed to the last known address of the parents/guardian or the eligible student and shall:
 - a. Identify the specific records or categories of records scheduled for destruction;
 - b. Explain that the district shall destroy the identified records at a certain date; and
 - c. Contain the name and number of a contact person whom the parents/guardians or eligible student can contact to obtain additional information about or seek clarification concerning the records.
3. The district shall not destroy any record that is the subject of a request for access from a parent/guardian or eligible student, a litigation hold or a Right-to-Know Law request.

Amendment of Records

Amendment of Records –

1. A parent or eligible student may request, in writing, that the district amend any portion of an education record that ~~s/he~~ **they** believes is inaccurate, misleading or in violation of the student's right to privacy. If a parent or eligible student makes an oral request, the parent or eligible student shall be directed to make the request in writing.
2. Within thirty (30) school days of the receipt of the written request to amend the education record, the administrator who is primarily responsible for maintenance of the challenged record shall notify the parent or eligible student, in writing, whether the district will amend the record. If the district determines that it will grant the request to amend the record, the notice to the parent or eligible student shall either describe or provide a copy of the amended record. If the district determines that it will not amend the record, the notice shall inform the parent or eligible student and explain the right to request a hearing in writing.
3. Within ten (10) school days of receipt of a written request for a hearing, the district shall notify the parents or eligible student of the date, time, and location of the hearing. The notice shall be

sent by verifiable means.

4. The hearing shall be held before the Superintendent or ~~his/her~~ designee or, if the Superintendent or the designee has a direct interest in the outcome of the hearing, before the principal of the building to which the student is currently assigned or ~~his/her~~ designee.
5. The hearing shall be informal, unrecorded, and not subject to formal rules of evidence or procedure other than those required to maintain order. The parent or eligible student shall have a full and fair opportunity to present evidence in support of ~~his/her~~ position and may be represented, at ~~his/her~~ expense, by an adviser, including an attorney.
6. Within thirty (30) days of the completion of the hearing, the district shall issue to the parent or eligible student a written decision concerning the requested amendment to the record. The written decision shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision.
7. In the event the district does not grant the parent or eligible student's request, the parent or eligible student may choose to submit a statement to be placed in the education record of the student commenting on the contested information in the record or explaining why ~~s/he~~ **they** disagrees with the decision not to amend. The district shall:
 - a. Maintain the statement as part of the record for as long as the district maintains the contested record or information; ~~and-~~
 - b. Disclose the statement whenever it discloses that portion of the record to which the statement pertains.

Access and Disclosure

Access –

1. The district shall allow the parents or eligible student to inspect and review the education record of the student within forty-five (45) calendar days of receipt of an oral or written request for access.
2. The district shall respond to reasonable requests from the parents or eligible student for an explanation or interpretation of the education record.
3. If circumstances effectively preclude the parents or eligible student from inspecting and reviewing the education record, the district shall provide the parents or eligible student with a copy of the record subject to the request. When copies are not required to ensure that the parents or the eligible student has the opportunity to inspect and review the education record, the district may charge a fee, in accordance with Board resolution, to copy requested portions of the education record.
4. When the district receives a request to inspect and review the education record of a student with disabilities in anticipation of a meeting of the IEP or multi-disciplinary team or a due process hearing, the district shall respond to such request within a reasonable time prior to the meeting or hearing.
5. When parents or an eligible student seek to inspect and review an education record that contains personally identifiable information concerning another student, the district shall provide access only to that portion of the record that pertains to the requesting student.

6. School officials with a legitimate educational interest may at any time inspect, review and obtain copies of the education record.

Disclosure –

1. Any disclosure of personally identifiable information from an education record, other than set forth herein shall require the prior written consent of the parent or the eligible student. Any document providing such consent shall:
 - a. Specify the records that may be disclosed-;
 - b. State the purpose of the disclosure-;
 - c. Identify the party or parties to whom disclosure may be made; **and-**
 - d. Be signed and dated by at least one (1) parent or the eligible student.
2. Prior written consent from the parent or the eligible student is not required when the disclosure of personally identifiable information from education records is permitted by ~~the Family Educational Rights and Privacy Act~~ **FERPA** and its implementing regulation or other applicable law. Examples of such circumstances include, but are not limited to:
 - a. A school official with a legitimate educational interest-;
 - b. An educational agency or institution at which the student seeks or intends to enroll, or is enrolled, as long as:
 - i. The district makes a reasonable attempt to notify the parent or eligible student-;
 - ii. The parent or eligible student is provided, upon request, a hearing as described in this policy; **and-**
 - iii. The parent or eligible student is afforded, upon request, a hearing as described in this policy-;
 - c. Appropriate parties in connection with a health or safety emergency, subject to certain conditions, when such disclosure is necessary to protect the health or safety of the student or others-;
 - d. State and federal educational and other agencies for purposes of investigation and auditing, when those agencies are bound by the provisions of ~~the Family Educational Rights and Privacy Act~~ **FERPA-**;
 - e. Persons seeking directory information, when the district has provided parents and eligible students with proper notice of the district's policy to disclose directory information without consent and the parent or eligible student has not notified the district, in writing, on or before the first day of the school term that they object to the disclosure of some or all of the information designated as directory information-;
 - f. The parents of a student who is not an eligible student or to the student-;
 - g. The parents of an eligible student who remains a dependent student, as defined in the Internal Revenue Code-;

h. Accrediting organizations to carry out their accrediting functions; ~~and-~~

i. Comply with the terms of a judicial order or lawfully-issued subpoena, when the district has made reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, unless the terms of the subpoena or order bars such notification.

3. When required by law, third parties will be obligated to comply with redisclosure requirements.

Miscellaneous Provisions

The policy of the district is to comply with the requirement of state and federal law governing the maintenance of records and other personally identifiable information and the privacy rights of students and their families. To the extent that any provision of this policy is construed as or found to be inconsistent with federal or state law, the district will treat that provision as null and void.

The district shall send or deliver all notices and requests for consent required under this policy to the address identified as the residence of the child in the registration information maintained by the district. Unless it receives specific written information to the contrary, the district shall presume that all persons with authority to make educational decisions for the student have received or had the opportunity to review and respond to notices and requests sent or delivered to such address. The district will send notices and requests to separate addresses only when:

1. A person with joint authority to make educational decisions for the student, such as a divorced or separated natural parent/guardian, resides at that separate address.

Legal

- [1. 20 U.S.C. 1232g](#)
- [2. 22 PA Code 12.31](#)
- [3. 22 PA Code 12.32](#)
- [4. 22 PA Code 15.9](#)
- [5. 22 PA Code 4.52](#)
- [6. 24 P.S. 1305-A](#)
- [7. 24 P.S. 1306-A](#)
- [8. 24 P.S. 1402](#)
- [9. 24 P.S. 1409](#)
- [10. 24 P.S. 1532](#)
- [11. 24 P.S. 1533](#)
- [12. 34 CFR Part 300](#)
- [13. 34 CFR Part 99](#)
- [14. 34 CFR 99.3](#)
15. Pol. 113
- [16. 34 CFR 99.4](#)
- [17. 20 U.S.C. 1401](#)
- [18. 22 PA Code 14.101](#)
- [19. 34 CFR 300.8](#)
20. Pol. 212
21. Pol. 213
22. Pol. 215

[23. 34 CFR 99.7](#)

[24. 34 CFR 99.10](#)

[25. 34 CFR 99.11](#)

[26. 34 CFR 99.12](#)

[27. 34 CFR 99.20](#)

[28. 34 CFR 99.21](#)

[29. 34 CFR 99.22](#)

[30. 34 CFR 99.37](#)

[31. 34 CFR 99.30-99.39](#)

[32. 34 CFR 99.31](#)

[33. 34 CFR 99.32](#)

34. Pol. 113.4

[35. 35 P.S. 450.404-A](#)

36. Pol. 800

37. Pol. 235

[22 PA Code 16.65](#)

[35 P.S. 450.401-A et seq](#)

[20 U.S.C. 1400 et seq](#)

Pol. 113.1

Pol. 216.1

Pol. 801



Book	Policy Manual
Section	200 Pupils
Title	Student Discipline
Code	218
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Purpose

The Board recognizes that student conduct is closely related to learning. An effective educational program requires a safe and orderly school environment.

Authority

The Board shall establish fair, reasonable and nondiscriminatory rules and regulations regarding the conduct of all students in the district.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

The Board shall adopt a Code of Student Conduct/Disciplinary Action Schedule to govern student discipline, and students shall not be subject to disciplinary action because of race, age, sex, color, religion, creed, sexual orientation, gender identity, national origin, ancestry, marital status, pregnancy or handicap/disability. Each student must adhere to Board policies, administrative guidelines/~~regulations~~ and the Code of Student Conduct/Disciplinary Action Schedule governing student discipline.[\[1\]](#)[\[2\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)

The Board prohibits the use of corporal punishment by district staff to discipline students for violations of Board policies, the Code of Student Conduct/Disciplinary Action Schedule and district rules and administrative guidelines/~~regulations~~.[\[9\]](#)

Any student disciplined by a district employee shall have the right to be informed of the nature of the infraction and the applicable rule or rules violated.[\[10\]](#)

When suspensions and expulsions are imposed, they shall be carried out in accordance with Board policy.[\[7\]](#)[\[10\]](#)

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 and administrative guidelines/regulations.[5][7][11][12][13][14]

On and Off-Campus Activities

This policy and the Code of Student Conduct/Disciplinary Action Schedule apply to the behavior of students at all times during the time they are under the supervision of the school, which specifically includes while under the supervision of the district as part of a cyber program or other virtual program, or at any time while on school property, while present at school-sponsored activities, and while traveling to or from school and school-sponsored activities or at other times while riding in school-provided means of transportation ("on-campus").[3]

This policy and the Code of Student Conduct/Disciplinary Action Schedule also apply to student behavior that occurs at other times and places ("off-campus") when:[3]

1. The conduct involves, threatens or makes more likely violence, use of force or other serious harm directed at students, staff or the school environment;
2. The conduct materially and substantially disrupts or interferes with the school environment or the educational process, such as school activities, school work, discipline, safety and order on school property or at school functions;
3. The conduct interferes with or threatens to interfere with the rights of students or school staff or the safe and orderly operation of the schools and their programs;
4. The conduct involves the theft or vandalism of school property; or
5. The proximity, timing or motive for the conduct in question or other factors pertaining to the conduct otherwise establish a direct connection to attendance at school, to the school community, or to a school-sponsored activity. This would include, for example, but not be limited to, conduct that would violate the Code of Student Conduct/Disciplinary Action Schedule if it occurred in school that is committed in furtherance of a plan made or agreed to in school, or acts of vandalism directed at the property of school staff because of their status as school staff.

Delegation of Responsibility

The Superintendent or designee shall ensure that reasonable and necessary rules and regulations are developed to implement Board policy governing student conduct.

The Superintendent or designee shall publish and distribute to all staff, students and parents/guardians the rules and regulations for student behavior contained in the Code of Student Conduct/Disciplinary Action Schedule, the sanctions that may be imposed for violations of those rules, and a listing of students' rights and responsibilities. A copy of the Code of Student Conduct/Disciplinary Action Schedule shall be available in each school library and school office and may be included in student handbooks and on the district website.[1][8]

The building principal shall have the authority to assign discipline to students, subject to Board policies, administrative guidelines/regulations, the Code of Student Conduct/Disciplinary Action Schedule and school rules, and to the student's due process right to notice, hearing, and appeal, when such due process rights exist.[7][10][15][16]

Teaching staff and other district employees responsible for students shall have the authority to take reasonable actions, including the assignment of disciplinary action, necessary to control the conduct of students in all situations and in all places where students are within the jurisdiction of this Board, and

when such conduct interferes with the educational program of the schools or threatens the health and safety of others, in accordance with Board policy, administrative guidelines/regulations, the Code of Student Conduct/Disciplinary Action Schedule and school rules.[\[15\]](#)

Reasonable force may be used by teachers and school authorities under any of the following circumstances: to quell a disturbance, obtain possession of weapons or other dangerous objects, for the purpose of self-defense, and for the protection of persons or property.[\[9\]](#)

Referral to Law Enforcement and Reporting Requirements

For reporting purposes, the term **incident** shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.
[\[17\]](#)[\[18\]](#)[\[19\]](#)

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed by students 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 and administrative guidelines/regulations.[\[14\]](#)[\[17\]](#)[\[18\]](#)[\[20\]](#)[\[21\]](#)[\[22\]](#)

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident 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.[\[14\]](#)[\[17\]](#)[\[23\]](#)

In accordance with state law, the Superintendent shall annually, by July 31, report all new incidents to the Office for Safe Schools on the required form.[\[14\]](#)[\[18\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)[\[27\]](#)

When a student's behavior 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 and administrative guidelines/regulations.[\[28\]](#)[\[29\]](#)

The Superintendent shall report to the Board the methods of discipline imposed by administrators and incidences of student misconduct, in the degree of specificity required by the Board.

Legal

[1. 22 PA Code 12.3](#)

[2. 22 PA Code 12.4](#)

[3. 24 P.S. 510](#)

4. Pol. 103

5. Pol. 103.1

[6. 22 PA Code 12.2](#)

7. Pol. 113.1

8. Pol. 235

[9. 22 PA Code 12.5](#)

10. Pol. 233

[11. 22 PA Code 10.23](#)

[12. 20 U.S.C. 1400 et seq](#)

13. Pol. 113.2

14. Pol. 805.1

[15. 24 P.S. 1317](#)

[16. 24 P.S. 1318](#)

[17. 22 PA Code 10.2](#)

[18. 24 P.S. 1303-A](#)

[19. 35 P.S. 780-102](#)

[20. 22 PA Code 10.21](#)

[21. 22 PA Code 10.22](#)

[22. 24 P.S. 1302.1-A](#)

[23. 22 PA Code 10.25](#)

24. Pol. 218.1

25. Pol. 218.2

26. Pol. 222

27. Pol. 227

[28. 24 P.S. 1302-E](#)

29. Pol. 236.1

[35 P.S. 780-101 et seq](#)

[22 PA Code 12.1 et seq](#)

[22 PA Code 403.1](#)

[20 U.S.C. 7114](#)

[34 CFR Part 300](#)

Mahanoy Area School District v. B.L., 594 U.S. ____ (2021)

Pol. 122

Pol. 123

Pol. 805



Book	Policy Manual
Section	800 Operations
Title	Electronic Data Storage Guidelines
Code	830AG1
Status	Second Reading

The defined terms in Policy 830 shall have the same meaning when used herein.

The District may establish and enforce reasonable security measures on any vendor and/or device accessing its information systems.

Third Party Storage

The Director of Information Technology or their designee shall periodically review security, audit and related documents and reports from vendors under District contract which house personal information or sensitive electronic data. The District shall solicit and review these documents and reports to ensure that commercially reasonable security is in place prior to entering into new or renewing existing agreements.

District Personnel Storage and Transmission of Personal Information or Sensitive Data

District personnel shall only maintain electronic files containing personal information or sensitive electronic data on District-owned or managed storage.

District personnel shall not transmit documents containing personal information without encryption or other security measure such as password protection.

District personnel shall not discuss personal information or sensitive electronic data in any public areas, hallways, gathering spaces, or other similar public spaces.

District personnel shall keep their computer access password(s) confidential. If another method of accessing a computer system is used, personnel shall restrict its use for themselves only.

Miscellaneous

The District shall maintain electronic file backup protocols, including off-site backup.

The District shall maintain and periodically update, as needed, an Incident Response Plan.



Book	Policy Manual
Section	000 Local Board Procedures
Title	Copy of Broadcasting Board Meetings
Code	006.3
Status	Second Reading
Adopted	March 28, 2022
Last Revised	March 28, 2022

Purpose

The Board recognizes the value of public awareness regarding school district issues and discussions, as well as the usefulness of broadcasting the proceedings of publicly convened meetings. It appreciates the fact that a well-informed public is an asset to the entire school district.

Authority

The Board directs the district to record and live stream video and audio of all public meetings of the Board, which include regular and special Board of School Director meetings, and regular and special Board committee meetings. The public meetings will be live streamed at the time of the public meeting on a publicly available streaming service of the district's choosing, and the district will inform the public of the platform via the district website. The recording of the public meeting will be published, either on the district's website or on another publicly available website with access information available on the district's website, within three (3) business days of the conclusion of the public meeting.

The video and/or audio recording of any public meeting created or produced by the district is the exclusive property of the district. The district shall retain the video and/or audio recordings in accordance with Board Policy 800 and its administrative ~~guidance~~ **guidelines**. After the initial live stream, the audio and/or video recording of any public meeting created or produced by the district may be used at the discretion of the Board for any appropriate district purpose.[1]

The video and/or audio recording of any public meeting created or produced by the district or a member of the public is not the official record of the meeting. The Board or committee approved written minutes are the official record of the meeting.

Notification

The published agenda available at the public meeting and on the district website will state that the public meetings are being live streamed and recorded for the purpose of public broadcast and posting on the Internet, and shall include a notification disclaiming responsibility for both images, statements

and/or actions made by those in attendance at the recorded public meetings. Notice will be provided to all in attendance that the public meeting is being live streamed and recorded for posting on the Internet.

Procedure

It is the Board's intent to live stream and post video and audio recorded public Board meetings in their entirety. However, the Board recognizes that unforeseeable malfunctions of equipment or the network, disruptions in platform or Internet access, unexpected operator unavailability or error, or weather events may occur, which may limit the district's ability to live stream or post a public meeting in whole or in part. In such an event, the district shall publish the available portion of the public meeting in accordance with this policy.

Obscene and profane statements or gestures made by those in attendance at the meeting may be subject to editing, as allowable by law.

The video recording will be made by at least one (1) operable camera that will be primarily focused on the Board, the Superintendent, administration, and the Board Secretary. Audio will also capture all those recognized to formally address the Board, and may capture members of the audience. The camera may visually capture persons formally addressing the Board from the podium and members of the audience.

Attendees do not have an expectation of privacy during a public meeting. Attendance at a public meeting will be considered consent for audio and video recording by the district and for the use of any images or statements of those in attendance. The opinions or statements made during the public meeting are those of the individuals, and not necessarily the opinions or statements of the district. The district does not necessarily endorse or support the views, opinions, statements, or information contained in the live stream or recording of the public meetings.

Nothing in this policy shall be construed to permit the video recording of Board executive sessions, conferences, and other nonpublic meetings.

Legal 1. Pol. 800
 Pol. 006
 Pol. 006.1



Book	Policy Manual
Section	000 Local Board Procedures
Title	Policy Development
Code	009
Status	Second Reading
Adopted	August 1, 2015
Last Reviewed	November 24, 2014

Development

The Board considers policy development a chief function, along with evaluation of the results achieved through Board policies.[1]

Through the development and adoption of policies and the study and evaluation of reports concerning the execution of policies, the Board shall exercise its leadership in the operation of the school district and its control over school operations.[1]

It is the Board's intention that policies serve as guides for the discretionary action of those to whom it delegates authority and as a source of information and guidance for all individuals.

Review and Development

In an effort to keep policies up-to-date so that they may be used consistently as a basis for Board action and administrative decision, it shall be the policy of the Board to review its policies on a continuing basis.

The Board shall evaluate how the policies have been executed by the school staff and shall weigh the results. The Board shall rely on the school staff, students, and the community for providing evidence of the effect of adopted policies.

The Superintendent shall be responsible for calling to the Board's attention all policies that are out-of-date or need revision in light of Board actions and revisions to state and federal statutes and regulations.[2]

Involvement in Development

~~The Board recognizes that student, staff and, community participation in the study of school issues can be a valuable asset.~~

Policy proposals or revisions shall be referred to the Superintendent for administrative study and recommendation prior to consideration and action by the Board.

Implementation

The Superintendent shall be responsible for implementing through administrative regulations **guidelines**, the policies established by the Board.[1][3]

All staff members shall be responsible for adhering to Board policies and for abiding by the administrative regulations **guidelines** designed to implement them.

Legal

1. Pol. 003

2. Pol. 007

3. Pol. 000

[24 P.S. 407](#)

[24 P.S. 510](#)