

Book
Policy Manual

Section
200 Pupils

Title
Confidential Communications of Students

Number
207

Status
Active

Legal
[1. 22 PA Code 12.12](#)
[2. 42 Pa. C.S.A. 5945](#)
[3. 42 Pa. C.S.A. 8337](#)

Adopted
December 4, 2014

Purpose

The Board recognizes that certain written and oral communications between students and school personnel must be confidential.

Authority

The Board directs school personnel to comply with all federal and state laws, regulations and Board policy concerning confidential communications of students.

Guidelines

Information received in confidence from a student may be revealed to the student's parent/guardian, building principal or other appropriate authority by the staff member who received the information when the health, welfare or safety of the student or other persons clearly is in jeopardy.[\[1\]](#)

Use of a student's confidential communications to school personnel in legal proceedings is governed by laws and regulations appropriate to the proceedings.[\[1\]](#)[\[2\]](#)[\[3\]](#)

Delegation of Responsibility

In qualifying circumstances, a staff member may reveal confidential information to the building principal and other appropriate authorities.

In qualifying circumstances, the building principal may reveal confidential information to a student's parent/guardian and other appropriate authorities, including law enforcement personnel.

Book

Policy Manual

Section

200 Pupils

Title

Medications

Number

210

Status

Active

Legal

1. 24 P.S. 510

2. 22 PA Code 12.41

3. 42 Pa. C.S.A. 8337.1

4. Pol. 103.1

5. Pol. 113

6. 24 P.S. 1409

7. Pol. 216

8. 24 P.S. 1414.1

9. Pol. 210.1

10. Pol. 121

24 P.S. 1401

24 P.S. 1402

Pennsylvania Department of Health "Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Care" March 2010

Pol. 000

Adopted

December 4, 2014

Purpose

The Board shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication to a student during school hours in accordance with the direction of a parent/guardian and licensed prescriber will be permitted only when failure to take such medicine would jeopardize the health of the student or the student would not be able to attend school if the medicine were not available during school hours.

Definitions

For purposes of this policy, **medication** shall include all medicines prescribed by a licensed prescriber and any over-the-counter medicines.

For purposes of this policy, **licensed prescribers** shall include licensed physicians (M.D. and D.O.), podiatrists, dentists, optometrists, certified registered nurse practitioners and physicians assistants.

Authority

The Board directs all district employees to comply with the Pennsylvania Department of Health's Guidelines for Pennsylvania Schools for the Administration of Medications and Emergency Care.

Before any medication may be administered to or by any student during school hours, the Board shall require the written request of the parent/guardian, giving permission for such administration.[\[1\]](#)[\[2\]](#)

Delegation of Responsibility

The Superintendent or designee, in conjunction with the Certified School Nurse (CSN), shall develop administrative regulations for the administration and self-administration of students' medications.

All medications shall be administered by the Certified School Nurse, or in the absence of the Certified School Nurse by other licensed school health staff (RN, LPN), except as otherwise noted in this policy.

In the event of an emergency, a district employee may administer medication when s/he believes, in good faith, that a student needs emergency care.[\[3\]](#)

The Certified School Nurse shall collaborate with parents/guardians, district administration, faculty and staff to develop an individualized healthcare plan to best meet the needs of individual students.[\[4\]](#)[\[5\]](#)

The policy and administrative regulations for administration of medications shall be reviewed, at least every two (2) years, by a committee consisting of the Certified School Nurse, school physician, school dentist, designated administrators and revised as necessary.

Guidelines

The district shall inform all parents/guardians, students and staff about the policy and administrative regulations governing the administration of medications.

All standing medication orders and parental consents shall be renewed at the beginning of each school year.

Student health records shall be confidential and maintained in accordance with state and federal laws and regulations and the Department of Health Guidelines. [\[6\]](#)[\[7\]](#)

Students may possess and use asthma inhalers and epinephrine auto-injectors when permitted in accordance with state law and Board policy. [\[8\]](#)[\[9\]](#)

Delivery and Storage of Medications

All medication shall be brought to the nurse's office, or the main office if the nurse is in another building, by the parent/guardian or by another adult designated by the parent/guardian. All medication shall be stored in the original pharmacy-labeled container and kept in a locked cabinet designated for storage of medication. Medications that require refrigeration shall be stored and locked in a refrigerator designated only for medications. The district shall not store more than a thirty-day supply of an individual student's medication.

Medication should be recorded and logged in with the date, name of student, name of medication, amount of medication, and signatures of the parent/guardian or designated adult delivering the medication and the school health personnel receiving the medication.

Nonprescription medication must be delivered in its original packaging and labeled with the student's name.

Prescription medication shall be delivered in its original packaging and labeled with:

1. Name, address, telephone and federal DEA (Drug Enforcement Agency) number of the pharmacy.
2. Student's name.
3. Directions for use (dosage, frequency and time of administration, route, special instructions).
4. Name and registration number of the licensed prescriber.

5. Prescription serial number.
6. Date originally filled.
7. Name of medication and amount dispensed.
8. Controlled substance statement, if applicable.

All medication shall be accompanied by a completed Medication Administration Consent and Licensed Prescriber's Medication Order Form, or other written communication from the licensed prescriber.

Disposal of Medications

Procedures shall be developed for the disposal of medications consistent with the Department of Health Guidelines, which shall include:

1. Guidelines for disposal of contaminated needles or other contaminated sharp materials immediately in an appropriately labeled, puncture resistant container.
2. Processes for immediately returning to parents/guardians all discontinued and outdated medications, as well as all unused medications at the end of the school year.
3. Methods for safe and environmentally friendly disposal of medications.
4. Proper documentation of all medications returned to parents/guardians and for all medications disposed of by the Certified School Nurse or other licensed school health staff. Documentation shall include, but not be limited to, date, time, amount of medication and appropriate signatures.

Student Self-Administration of Emergency Medications

Prior to allowing a student to self-administer emergency medication, the district shall require the following:[9]

1. An order from the licensed prescriber for the medication, including a statement that it is necessary for the student to carry the medication and that the student is capable of self-administration.
2. Written parent/guardian consent.
3. An Individual Health Plan including an Emergency Care Plan.
4. The nurse shall conduct a baseline assessment of the student's health status.

5.The student shall demonstrate administration skills to the nurse and responsible behavior.

The nurse shall provide periodic and ongoing assessments of the student's self-management skills.

The student shall notify the school nurse immediately following each occurrence of self-administration of medication.

Students shall demonstrate a cooperative attitude in all aspects of self-administration of medication. Privileges for self-administration of medication will be revoked if school policies regarding self-administration are violated.

Administration of Medication During Field Trips and Other School-Sponsored Activities

The Board directs planning for field trips and other school-sponsored activities to start early in the school year and to include collaboration between administrators, teachers, nurses, appropriate parents/guardians and other designated health officials.[10]

Considerations when planning for administration of medication during field trips and other school-sponsored programs and activities shall be based on the student's individual needs and may include the following:

- 1.Assigning school health staff to be available.
- 2.Utilizing a licensed person from the school district's substitute list.
- 3.Contracting with a credible agency which provides temporary nursing services.
- 4.Utilizing licensed volunteers via formal agreement that delineates responsibilities of both the school and the individual.
- 5.Addressing with parent/guardian the possibility of obtaining from the licensed prescriber a temporary order to change the time of the dose.
- 6.Asking parent/guardian to accompany the child on the field trip, with proper clearances.
- 7.Arranging for medications to be provided in an original labeled container with only the amount of medication needed.

Security procedures shall be established for the handling of medication during field trips and other school-sponsored activities.



Book
Policy Manual

Section
200 Pupils

Title
Student Expression/Distribution and Posting of Materials

Number
220

Status
Active

Legal
1. 22 PA Code 12.9
2. 24 P.S. 511
3. 22 PA Code 12.2
4. 24 P.S. 510
5. Pol. 219
6. Pol. 218

Adopted
December 4, 2014

Purpose

The right of public school students to freedom of speech is guaranteed by the Constitution of the United States and the constitution of the Commonwealth. The Board respects the right of students to express themselves in word or symbol and to distribute and post materials in areas designated for posting as a part of that expression. The Board also recognizes that exercise of that right must be limited by the district's responsibility to maintain an orderly school environment and to protect the rights of all members of the school community.[\[1\]](#)

This policy addresses student expression in general and distribution and posting of materials that are not part of district-sponsored activities. Materials sought to be

distributed or posted as part of the curricular or extracurricular programs of the district shall be regulated as part of the school district's educational program.

Definitions

Distribution - students handing nonschool materials to others on school property or during school-sponsored events; placing upon desks, on or in lockers; or engaging in any other manner of delivery of nonschool materials to others while on school property or during school functions. When email, text messaging or other technological delivery is used as a means of distributing or accessing nonschool materials via use of school equipment or while on school property or at school functions, it shall be governed by this policy. Off-campus or after hours distribution, including technological distribution, that does or is likely to materially or substantially interfere with the educational process, including school activities, school work, or discipline and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights is also covered by this policy.

Expression - verbal, written or symbolic representation or communication.

Nonschool materials - any printed or written materials meant for posting or general distribution to others that are not prepared as part of the curricular or extracurricular program of the district, including but not limited to fliers, invitations, announcements, pamphlets, posters, Internet bulletin boards, personal websites and the like.

Posting - publicly displaying nonschool materials on school property or at school-sponsored events, including but not limited to affixing such materials to walls, doors, bulletin boards, easels, the outside of lockers; on district-sponsored or student websites; through other district-owned technology and the like.

Authority

Students have the right to express themselves unless such expression is likely to or does materially or substantially interfere with the educational process, including school activities, school work, or discipline and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights. [\[1\]](#)

Student expression that occurs on school property or at school-sponsored events is fully governed by this policy. In addition, off-campus or after hours expression is governed by this policy if the student expression involved constitutes unprotected expression as stated in this policy and provided the off-campus or after hours expression does or is likely to materially or substantially interfere with the educational process, including school activities, school work, or discipline and order on school property or at school functions; threatens serious harm to the school or community; encourages unlawful activity; or interferes with another's rights. [\[2\]](#)[\[3\]](#)[\[1\]](#)

The Board shall require that distribution and posting of nonschool materials occur only at the places and during the times set forth in written administrative regulations. Such

regulations or procedures shall be written to permit the orderly operation of schools, while recognizing the rights of students to engage in protected expression.[\[4\]\[1\]](#)

Unprotected Student Expression

The Board reserves the right to designate and prohibit manifestations of student expression that are not protected by the right of free expression because they violate the rights of others or where such expression is likely to or does materially or substantially interfere with school activities, school work, or discipline and order on school property or at school functions including but not limited to:

1. Libel of any specific person or persons.
2. Advocating the use or advertising the availability of any substance or material that may reasonably be believed to constitute a direct and serious danger to the health or welfare of students.
3. Using obscene, lewd, vulgar or profane language – whether verbal, written or symbolic.[\[3\]](#)
4. Inciting violence; advocating use of force; or encouraging violation of federal, state or municipal law, Board policy or district rules or regulations.
5. Are likely to or do materially or substantially interfere with the educational process, including school activities, school work, or discipline and order on school property or at school functions; threaten serious harm to the school or community; encourage unlawful activity; or interfere with another's rights.
6. Violating written school district administrative regulations or procedures on time, place and manner for posting and distribution of otherwise protected expression.

Spontaneous student expression which is otherwise protected speech is not prohibited by this section.

Discipline for Engaging in Unprotected Expression

The Board reserves the right to prohibit the posting or distribution of nonschool materials containing unprotected expression and to prohibit students from engaging in other unprotected student expression, as well as to stop unprotected student expression when it occurs. The Board reserves the right to discipline students for engaging in unprotected expression. Where such expression occurs off campus and away from school functions, a nexus between the unprotected expression and a substantial and material disruption of the school program must be established.

Distribution of Nonschool Materials

The Board requires that students who wish to distribute or post nonschool materials on school property shall submit them one (1) school day in advance of planned

distribution or posting to the building principal or designee, who shall forward a copy to the Superintendent.[\[1\]](#)

If the nonschool materials contain unprotected expression as stated in this policy, the building principal or designee shall notify the students that they may not post or distribute the materials because the materials constitute a violation of Board policy.

If notice is not given during the period between submission and the time for the planned distribution or posting, students may proceed with the planned distribution or posting, provided they comply with written administrative regulations or procedures on time, place and manner of posting or distribution of nonschool materials.

Students who post or distribute nonschool materials in compliance with this provision may still be ordered to desist such distribution if the materials are later found to be unprotected expression under this policy.

Students shall publish materials without the assistance of the district.

The district shall bear no responsibility to assist students or to provide facilities to publish nonschool material.

Students who distribute printed materials shall be responsible for clearing any litter that results from their activity and shall schedule the event so that they do not miss instructional time themselves.

Posting of Nonschool Materials

If a school building has an area where individuals are allowed to post nonschool materials, students may post such items as well, if the materials do not constitute unprotected expression and the items are submitted for prior review in the same manner as if the students were going to distribute them.

Such materials shall be officially dated, and the district may remove the materials within ten (10) days of the posting or other reasonable time as stated in the administrative regulations or procedures relating to posting.

Review of Student Expression

School officials shall not censor or restrict nonschool materials or other student expression for the sole reason that it is critical of the school or its administration, or because the views espoused are unpopular or may make people uncomfortable.

Student-initiated religious expression is permissible and shall not be prohibited except as to time, place and manner of distribution, or if the expression involved violates some other part of this policy, e.g., because it is independently determined to be unprotected expression under the standards and definitions of this policy.

The review for unprotected expression shall be reasonable and not calculated to delay distribution.

Appeal of the reviewer's decision may be made to the Superintendent and then to the Board, in accordance with Board policy and district regulations or procedures.[5]

Delegation of Responsibility

The Superintendent shall assist the building principal in determining the designation of the places and times nonschool materials may be distributed in each school building. Such designations may take into account maintenance of the flow of student traffic throughout the school and shall limit distribution of nonschool materials to noninstructional times.

Disciplinary action may be determined by the administrators for students who distribute or post nonschool materials in violation of this policy and district regulations or procedures, or who continue the manifestation of unprotected expression after a person in authority orders that they desist. Disciplinary actions shall be included in the disciplinary Code of Student Conduct.[6]

This Board policy and any administrative regulations or procedures written to implement this policy shall be referenced in student handbooks so that students can access them for further information.



Book
Policy Manual

Section
200 Pupils

Title
Searches

Number
226

Status
Active

Legal
1. 24 P.S. 510

2. 22 PA Code 12.14

5. Pol. 218.1

6. Pol. 223

7. Pol. 227

8. Pol. 805

9. PA Const. Art. I Sec. 8

10. U.S. Const. Amend. IV

Commonwealth v. Cass, 551 Pa. 25, 709 A.2d 350, 355-56 (1998)

In re F.B., 555 Pa. 661, 726 A.2d 361, 368 (1999)

Safford Unified School Dist. No. 1 v. Redding, 129 S.Ct. 2633 (U.S. 2009)

Adopted

December 4, 2014

Purpose

The Board acknowledges the need to respect the rights of students to be free from unreasonable searches and seizures while fulfilling the district's interest in protecting and preserving the health, safety and welfare of the school population, enforcing rules of conduct, and maintaining an appropriate atmosphere conducive to learning.

Authority

School officials have the authority to lawfully search students or their belongings, including lockers, automobiles, electronic devices, purses, backpacks, clothing, and other possessions, without a warrant, when in school, on school grounds or when otherwise under school supervision, if there is a reasonable suspicion that the place or thing to be searched contains prohibited contraband, material that would pose a threat to the health, safety and welfare of the school population, or evidence that there has been a violation of the law, Board policy, or school rules. The scope and extent of searches must be reasonable in relation to the nature of the suspected evidence, contraband or dangerous material and to the grounds for suspecting that it may be found in the place or thing being searched.[\[1\]](#)[\[2\]](#)[\[9\]](#)[\[10\]](#)

The district has a compelling interest in protecting and preserving the health, safety and welfare of the school population, which under certain circumstances may warrant general or random searches of students and their lockers, vehicles or other belongings without individualized suspicion, for the purpose of finding or preventing entry onto school property of controlled substances, weapons or other dangerous materials.[\[5\]](#)[\[6\]](#)[\[7\]](#)

Delegation of Responsibility

The Board authorizes the administration to conduct searches of students or their belongings, including lockers, automobiles, electronic devices, purses, backpacks, clothing, and other possessions in accordance with the standards set forth in this policy.

The Superintendent or designee, in consultation with the district solicitor, shall develop guidelines and procedures to implement this policy, and shall ensure that school staff who are involved in carrying out searches or determining when searches will be conducted receive appropriate periodic training about such procedures and currently applicable legal standards.[\[2\]](#)

Students, parents/guardians and staff shall be notified at least annually, or more often if deemed appropriate by administration, about the standards and procedures in effect pursuant to this policy.

Guidelines

Individualized Suspicion Searches

Students or their belongings, including lockers, automobiles, electronic devices, purses, backpacks, clothing, and other possessions, may be searched without a warrant when in school, on school grounds or when otherwise under school supervision, if there is a reasonable suspicion that the place or thing to be searched contains prohibited contraband, material that would pose a threat to the health, safety and welfare of the school population, or evidence that there has been a violation of the law, Board policy, or school rules. The scope and extent of searches must be reasonable in relation to the nature of the suspected evidence, contraband or dangerous material and to the grounds for suspecting that it may be found in the place or thing being searched.[\[2\]](#)

In determining whether reasonable suspicion exists, the principal or designee always should be able to articulate what is being looked for, and why it is thought to be located in the particular place to be searched. The scope of a search should be limited to the place or places the item sought is believed to be.

Examination by school staff of text messages, call logs, files, images or other data contained in a student's mobile telephone or other electronic device, without the student's consent, normally constitutes a search that must be justified by reasonable suspicion that material in violation of law, district policy or school rules, or evidence of such a violation, is contained in the particular files, directories or other data locations being examined in the device.

Random or General Searches Without Individualized Suspicion

Under certain circumstances, random or general searches of students and their belongings, including student lockers or vehicles parked on school property, may be conducted during the school day or upon entry into school buildings or school activities, in the absence of suspicion focused on a particular student or students, for the purpose of finding or preventing entry onto school property or activities of controlled substances, weapons or other dangerous materials. Such searches normally

will be conducted in a minimally intrusive manner using screening methods such as dogs or other animals trained to detect controlled substances, explosives or other harmful materials by smell, as well as metal detectors and other technology. When such screening methods provide a reasonable suspicion that particular students, items or places possess or contain controlled substances, weapons or other dangerous material, screening may be followed by physical searches of those particular students, items or places on an individualized basis.

Random or general searches for weapons may be conducted when there are circumstances, information or events tending to indicate increased likelihood that students may be armed or headed for physical confrontation because of community strife or tensions, or as a continuation or escalation of a prior incident, in or out of school, which threatens to spill over into school, into a school-sponsored activity, or into other times and places that students are under school supervision.

Random or general searches for controlled substances may be conducted when there are circumstances, events or information tending to indicate significant drug use, possession or trafficking among students in school.

Random or general searches not based on individualized suspicion must be approved in advance by the Superintendent or designee, in consultation with the district solicitor. Coordination with law enforcement officials will be accomplished as provided in the memorandum of understanding with the applicable law enforcement agency.[8]

Searches Upon Consent

Searches may be conducted at any time, with or without reasonable suspicion, if the student has given knowing and voluntary consent specific to the place to be searched.

The administration may establish rules and procedures governing certain privileges enjoyed by students, such as the privilege of parking a vehicle on school grounds, that make the student's consent to random searches or inspections a condition of access to the privilege.[6]

Searches By or at the Request of Law Enforcement Officials

The legal standards governing searches initiated by school officials are less strict than the standards applicable to law enforcement authorities in many situations. When searches of students, student belongings, vehicles or lockers are conducted by or at the request of law enforcement officials, with or without the involvement of school staff, the law enforcement officials are solely responsible for ensuring that a warrant has been issued or that the circumstances otherwise permit the search to be lawfully conducted in accordance with the standards applicable to law enforcement actions. School staff will not interfere with or obstruct searches initiated by law enforcement, but may assist when law enforcement officials have requested such assistance and have represented that a warrant has been issued or that they otherwise have proper authority for a lawful search.[8]

Locker Inspections and Searches

Lockers are assigned to or otherwise made available to students as a convenience for the safe storage of books, clothing, school materials and limited personal property, and to facilitate movement between classes and activities and to and from school. Such lockers are and shall remain the property of the school district, and to the extent students have any expectation of privacy of lockers at all, it is very limited.

No student may place or keep in a locker any substance or object that is prohibited by law, Board policy or school rules, or that constitutes a threat to the health, safety or welfare of the occupants of the school building or the building itself. Students are required to ensure that their lockers do not contain spoiled food items or beverages, or soiled clothing which may attract pests, create odors or cause unhealthy conditions. A student locker may be opened and inspected for cleanliness, with or without the consent of the student, whenever there are odors, pests or other indications that a locker contains spoiled food, soiled clothing in need of laundering or similarly unhealthy matter.

Students are exclusively responsible for locking their assigned lockers to ensure the security of their personal belongings and school property entrusted to them. Students are permitted to secure their assigned lockers only with locks provided by the district, or if the district does not provide locks, personal combination locks for which the combination has been provided to designated school staff.

Prior to an individual locker search or inspection, the student to whom the locker is assigned shall be notified and be given a reasonable opportunity to be present. However, when there is a reasonable suspicion that a locker contains materials which pose a threat to the health, welfare or safety of the school population, student lockers may be searched without prior notice to the student.

The principal or a designated staff person shall be present whenever a student locker is inspected for cleanliness or is searched. The principal or designee shall maintain written records of all occasions when a locker is searched or inspected. Such records shall include the reason(s) for the search, persons present, objects found and their disposition.

Searches Involving Removal of Clothing or Examination Beneath Clothing

Searches of students involving the removal of undergarments or examination beneath undergarments are subject to stricter standards than are required to justify other searches of a student's person or belongings. Such searches are permitted only when the basis for suspicion establishes either:

1. That the reasons for believing that the items being searched for are concealed specifically inside undergarments are stronger reasons than grounds that would support only a more general reasonable suspicion that the student is in possession of the items or has them somewhere on the student's person; or,
2. That the quantity or nature of the items being sought present a higher level of danger to the school population than other kinds of contraband.

Searches involving the removal of or examination beneath any clothing of a student, other than jackets, coats or other outerwear, shall be conducted only by a staff person of the same gender as the student, with at least one (1) other staff person of the same gender present as a witness, and in a location assuring privacy from observation by persons not involved in the search or of the opposite sex.

Searches involving the removal of undergarments or examination beneath undergarments will be conducted only after consultation with the district solicitor.

Handling and Disposal of Items Found in the Course of Searches

Any items or material found during a search or inspection, the student's possession of which is in violation of law, district policies or school rules, or otherwise is evidence of such a violation, may be confiscated, and may be used as evidence in student discipline proceedings or a criminal investigation, even if such items or material were not the original objective of the search or inspection.

The principal shall be responsible to ensure that confiscated items or material are properly inventoried and secured until the conclusion of disciplinary action, if any, and are then properly disposed of if not appropriate to be returned to the student. Items or materials that are evidence of a criminal offense, or that are not lawful for ordinary citizens to possess will be promptly turned over to proper law enforcement authorities for custody or disposal.

Parents/Guardians shall be informed as soon as practicable upon the discovery of any item being in their child's possession or control that may be detrimental to the health, safety and welfare of the child or others.



Book

Policy Manual

Section

200 Pupils

Title

Controlled Substances/Paraphernalia

Number

227

Status

Active

Legal

1. 35 P.S. 780-102

2. Pol. 210

3. 24 P.S. 510

4. 24 P.S. 511

5. 22 PA Code 12.3

6. Pol. 218

7. Pol. 122

8. Pol. 123

9. 24 P.S. 1302.1-A

11. 42 Pa. C.S.A. 8337

12. Pol. 233

13. Pol. 805

14. 24 P.S. 1303-A

15. 35 P.S. 807.1

16. 35 P.S. 807.2

17. 21 U.S.C. 812

20 U.S.C. 7114

20 U.S.C. 7161

21 U.S.C. 801 et seq

22 PA Code 403.1

35 P.S. 780-101 et seq

35 P.S. 807.1 et seq

Pol. 000

Adopted

December 4, 2014

Purpose

The Board recognizes that the abuse of controlled substances is a serious problem with legal, physical and social implications for the whole school community. As an educational institution, the schools shall strive to prevent abuse of controlled substances.

The use of updated curriculum(s), classroom activities, community support and resources, strong and consistent administrative and faculty efforts, and rehabilitative and disciplinary procedures, shall enable the district to work towards education, prevention, and intervention in regards to student use and abuse of controlled substances.

Definitions

For purposes of this policy, **controlled substances** shall include all: [\[1\]](#)[\[17\]](#)

1. Controlled substances prohibited by federal and state law.
2. Look-alike drugs.
3. Alcoholic beverages.
4. Anabolic steroids.
5. Drug paraphernalia.
6. Any volatile solvents or inhalants, such as but not limited to glue and aerosol products.
7. Substances that when ingested cause a physiological effect that is similar to the effect of a controlled substance as defined by state or federal law.
8. Prescription or nonprescription (over-the-counter) medications, except those for which permission for use in school has been granted pursuant to Board policy. [\[2\]](#)

For purposes of this policy, **under the influence** shall include any consumption or ingestion of controlled substances by a student.

For purposes of this policy, look-alike drug shall include any pill, capsule, tablet, powder, plant matter or other item or substance that is designed or intended to resemble a controlled substance prohibited by this policy, or is used in a manner likely to induce others to believe the material is a controlled substance.

Authority

The Board prohibits students from using, possessing, distributing, and being under the influence of any controlled substances during school hours, at any time while on school property, at any school-sponsored activity, and during the time spent traveling to and from school and to and from school-sponsored activities. [\[3\]](#)[\[4\]](#)[\[5\]](#)

The Board may require participation in drug counseling, rehabilitation, testing or other programs as a condition of reinstatement into the school's educational, extracurricular or athletic programs resulting from violations of this policy.

Off-Campus Activities

This policy shall also apply to student conduct that occurs off school property and would otherwise violate the Code of Student Conduct if any of the following circumstances exist:[6]

- 1.The conduct occurs during the time the student is traveling to and from school or traveling to and from school-sponsored activities, whether or not via school district furnished transportation.
- 2.The student is a member of an extracurricular activity and has been notified that particular off-campus conduct could result in exclusion from such activities.[7][8]
- 3.Student expression or conduct materially and substantially disrupts the operations of the school, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school.
- 4.The conduct has a direct nexus to attendance at school or a school-sponsored activity, for example, a transaction conducted outside of school pursuant to an agreement made in school, that would violate the Code of Student Conduct if conducted in school.
- 5.The conduct involves the theft or vandalism of school property.
- 6.There is otherwise a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities.

Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations to identify and control substance abuse in the schools which:

- 1.Establish procedures to deal with students suspected of using, possessing, being under the influence, or distributing controlled substances in school, up to and including expulsion and referral for prosecution.[9][11][6][12][14]
- 2.Disseminate to students, parents/guardians and staff the Board policy and administrative regulations governing student abuse of controlled substances.
- 3.Provide education concerning the dangers of abusing controlled substances.
- 4.Establish procedures for education and readmission to school of students convicted of offenses involving controlled substances.

The Superintendent shall react promptly to information and knowledge concerning possible or actual incidents of possession, use or sale of controlled substances. Such action shall be in compliance with state law and regulation and with the procedures set forth in the memorandum of understanding with local law enforcement officials.[9][13]

The Superintendent shall annually, by July 31, report all incidents of possession, use and sale of controlled substances by any person on school property to the Office of Safe Schools on the required form in accordance with state law and regulation. [\[14\]](#)

Guidelines

In all cases involving students and controlled substances, the need to protect the school community from undue harm and exposure to drugs shall be recognized.

No student may be admitted to a program that seeks to identify and rehabilitate the potential abuser without the intelligent, voluntary and aware consent of the student and parent/guardian.

Anabolic Steroids

The Board prohibits the use of anabolic steroids by students involved in school-related athletics, except for a valid medical purpose. Body building and muscle enhancement of athletic ability are not valid medical purposes. Human Growth Hormone (HGH) shall not be included as an anabolic steroid. [\[15\]](#)

Students shall be made aware of the dangers of steroid use; that anabolic steroids are classified as controlled substances; and that their use, unauthorized possession, purchase, or sale could subject students to suspension, expulsion and/or criminal prosecution. [\[16\]](#)[\[12\]](#)

Reasonable Suspicion/Testing

If based on the student's behavior, medical symptoms, vital signs or other observable factors, the building principal has reasonable suspicion that the student is under the influence of a controlled substance, the student may be required to submit to drug or alcohol testing. The testing may include but is not limited to the analysis of blood, urine, saliva, or the administration of a Breathalyzer test.



Book
Policy Manual

Section
200 Pupils

Title
Student Fundraising

Number

229

Status

Active

Legal

1. 24 P.S. 511

2. 10 P.S. 328.101 et seq

3. 61 PA Code 901.701

4. Pol. 618

Pol. 000

Adopted

December 4, 2014

Purpose

The Board acknowledges that solicitation of funds from students must be limited because compulsory attendance laws make the student a captive donor and such solicitation may disrupt the educational program of the schools.

Definition

For purposes of this policy, **student fundraising** shall include solicitation and collection of money by students in exchange for goods or services.

Authority

The Board prohibits the collection of money by a student for personal benefit in school buildings, on school property or at any school-sponsored activity.

District students are not obligated to conduct door-to-door sales for fundraising activities.

Delegation of Responsibility

Collection of money by approved school organizations may be permitted by the building principal.[\[1\]](#)

Collections by students on behalf of school organizations outside the schools may be permitted only by the Superintendent or designee.

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

The building principal shall distribute this policy and relevant procedures to each student organization granted permission to solicit funds.

An Application for Student Solicitation shall be submitted to the Superintendent or designee no less than sixty (60) days prior to any agreement, contract, publicity, or other attempt to commence the solicitation of funds.

Solicitation by or of students involving fundraising contests, games of chance, raffles or any illegal activity or device, are strictly prohibited in school buildings, vehicles transporting students to or from school or school-sponsored events or trips, and facilities under a lease, used or occupied by the district.

Small games of chance shall be permitted in district facilities involving adults, eighteen (18) years of age or older, provided the adults are not high school students.[\[2\]](#)[\[3\]](#)

Funds solicited shall be controlled by Policy 618.[\[4\]](#)



Book
Policy Manual

Section
200 Pupils

Title
Student Rights and Responsibilities

Number
235

Status
Active

Legal
1. 24 P.S. 510

- 2. 22 PA Code 4.4
- 3. 22 PA Code 12.1
- 5. 22 PA Code 12.2
- 6. 22 PA Code 12.3
- 7. Pol. 130
- 8. Pol. 204
- 9. Pol. 218
- 10. Pol. 220
- 11. Pol. 221
- 12. Pol. 224
- 13. Pol. 233
- 14. 22 PA Code 12.4
- 15. 22 PA Code 12.9
- Pol. 000
- Pol. 218.1
- Pol. 218.2
- Pol. 248
- Pol. 249
- Pol. 705

Adopted
December 4, 2014

Purpose

This policy sets forth guidelines by which student rights and responsibilities are determined, consistent with law and regulations.

Authority

The Board has the authority and responsibility to establish reasonable rules and regulations for the conduct and deportment of district students. At the same time, no student shall be deprived of equal treatment and equal access to the educational program, due process, a presumption of innocence, and free expression and association, in accordance with Board policy and school rules. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[14\]](#)[\[15\]](#)

Guidelines

Attendant upon the rights established for each student are certain responsibilities, which include regular attendance; conscientious effort in classroom work and

homework; conformance to Board policies and school rules and regulations; respect for the rights of teachers, students, administrators and all others who are involved in the educational process; and expression of ideas and opinions in a respectful manner.[5][6][7][8][9][10]

It shall be the responsibility of the student to:[5]

- 1.Be aware of all policies, rules and regulations for student behavior and conduct him/herself accordingly. Each student shall assume that, until a rule is waived, altered or repealed in writing, it is in effect.[9]
- 2.Volunteer information in matters relating to the health, safety and welfare of the school community and the protection of school property.
- 3.Dress and groom to meet standards of safety and health, and not to cause substantial disruption to the educational processes.[11]
- 4.Assist the school staff in operating a safe school.
- 5.Comply with federal, state and local laws.
- 6.Exercise proper care when using district facilities, school supplies and equipment.[12]
- 7.Attend school daily and be on time to all classes and other school functions.[8]
- 8.Make up work when absent from school.
- 9.Pursue and attempt to satisfactorily complete the courses of study prescribed by local school authorities.
- 10.Report accurately in student media.[10]
- 11.Not use obscene language in student media or on school property.[10]

Violations of this policy may result in disciplinary action, consistent with the Code of Student Conduct and Board policy.[9][13]

A listing of students' rights and responsibilities shall be included in the Code of Student Conduct, which shall be distributed annually to students and parents/guardians.[6][9]

Delegation of Responsibility

The Superintendent or designee shall develop administrative regulations consistent with law and Board policy to ensure that student rights under specific conditions are properly recognized and maintained.



Book
Policy Manual

Section
200 Pupils

Title
Hazing

Number
247

Status
Active

Legal
1. 24 P.S. 510
2. 24 P.S. 511
3. Pol. 122
4. Pol. 123

Adopted
December 4, 2014

Purpose

The purpose of this policy is to maintain a safe, positive environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the district and are prohibited at all times.

Definitions

For purposes of this policy **hazing** is defined as any activity that recklessly or intentionally endangers the mental health, physical health or safety of a student or causes willful destruction or removal of public or private property for the purpose of initiation or membership in or affiliation with any organization recognized by the Board.

Endanger the physical health shall include but not be limited to any brutality of a physical nature, such as whipping; beating; branding; forced calisthenics; exposure to

the elements; forced consumption of any food, alcoholic beverage, drug, or controlled substance; or other forced physical activity that could adversely affect the physical health or safety of the individual.

Endanger the mental health shall include any activity that would subject an individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual.

Any hazing activity, whether by an individual or a group, shall be presumed to be a forced activity, even if a student willingly participates.

Authority

The Board does not condone any form of initiation or harassment, known as hazing, as part of any school-sponsored student activity. No student, coach, sponsor, volunteer or district employee shall plan, direct, encourage, assist or engage in any hazing activity. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

The Board directs that no administrator, coach, sponsor, volunteer or district employee shall permit, condone or tolerate any form of hazing.

The district will investigate all complaints of hazing and will administer appropriate discipline to any individual who violates this policy.

The Board encourages students who have been subjected to hazing to promptly report such incidents to the building principal.

Delegation of Responsibility

District administrators shall investigate promptly all complaints of hazing and administer appropriate discipline to any individual who violates this policy.

Students, administrators, coaches, sponsors, volunteers, and district employees shall be alert to incidents of hazing and shall report such conduct to the building principal or designee.

The district shall annually inform students, parents/guardians, coaches, sponsors, volunteers and district staff that hazing of district students is prohibited, by means of distribution of written policy, publication in handbooks, and/or verbal instructions by the coach or sponsor at the start of the season or program.

Guidelines

Complaint Procedure

When a student believes that s/he has been subject to hazing, the student shall promptly report the incident, orally or in writing, to the building principal.

The principal shall conduct a timely, impartial, thorough, and comprehensive investigation of the alleged hazing.

The principal shall prepare a written report summarizing the investigation and recommending disposition of the complaint. The complainant and the accused shall be informed of the outcome of the investigation, including the recommended disposition of the complaint.

If the investigation results in a substantiated finding of hazing, the principal or designee shall recommend appropriate disciplinary action, as circumstances warrant, in accordance with the Student Code of Conduct. Additionally, the student may be subject to disciplinary action by the coach or sponsor, up to and including removal from the activity.

If the investigation results in a substantiated finding that a coach or sponsor affiliated with the activity planned, directed, encouraged, assisted, condoned or ignored any form of hazing, s/he will be disciplined appropriately. Discipline could include dismissal from the position as coach or sponsor.

The district shall document the corrective action taken and, where not prohibited by law, inform the complainant.



Book
Policy Manual

Section
200 Pupils

Title
Unlawful Harassment

Number
248

Status
Active

Legal
1. 20 U.S.C. 1681 et seq

4. Pol. 103

5. 29 CFR 1606.8

6. 43 P.S. 951 et seq

7. 29 CFR 1604.11

Office for Civil Rights – Revised Sexual Harassment Guidance: Harassment of Students By School Employees, Other Students, or Third Parties

Pol. 103.1

Pol. 806

Adopted

December 4, 2014

Purpose

The Board strives to provide a safe, positive learning climate for students in the schools. Therefore, it shall be the policy of the district to maintain an educational environment in which harassment in any form is not tolerated.

Authority

The Board prohibits all forms of unlawful harassment of students and third parties by all district students and staff members, contracted individuals, vendors, volunteers, and third parties in the schools. The Board encourages students and third parties who have been harassed to promptly report such incidents to the designated employees. [\[1\]](#)[\[5\]](#)[\[6\]](#)

The Board directs that complaints of harassment shall be investigated promptly, and corrective action be taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations.

No reprisals nor retaliation shall occur as a result of good faith charges of harassment.

Definitions

For purposes of this policy, **harassment** shall consist of verbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, sex, age, disability, sexual orientation or religion when such conduct: [\[5\]](#)

1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, threatening or abusive educational environment.

2.Has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance.

3.Otherwise adversely affects an individual's learning opportunities.

For purposes of this policy, **sexual harassment** shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:[\[7\]](#)

1.Submission to such conduct is made explicitly or implicitly a term or condition of a student's academic status.

2.Submission to or rejection of such conduct is used as the basis for academic or work decisions affecting the individual.

3.Such conduct deprives a student of educational aid, benefits, services or treatment.

4.Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the student's school performance or creating an intimidating, hostile or offensive educational environment.

Delegation of Responsibility

In order to maintain an educational environment that discourages and prohibits unlawful harassment, the Board designates the Superintendent or designee as the district's Compliance Officer.[\[4\]](#)

The Compliance Officer shall publish and disseminate this policy and the complaint procedure at least annually to students, parents/guardians, employees, independent contractors, vendors, and the public. The publication shall include the position, office address and telephone number of the Compliance Officer.

The district shall be responsible to provide training for students and employees regarding all aspects of unlawful harassment.

Each staff member shall be responsible to maintain an educational environment free from all forms of unlawful harassment.

Each student shall be responsible to respect the rights of their fellow students and district employees and to ensure an atmosphere free from all forms of unlawful harassment.

The building principal or designee shall be responsible to complete the following duties when receiving a complaint of unlawful harassment:

1.Inform the student or third party of the right to file a complaint and the complaint procedure.

2. Inform the complainant that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.
3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
4. Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint.

Guidelines

Complaint Procedure – Student/Third Party

Step 1 – Reporting

A student or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building principal or a district employee.

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.

If the building principal is the subject of a complaint, the student, third party or employee shall report the incident directly to the Compliance Officer.

The complainant or reporting employee is encouraged to use the report form available from the building principal, but oral complaints shall be acceptable.

Step 2 – Investigation

Upon receiving a complaint of unlawful harassment, the building principal shall immediately notify the Compliance Officer. The Compliance Officer shall authorize the building principal to investigate the complaint, unless the building principal is the subject of the complaint or is unable to conduct the investigation.

The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.

The principal or designee may request that parent(s)/guardian(s) are involved throughout the student investigation, conciliatory and disciplinary process. Student(s) may have parent(s)/guardian(s) present during the interview; parental involvement shall be encouraged.

Step 3 – Investigative Report

The building principal shall prepare and submit a written report to the Compliance Officer within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.

The complainant and the accused shall be informed of the outcome of the investigation, including the recommended disposition of the complaint.

Step 4 – District Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases and will not recur. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant.

Disciplinary actions shall be consistent with the Code of Student Conduct, Board policies and district procedures, applicable collective bargaining agreements, and state and federal laws, and may include educational activities and/or counseling services.

If it is concluded that a student has knowingly made a false complaint under this policy, such student shall be subject to disciplinary action.

Appeal Procedure

- 1.If the complainant is not satisfied with a finding of no violation of the policy or with the recommended corrective action, s/he may submit a written appeal to the Compliance Officer within fifteen (15) days.
- 2.The Compliance Officer shall review the investigation and the investigative report and may also conduct a reasonable investigation.
- 3.The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the building principal who conducted the initial investigation.
- 4.The Compliance Officer may confirm, refuse or modify any finding or corrective action as part of the appeal procedure.

[248-Attach.doc \(26 KB\)](#)



Section

200 Pupils

Title

Bullying/Cyberbullying

Number

249

Status

Active

Legal

1. 24 P.S. 1303.1-A

2. 22 PA Code 12.3

3. Pol. 218

4. 24 P.S. 1302-A

6. Pol. 236

7. Pol. 233

Pol. 000

Pol. 248

Adopted

December 4, 2014

Purpose

The Board is committed to providing a safe, positive learning environment for district students. The Board recognizes that bullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, and may lead to more serious violence. Therefore, the Board prohibits bullying by district students.

Definitions

Bullying means 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:[\[1\]](#)

- 1.Substantial interference with a student’s education.
- 2.Creation of a threatening environment.
- 3.Substantial disruption of the orderly operation of the school.

Bullying, as defined in this policy, includes cyberbullying.

School setting means in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school.[\[1\]](#)

Authority

The Board prohibits all forms of bullying by district students.[\[1\]](#)

The Board encourages students who have been bullied to promptly report such incidents to the building principal or designee.

The Board directs that complaints of bullying shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the district’s legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith reports of bullying.

Delegation of Responsibility

Each student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying.

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

The Superintendent or designee shall ensure that this policy and administrative regulations are reviewed annually with students.[\[1\]](#)

The Superintendent or designee, in cooperation with other appropriate administrators, shall review this policy every three (3) years and recommend necessary revisions to the Board.[\[1\]](#)

District administration shall annually provide the following information with the Safe School Report:[\[1\]](#)

- 1.Board’s Bullying Policy.
- 2.Report of bullying incidents.

3.Information on the development and implementation of any bullying prevention, intervention or education programs.

Guidelines

The Code of Student Conduct, which shall contain this policy, shall be disseminated annually to students.[\[1\]](#)[\[2\]](#)[\[3\]](#)

This policy shall be accessible in every classroom. The policy shall be posted in a prominent location within each school building and on the district website, if available.

Education

The district may develop and implement bullying prevention and intervention programs. Such programs shall provide district staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.[\[4\]](#)[\[1\]](#)[\[6\]](#)

Consequences for Violations

A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include:[\[1\]](#)[\[3\]](#)[\[7\]](#)

- 1.Counseling within the school.
- 2.Parental conference.
- 3.Loss of school privileges.
- 4.Transfer to another school building, classroom or school bus.
- 5.Exclusion from school-sponsored activities.
- 6.Detention.
- 7.Suspension.
- 8.Expulsion.
- 9.Counseling/Therapy outside of school.
- 10.Referral to law enforcement officials.



Book
Policy Manual

Section
200 Pupils

Title
Student Recruitment

Number
250

Status
Active

Legal
1. 51 P.S. 20221 et seq
2. 10 U.S.C. 503
3. 20 U.S.C. 7908
4. 51 P.S. 20222
5. 24 P.S. 2402
22 PA Code 403.1

Adopted
December 4, 2014

Authority

In accordance with law, the Board shall permit disclosure of required student information about secondary students to representatives of postsecondary institutions and to representatives of the Armed Forces of the United States.[\[1\]](#)[\[2\]](#)[\[3\]](#)

Equitable access to secondary students shall be granted to postsecondary education representatives, military recruiters and prospective employers.

Guidelines

Postsecondary institutions and military recruiters shall have access to secondary students' names, addresses and telephone numbers, unless the student or

parent/guardian requests that such information not be released without prior written parental consent.[\[2\]](#)[\[3\]](#)

The district shall notify parents/guardians of the right of the secondary student or parent/guardian to request that student information not be released to representatives of postsecondary institutions and/or military recruiters without prior written parental consent.[\[4\]](#)[\[2\]](#)[\[3\]](#)

The district shall provide a list of graduating seniors, which shall be available to military recruiters by the first day of the academic year of graduation.[\[4\]](#)

Military Personnel

Military recruiters and all other members of the active and retired Armed Forces, including the National Guard and Reserves, shall be permitted to wear their official military uniforms while on district property.[\[5\]](#)

Delegation of Responsibility

The building principal shall determine under what conditions and when access to secondary students will be provided to representatives of postsecondary institutions, military recruiters and prospective employers.

The building principal reserves the right to deny access to students when such access will materially and substantially interfere with the proper and orderly operation and discipline of the school; is likely to cause violence or disorder; or will constitute a violation of the rights of other students.

The Superintendent or designee shall notify parents/guardians prior to the end of the student's junior year about the provisions of this policy. The notice shall include:[\[4\]](#)

1. Notice that the school routinely discloses names, addresses and telephone numbers of junior and senior students to postsecondary institutions and military recruiters, subject to a parent's/guardian's or secondary student's request not to disclose such information without prior written parental consent.
2. Explanation of the parent's/guardian's or secondary student's right to request that information not be disclosed without prior written parental consent.
3. Procedures for how the parent/guardian or secondary student can opt out of the public, nonconsensual disclosure of such information, and the method and timeline for doing so.



Book
Policy Manual

Section
200 Pupils

Title
Homeless Students

Number
251

Status
Active

Legal

1. 24 P.S. 1306

2. 22 PA Code 11.18

3. 42 U.S.C. 11431 et seq

4. 42 U.S.C. 11434a

5. 42 U.S.C. 11432

6. Pol. 200

7. Pol. 201

8. Pol. 203

9. Pol. 204

10. Pol. 209

11. Pol. 216

20 U.S.C. 6301 et seq

22 PA Code 403.1

34 CFR Part 99

67 Fed. Reg. 10698

Pol. 000

Pol. 810

PA Education for Homeless Children and Youth State Plan

Adopted

December 4, 2014

Authority

The Board recognizes its obligation to ensure that homeless students have access to the same educational programs and services provided to other district students. The Board shall make reasonable efforts to identify homeless children within the district, encourage their enrollment, and eliminate existing barriers to their attendance and education, in compliance with federal and state law and regulations.[\[1\]](#)[\[2\]](#)[\[3\]](#)

The Board may waive policies, procedures and administrative regulations that create barriers for enrollment, attendance, transportation and success in school of homeless students, based on the recommendation of the Superintendent.

Definitions

Homeless students are defined as individuals lacking a fixed, regular and adequate nighttime residence, which include the following conditions:[\[4\]](#)

1. Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason.
2. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations.
3. Living in emergency, transitional or domestic violence shelters.
4. Abandoned in hospitals.
5. Awaiting foster care placement.
6. Using public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings, as a primary nighttime residence.
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings.
8. Living as migratory children in conditions described in previous examples.
9. Living as run-away children, abandoned or forced out of homes by parents/guardians or caretakers, or separated from parents/guardians for any other reason.
10. Living as school age parents/guardians in houses for school age parents/guardians if they have no other living accommodations.

School of origin is defined as the school the student attended when permanently housed or the school in which the student was last enrolled.

Delegation of Responsibility

The Board designates the Superintendent to serve as the district's liaison for homeless students and families.

The district's liaison shall coordinate with:[\[5\]](#)

1. Local service agencies that provide services to homeless children and youth and families.
2. Other school districts on issues of records transfer and transportation.
3. State and local housing agencies responsible for comprehensive housing affordability strategies.

The district's liaison shall provide public notice of the educational rights of homeless students in schools, family shelters, and soup kitchens.[\[5\]](#)

Guidelines

Students shall not be discriminated against, segregated nor stigmatized based on their status as homeless.[\[5\]](#)

Enrollment/Placement

To the extent feasible, and in accordance with the student's best interest, a homeless student shall continue to be enrolled in his/her school of origin while s/he remains homeless or until the end of the academic year in which s/he obtains permanent housing. Parents/Guardians of a homeless student may request enrollment in the school in the attendance area where the student is actually living or other schools. If a student is unaccompanied by a parent/guardian, the district liaison will consider the views of the student in determining where s/he will be enrolled.[\[5\]](#)

The selected school shall immediately enroll the student and begin instruction, even if the student is unable to produce records normally required for enrollment pursuant to district policies. However, the district may require a parent/guardian to submit contact information. The district liaison may contact the previous school for oral confirmation of immunizations, and the school shall request records from the previous district, pursuant to Board policy.[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)

If the district is unable to determine the student's grade level due to missing or incomplete records, the district shall administer tests or utilize appropriate means to determine the student's placement.

If a dispute arises over school selection or enrollment, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parents/guardians shall be provided with a written explanation of the district's decision, their right to appeal and the procedures to use for the appeal.

Services

Homeless students shall be provided services comparable to those offered to other district students including, but not limited to, transportation services; school nutrition programs; vocational programs and technical education; preschool programs; programs for students with limited English proficiency; and educational services for which students meet eligibility criteria, such as programs for disadvantaged students, students with disabilities, and gifted and talented students.[\[1\]](#)[\[5\]](#)

Transportation

The district shall provide transportation for homeless students to their school of origin or the school they choose to attend within the school district.[\[1\]](#)[\[5\]](#)

If the school of origin is outside district boundaries or homeless students live in another district but will attend their school of origin in this district, the school districts shall agree upon a method to apportion the responsibility and costs of the transportation.[\[5\]](#)



Book

Policy Manual

Section

300 Employees

Title

Unlawful Harassment

Number

348

Status

Active

Legal

1. 20 U.S.C. 1681 et seq

2. 42 U.S.C. 2000e et seq

3. 42 U.S.C. 2000ff et seq

- 6. Pol. 104
 - 7. Pol. 317
 - 8. 29 CFR 1606.8
 - 9. 43 P.S. 951 et seq
 - 10. 29 CFR 1604.11
 - 11. 18 Pa. C.S.A. 4304
 - 12. 18 Pa. C.S.A. 5901 et seq
 - 13. 18 Pa. C.S.A. 5903
 - 14. 18 Pa. C.S.A. 6301 et seq
 - 15. 18 Pa. C.S.A. 6312
- Pol. 000

Adopted
December 4, 2014

Authority

The Board strives to provide a safe, positive working climate for its administrative, professional and support employees. Therefore, it shall be the policy of the district to maintain an employment environment in which harassment in any form is not tolerated.

The Board prohibits all forms of unlawful harassment of employees and third parties by all district students and staff members, contracted individuals, vendors, volunteers, and third parties in the schools. The Board encourages employees and third parties who have been harassed to promptly report such incidents to the designated administrators. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[8\]](#)[\[9\]](#)

The Board directs that complaints of harassment shall be investigated promptly, and corrective action taken when allegations are substantiated. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations.

No reprisals nor retaliation shall occur as a result of good faith charges of harassment.

Definitions

For purposes of this policy, **harassment** shall consist of verbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, sex, age, disability, sexual orientation, religion or genetic information when such conduct: [\[3\]](#)[\[8\]](#)

1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to perform job functions or creates an intimidating, threatening or abusive

work environment.

- 2.Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance.
- 3.Otherwise adversely affects an individual's employment opportunities.

For purposes of this policy, **sexual harassment** shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:[\[10\]](#)

- 1.Acceptance of such conduct is made, explicitly or implicitly, a term or condition of an individual's continued employment.
- 2.Submission to or rejection of such conduct is the basis for employment decisions affecting the individual.
- 3.Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the employee's job performance or creating an intimidating, hostile or offensive working environment.

Delegation of Responsibility

In order to maintain a work environment that discourages and prohibits unlawful harassment, the Board designates the Superintendent or designee as the district's Compliance Officer.[\[6\]](#)

The Compliance Officer shall publish and disseminate this policy and the complaint procedure at least annually to students, parents/guardians, employees, independent contractors, vendors, and the public. The publication shall include the position, office address and telephone number of the Compliance Officer.

The administration shall be responsible to provide training for students and district employees regarding unlawful harassment.

Each employee shall be responsible to maintain a working environment free from all forms of unlawful harassment.

The building principal or designee shall be responsible to complete the following duties when receiving a complaint of unlawful harassment:

- 1.Inform the employee or third party of the right to file a complaint and the complaint procedure.
- 2.Notify the complainant and the accused of the progress at appropriate stages of the procedure.

3.Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint.

Guidelines

Complaint Procedure – Employee/Third Party

Step 1 – Reporting

An employee or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building principal.

If the building principal is the subject of a complaint, the employee or third party shall report the incident directly to the Compliance Officer.

The complainant is encouraged to use the report form available from the building principal, but oral complaints shall be acceptable.

Step 2 – Investigation

Upon receiving a complaint of unlawful harassment, the building principal shall immediately notify the Compliance Officer. The Compliance Officer shall authorize the building principal to investigate the complaint, unless the building principal is the subject of the complaint or is unable to conduct the investigation.

The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident. The investigator may also evaluate any other information and materials relevant to the investigation.

The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.

Step 3 – Investigative Report

The building principal shall prepare and submit a written report to the Compliance Officer within fifteen (15) days, unless additional time to complete the investigation is required. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual and whether it is a violation of this policy, and a recommended disposition of the complaint.

The complainant and the accused shall be informed of the outcome of the investigation, including the recommended disposition of the complaint.

Step 4 – District Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases and will not recur. District staff shall document the corrective action taken and, when not prohibited by law, inform the complainant.

Disciplinary actions shall be consistent with Board policies, administrative regulations and procedures, applicable collective bargaining agreements, and state and federal laws.

If it is concluded that an employee has knowingly made a false complaint under this policy, such employee shall be subject to disciplinary action.[7]

Appeal Procedure

- 1.If the complainant is not satisfied with a finding of no violation of the policy or with the recommended corrective action, s/he may submit a written appeal to the Compliance Officer within fifteen (15) days.
- 2.The Compliance Officer shall review the investigation and the investigative report and may also conduct a reasonable investigation.
- 3.The Compliance Officer shall prepare a written response to the appeal within fifteen (15) days. Copies of the response shall be provided to the complainant, the accused and the building principal who conducted the initial investigation.

Reportable Violations

The district shall contact the appropriate authorities for reportable violations, in accordance with state and federal laws and Board policy.[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)

[348-Attach.doc \(26 KB\)](#)



Book

Policy Manual

Section

300 Employees

Title

Alcohol/Drug and Substance Abuse

Number

351

Status
Active

Legal

2. 41 U.S.C. 8101

3. 41 U.S.C. 8103

4. 24 P.S. 527

5. 41 U.S.C. 8104

6. 35 P.S. 780-101 et seq

41 U.S.C. 8101 et seq

Pol. 317

Adopted

December 4, 2014

Purpose

The Board recognizes that the misuse of drugs by administrative, professional and support employees is a serious problem with legal, physical and social implications for the whole school community and is concerned about the problems that may be caused by drug use by district employees, especially as the use relates to an employee's safety, efficiency and productivity.

The primary purpose and justification for any district action will be for the protection of the health, safety and welfare of students, staff and school property.

Definitions

Drugs - shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act.[\[6\]](#)

Alcohol - shall be defined as the intoxicating agent in fermented and distilled liquors.

Conviction - a finding of guilt, including a plea of nolo contendere, imposition of sentence, or both by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statute.[\[2\]](#)

Criminal Drug Statute - a federal or state criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.[\[2\]](#)

Drug-free Workplace - the site for the performance of work at which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance.[\[2\]](#)

Authority

The Board requires that each administrative, professional and support employee be given notification that, as a condition of employment, the employee will abide by the terms of this policy and notify the district of any criminal drug statute conviction for a violation occurring in the workplace immediately, but no later than seventy-two hours after such conviction.[\[3\]](#)

An employee will not be permitted to remain on school property if determined to be under the influence of alcohol or drugs.

Any employee convicted of delivery of or possession of a controlled substance with the intent to deliver shall be terminated from his/her employment with the district.[\[4\]](#)

Delegation of Responsibility

A statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the employee's workplace shall be provided by the Superintendent or designee and shall specify the actions that will be taken against the employee for violation of this policy, up to and including termination and referral for prosecution.[\[3\]](#)[\[5\]](#)

Within ten (10) days after receiving notice of the conviction of a district employee, the district shall notify any federal agency or department that is the grantor of funds to the district.[\[3\]](#)

The district shall take appropriate personnel action within thirty (30) days of receiving notice against any convicted employee, up to and including termination, or require the employee to participate satisfactorily in a drug or alcohol abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.[\[3\]](#)[\[5\]](#)

In establishing a drug/alcohol-free awareness program, the Superintendent or designee shall inform employees about:[\[3\]](#)

- 1.Dangers of drug/alcohol abuse in the workplace.
- 2.Board's policy of maintaining a drug/alcohol-free workplace.
- 3.Availability of drug/alcohol counseling, drug/alcohol rehabilitation, and employee assistance programs.
- 4.Penalties that may be imposed for drug/alcohol abuse violations occurring in the workplace.

The district shall make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy.[\[3\]](#)

The Superintendent or designee shall immediately report incidents involving the possession, use or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act by an employee while 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 policy 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.

In accordance with state law, the Superintendent or designee shall annually, by July 31 report all incidents of possession, use or sale of controlled substance or drug paraphernalia to the Office for Safe Schools on the required form.



Book

Policy Manual

Section

800 Operations

Title

District Internet Safe and Acceptable Use of Internet, Computers and Technology Resources

Number

815

Status

Active

Legal

1. 18 U.S.C. 2256

2. 18 Pa. C.S.A. 6312

3. 20 U.S.C. 6777

4. 47 U.S.C. 254

5. 18 Pa. C.S.A. 5903

6. Pol. 237
 7. Pol. 218
 8. Pol. 233
 9. Pol. 317
 10. Pol. 226
 11. Pol. 220
 12. Pol. 320
 13. 24 P.S. 4604
 14. Pol. 113.4
 15. Pol. 216
 16. 47 CFR 54.520
 17. Pol. 103
 18. Pol. 103.1
 19. Pol. 104
 20. Pol. 248
 21. Pol. 348
 22. Pol. 814
 23. 17 U.S.C. 101 et seq
- Pol. 218.2

Adopted
December 5, 2002

Last Revised
June 21, 2012

Last Reviewed
October 15, 2015

Purpose

The district provides a learning environment which incorporates technology in order to facilitate lifelong learning, enhance higher order thinking skills, meet the demands of a changing society, and develop skills for postsecondary use.

The district shall provide Internet access to its employees, students and other authorized individuals. The district's Internet system has a limited educational purpose. The district's Internet system has not been established as a public access

service or a public forum. The district has the right to place restrictions on use to ensure that use of the system is in accord with its limited educational purpose.

Employees, students and other authorized individuals may utilize the school district's technology and related resources for all purposes directly related to the fulfillment of their respective academic or professional activities and responsibilities. All employees, students and authorized individuals are expressly prohibited from utilizing school district technology and related resources for any purpose not directly related to the fulfillment of their respective academic or professional activities or responsibilities.

The district provides students, staff and other authorized individuals with access to the district's computers, electronic communication systems and network, which includes Internet access, whether wired or wireless, or by any other means.

For instructional purposes, the use of network facilities shall be consistent with the curriculum adopted by the district as well as the varied instructional needs, learning styles, abilities, and developmental levels of students.

Definitions

The term child pornography is defined under both federal and state law.

Child pornography - under federal law, is any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:[\[1\]](#)

1. The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
2. Such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or
3. Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

Child pornography - under state law, is any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction or other material depicting a child under the age of eighteen (18) years engaging in a prohibited sexual act or in the simulation of such act.[\[2\]](#)

The term harmful to minors is defined under both federal and state law.

Harmful to minors - under federal law, is any picture, image, graphic image file or other visual depiction that:[\[3\]](#)[\[4\]](#)

1. Taken as a whole, with respect to minors, appeals to a prurient interest in nudity, sex or excretion;
2. Depicts, describes or represents in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or lewd exhibition of the genitals; and
3. Taken as a whole lacks serious literary, artistic, political or scientific value as to minors.

Harmful to minors - under state law, is any depiction or representation in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it: [\[5\]](#)

1. Predominantly appeals to the prurient, shameful, or morbid interest of minors;
2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and
3. Taken as a whole lacks serious literary, artistic, political, educational or scientific value for minors.

Obscene - any material or performance, if: [\[5\]](#)

1. The average person applying contemporary community standards would find that the subject matter taken as a whole appeals to the prurient interest;
2. The subject matter depicts or describes in a patently offensive way, sexual conduct described in the law to be obscene; and
3. The subject matter, taken as a whole, lacks serious literary, artistic, political, educational or scientific value.

Technology protection measure - a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography or harmful to minors. [\[4\]](#)

The district Internet system has been established for a limited educational purpose. The term **educational purpose** includes classroom activities, continuing education, professional or career development and high quality, educationally enriching personal research.

Computer network - includes but is not limited to all local area networking and wide area networking within the school district, IU1 WAN, as well as all online or direct wired networking linked with school district's network.

Computers, software, PDAs and cell phones - include but is not limited to all devices owned or leased by the school district and all software used on these devices.

Personal Electronic Devices (PED) that are owned by students, may be used to connect to the district Internet system via the wireless guest network to access a virtual desktop through a portal only at the discretion/direction of the classroom teacher and/or building administration.[6]

Voice and telephone network - includes but is not limited to all telephones, software, passwords, hardware, voice-mail boxes, direct-wired connections and information contained therein.

School district's website - includes but is not limited to www.trinitypride.k12.pa.us; www.trinitypride.org; all links to the website; and all web pages developed by district employees and/or students linked directly to the district website.

Email systems - includes but are not limited to all hardware and software utilized to operate the email systems; all district email addresses; all passwords; all information transmitted through the district's email addresses; and, all information stored within the district's email systems.

Authority

The Board declares that computer and network use is a privilege, not a right. The district's computer and network resources are the property of the district. Users shall have no expectation of privacy in anything they create, store, send, delete, receive or display on or over the district's Internet, computers or technology resources, including personal files or any use of the district's Internet, computers or technology resources. The district reserves the right to monitor, track, and log network access and use; monitor fileserver space utilization by district users; or deny access to prevent unauthorized, inappropriate or illegal activity and may revoke access privileges and/or administer appropriate disciplinary action. The district shall cooperate to the extent legally required with the Internet Service Provider (ISP), local, state and federal officials in any investigation concerning or related to the misuse of the district's Internet, computers and technology resources.[7][8][9]

Individual searches may be conducted if there is reasonable suspicion that the user has violated this policy, the student disciplinary code or the law. The search shall be reasonable and related to the suspected violation.[10]

The Board requires all users to fully comply with this policy and to immediately report any violations or suspicious activities to the Superintendent or designee.

The district Internet system has not been established as a public access service or a public forum. The district encourages the responsible use of PED's (Personal Electronic Devices) to enhance the educational process in a safe and appropriate manner at the direction/direction of the classroom teacher and/or building administration. The district has the right to place reasonable restrictions on the material accessed or posted through the system. Users are also expected to follow the rules set forth in this

policy, the student disciplinary code and the law in use of the district Internet system.[7][6]

All students and employees have a duty to use computer technology in a responsible and considerate manner.

Users' rights to freedom of speech and freedom to access information shall be protected during Internet use in school, in accordance with law, regulations and Board policy. The district Internet system is a limited public forum. The district may restrict access to materials in accordance with Board policy. The district shall not restrict student access to information or speech on the basis of viewpoint discrimination.[11][12]

The district makes no warranties of any kind, either express or implied, that the functions or the services provided by or through the district Internet system will be error-free or without defect. The district will not be responsible for any damage users may suffer, including but not limited to, loss of data, interruptions of service, or exposure to inappropriate material. The district is not responsible for the accuracy or quality of the information obtained through the system. The district will not be responsible for financial obligations arising through the unauthorized use of the system. Users and parents/guardians of users will indemnify and hold the district harmless from any losses sustained as the result of misuse of the system by the user.

The district has developed and approved this policy in accord with the statutory requirements of the Children's Internet Protection Act. The policy was developed with input and feedback from staff, parents/guardians and community members. The policy represents the district's good faith efforts to promote the safe, ethical, responsible and legal use of the Internet; support the effective use of the Internet for educational purposes; protect students against potential dangers in their use of the Internet; and ensure accountability.[4]

Technology Protection Measure

The district shall protect against access to materials which the Board has established as inappropriate for users to access through the district Internet system:[4]

1. Prohibited Material - Prohibited material may not be accessed at any time, for any purpose. The district designated the following types of materials as prohibited: obscene materials; child pornography; material that appeals to a prurient or unhealthy interest in, or depicts or describes in a patently offensive way, violence, nudity, sex, death, or bodily functions; material that has been designated as for "adults" only; and material that promotes or advocates illegal activities.
2. Restricted Material - Material that is restricted may not be accessed by elementary or middle school students at any time, for any purpose. Restricted material may be accessed by high school students in the context of specific learning activities that have been approved by a teacher. Materials that may arguably fall within the description provided for prohibited material that have

clear educational relevance, such as material with literary, artistic, political, or scientific value, will be considered to be restricted. In addition, restricted material includes materials that promote or advocate the use of alcohol and tobacco, hate and discrimination, satanic and cult group membership, school cheating and weapons. Sites that contain personal advertisements or facilitate making online connections with other people are restricted unless such sites have been specifically approved by the school.

3. Limited Access Material - Limited access is material that is generally considered to be noneducational or entertainment. Limited access material may be accessed in the context of specific learning activities that are directed by a teacher or during periods of time that a school may designate as "open access" time. Limited access material includes such material as electronic commerce, games, jokes, recreation, entertainment, sports and investments.

The district shall implement the use of a technology protection measure which is a specific technology that will protect against access to visual depictions that are obscene, child pornography and materials that are harmful to minors, as defined by the Children's Internet Protection Act. At the discretion of the Board, the technology protection measure may also be configured to protect against access to other material considered inappropriate for students to access.[\[3\]\[4\]\[13\]](#)

The technology protection measure shall not be disabled at any time that students may be using the district Internet system, if such disabling will cease to protect against access to materials that are prohibited under the Children's Internet Protection Act. Authorized staff may temporarily bypass sites that contain appropriate material, if the technology protection measure has inappropriately blocked access to such sites.

The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measure.

If a user mistakenly accesses inappropriate information, s/he should immediately disclose this access to his/her teacher or a building administrator in his/her school. This will protect the user against a claim that s/he has intentionally violated this policy.

If a user thinks that the technology protection measure has prevented him/her from accessing appropriate material, s/he may request that the material be reviewed and, if appropriate, unblocked, in the manner established by the school. If a request is denied, the user may appeal the denial to the Superintendent or designee for expedited review.[\[3\]\[4\]\[13\]](#)

Employees, students and other authorized individuals, who connect their personal technology and related resources (i.e. laptop, disk, "zip-drive", etc.) to the district's technology, are responsible for the content of their personal items and once connected to the district's technology, said employees, students and other authorized individuals waive any expectation of privacy, confidentiality, or protected right in its use.

Delegation of Responsibility

The district shall make every effort to ensure that this resource is used responsibly by students and staff.

The district shall protect against the unauthorized disclosure, use, or dissemination of personal or confidential information of students.[14][15]

The district shall review contracts with third party providers of data management services to ensure compliance with federal and state student privacy laws.

The district shall develop regulations for staff pertaining to the transmission of student confidential information via direct electronic communications to ensure that such transmissions are in compliance with the federal and state student privacy laws.

The district shall develop regulations for staff and students to ensure the protection of student personal information when accounts are established or information is provided by or about students on third party websites.

The district shall develop regulations addressing the disclosure of student information, posting student-created material and posting pictures of students on the district website.

The district shall inform staff, students, parents/guardians and other users about this policy through employee and student handbooks, posting on the district website, and by other appropriate methods. A copy of this policy shall be provided to parents/guardians, upon written request.[\[13\]](#)

Users of district networks, Internet or district-owned equipment shall, prior to being given access or being issued equipment, sign appropriate disclaimer forms and user agreements acknowledging awareness of the provisions of this policy, and awareness that the district uses monitoring systems to monitor and detect inappropriate use.

Student user agreements and disclaimer forms shall also be signed by a parent/guardian. Parents/Guardians have the right to request the termination of their child's Internet access at anytime.

Administrators, teachers and staff have a professional responsibility to work together to help students develop the intellectual skills necessary to discern among information sources, to identify information appropriate to their age and developmental levels, and to evaluate and use the information to meet their educational goals.

Students, staff and other authorized individuals have the responsibility to respect and protect the rights of every other user in the district and on the Internet.

Building administrators shall make initial determinations of whether inappropriate use has occurred.

The Superintendent or designee shall be responsible for recommending technology and developing procedures used to determine whether the district's computers are being

used for purposes prohibited by law or for accessing sexually explicit materials. The procedures shall include but not be limited to: [\[3\]](#)[\[4\]](#)[\[16\]](#)

1. Utilizing a technology protection measure that blocks or filters Internet access for minors and adults to certain visual depictions that are obscene, child pornography, harmful to minors with respect to use by minors, or determined inappropriate for use by minors by the Board.
2. Maintaining and securing a usage log.
3. Monitoring online activities of minors.

Student and staff users of the district Internet system shall receive instructions regarding the safe, ethical, legal and responsible use of the Internet and of the district's Internet system and their rights and responsibilities under this policy.

As part of the district K-12 technology curriculum, all K-12 students will receive information and instructions regarding Internet safety and cyberbullying. The district shall annually educate minors about network etiquette and appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response.

Guidelines

Network accounts shall be used only by the authorized owner of the account for its approved purpose. Network users shall respect the privacy of other users on the system.

Safety

It is the district's goal to protect users of the network from harassment and unwanted or unsolicited electronic communications. Any network user who receives threatening or unwelcome electronic communications or inadvertently visits or accesses an inappropriate site shall report such immediately to a teacher or administrator. Network users shall not reveal personal information to other users on the network, including chat rooms, email, social networking websites, etc.

Personal information includes the student's name, together with other information that would allow an individual to locate him/her including, but not limited to, parent's/guardian's name, home address or location, work address or location, or phone number.

An elementary or middle school student shall not disclose his/her full name or any other personal information for any purpose.

A high school student shall not disclose personal information, except to education institutions for educational purposes, and companies or other entities for career development purposes with specific staff approval.

Users shall not disclose names, personal information, or any other private or personal information about other students under any circumstances.

Internet safety measures shall effectively address the following:[\[4\]\[16\]](#)

1. Control of access by minors to inappropriate matter on the Internet and World Wide Web.
2. Safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications.
3. Prevention of unauthorized online access by minors, including "hacking" and other unlawful activities.
4. Unauthorized disclosure, use, and dissemination of personal information regarding minors.
5. Restriction of minors' access to materials harmful to them.
6. Safety And Security Of Staff And Students Involving Direct Electronic Communication And Web 2.0 Tools

In order for teachers and students to access Web 2.0 resources as part of the curriculum, the district will provide email access for staff and students.

Staff and students will be provided with an individual account. They will use a signature file that identifies who they are and their affiliation with the district.

Students may not establish or access web-based email accounts on commercial services through the district Internet system.

Staff and students are to use email for educational purposes only and not for personal business.

Staff and students may not use real-time electronic communication, such as chat or instant messaging unless in the supervision of a teacher or in moderated environments that have been established to support educational activities and have been approved by the district or individual school.

Appropriate Use

Student use and activities shall be structured in a manner that is appropriate to the age and skills of students, recognizing the importance of providing more secure environments for younger students and supporting safe, responsible, independent use by older students.

Purposes of student/staff use and activities (i.e., blogs, wikis, email, etc.) include, but are not limited to:

1. Responding to and commenting on curriculum topics.
2. Creating written projects and media projects, and commenting on each other's work.
3. Reviewing and sharing study strategies before tests and quizzes.
4. Collaborating on projects.
5. Practicing taking varied points of view on a topic.
6. Constructing class notes and writing persuasively.
7. Making classroom suggestions.
8. Creating content pages on curriculum topics.

Prohibitions

Users are expected to act in a responsible, ethical and legal manner in accordance with district policy, accepted rules of network etiquette, and federal and state law. Specifically, the following uses are prohibited:

1. Facilitating illegal activity, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal gang activity or threatening the safety of an individual.
2. Nonwork or nonschool related work.
3. Product advertisement or political lobbying.
4. Bullying/Cyberbullying.
5. Hate mail, discriminatory remarks, harassment, defamatory information, and offensive or inflammatory communication.[17][18][19][20][21]
6. Unauthorized or illegal installation, distribution, reproduction, or use of copyrighted materials.
7. Accessing, sending, receiving, transferring, viewing, sharing or downloading obscene, pornographic, lewd, or otherwise illegal materials, images or photographs.[6]

8. Access by students and minors to material that is harmful to minors or is determined inappropriate for minors in accordance with Board policy.
9. Inappropriate language or profanity.
10. Transmission of material likely to be offensive or objectionable to recipients.
11. Intentional obtaining or modifying of files, passwords, and data belonging to other users.
12. Impersonation of another user, spoofing, anonymity, and pseudonyms.
13. Fraudulent copying, communications, or modification of materials in violation of copyright laws.[22]
14. Loading or using of unauthorized games, programs, files, or other electronic media.
15. Disruption of the work of other users.
16. Destruction, modification, abuse or unauthorized access to network hardware, software and files.
17. Accessing the Internet, district computers or other network resources without authorization.
18. Disabling or bypassing the Internet blocking/filtering software without authorization.
19. Accessing, sending, receiving, transferring, viewing, sharing or downloading confidential information without authorization.
20. Use adversely impacting upon the educational programs, activities and/or operation of the district.
21. Use of games or participation in competitions, except for supervised educational purposes.

Users may not monopolize district technology resources. This includes things such as running large jobs during the day, sending a massive amount of mail to other district users, or using system resources for downloading software, online radio stations, streaming video or knowingly degrading the performance of the network.

Security

Each user shall be assigned a network username and password, which will be used only by the authorized person. Teachers have the right to monitor student accounts. All communications and information accessible via the computer should be assumed to

be property of district and shall be consistent with Board policy regarding confidentiality.

Most of the school district's technology and related resources are protected by a password and/or access code system. Failure to protect and/or update passwords and access codes could result in unauthorized use and access to confidential employee, student or school district information. As such, the following guidelines are applicable to all uses:

1. Passwords and access codes shall not be revealed to other individuals.
2. Users must only use their password or access code.
3. All unintentional disclosures of passwords or access codes shall be immediately reported to the administration.

In addition, all employees, students and other authorized individuals share an obligation to protect and safeguard school district technology and related resources. As such, employees, students and other authorized individuals are required to immediately report to the administration suspected violations of this policy.

Users shall avoid the inadvertent spread of computer viruses by following the district virus protection procedures.

Excessive use of the district Internet system may raise a reasonable suspicion that users are using the system in violation of district policy and regulations.

Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the network.

Copyright

The illegal use of copyrighted materials is prohibited. Any data uploaded to or downloaded from the network shall be subject to fair use guidelines and applicable laws and regulations. Users shall respect the rights of copyright owners in use of materials found on, disseminated through or posted to the Internet.[22][23]

Users shall not plagiarize works that they find on the Internet. Plagiarism is defined as taking the ideas or writings of others and presenting them as if they were one's own.

District Website

The district shall establish and maintain a website and shall develop and modify its web pages to present information about the district under the direction of the Superintendent or designee. All users publishing content on the district website shall comply with this and other applicable district policies.

The district shall promote the effective, educational use of the Internet in school through professional development and the establishment of a district website that will provide access to prescreened, appropriate, educationally relevant material.

Users own the copyright to works that they create in school or for a class assignment. If the work is created jointly, each student shall have joint ownership of the copyright. The user and his/her parent/guardian must agree to post the work on the district website. The user's work should be posted with his/her copyright notice.

The district shall develop district website regulations to promote the effective educational use of the Internet, protect the privacy rights and other rights of students and staff, limit potential liability of the district for the inappropriate placement of material, and present an image that will reflect well on the district, schools, staff, and students.

Users shall not copy or download information from the district website and disseminate such information on unauthorized web pages without authorization from the building principal.

Resource Limits

Users shall use the system only in accordance with Board policy.

Users shall not download large files unless absolutely necessary. If necessary, users shall download the file at a time when the system is not being heavily used and immediately remove the file from the system computer to their personal computer.

Users shall subscribe only to approved high quality discussion groups that are relevant to their education or career development.

Consequences for Inappropriate Use

The network user shall be responsible for damages to the equipment, systems, and software resulting from deliberate or willful acts.[\[13\]](#)

The district technology and related resources are the property of the district and as such, utilization is a privilege and not a right. Employees, students and other authorized individuals utilizing school district technology and related resources shall have no expectation of privacy, confidentiality, or protected right in its use. The Board, Superintendent, and their designee(s), may at any time and without notice access, review, monitor, restrict, and/or prohibit an individual's use of school district technology and related resources. The Board considers misuse of district technology and/or related resources to be a very serious infraction and as such, it will result in appropriate consequences including but not limited to loss of privileges, disciplinary action, referral for criminal charges, expulsion and/or termination of employment. The severity of the misuse and the corresponding consequences shall be determined on a case-by-case basis by the Board, Superintendent, or their designee(s).[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[13\]](#)

Illegal use of the network; intentional deletion or damage to files or data belonging to others; copyright violations; and theft of services shall be reported to the appropriate legal authorities for possible prosecution.

General rules for behavior and communications apply when using the Internet, in addition to the stipulations of this policy.

Vandalism shall result in loss of access privileges, disciplinary action, and/or legal proceedings. Vandalism is defined as any malicious attempt to harm or destroy data of another user, Internet or other networks; this includes but is not limited to uploading or creating computer viruses.[7][8][9]

In the event there is a claim that the user has violated this policy or student disciplinary code in use of the district Internet system, s/he shall be provided with notice and opportunity to be heard in the manner set forth in Board policy.[7]

If the violation also involves a violation of other provisions of the student disciplinary code, it shall be handled in a manner described in the code. Additional restrictions may be placed on Internet usage.

Failure to comply with this policy or inappropriate use of the Internet, district network or computers shall result in usage restrictions, loss of access privileges, disciplinary action, and/or legal proceedings.[7][8][9]



Book	Policy Manual
Section	800 Operations
Title	Maintaining Professional Adult/Student Boundaries
Number	824
Status	Active
Adopted	August 18, 2016

Authority

This policy applies to district employees, volunteers, student teachers, and independent contractors and their employees who interact with students or are present on school grounds. For purposes of this policy, such individuals are referred to collectively as **adults**. The term **adults** as used in this policy, does not include district students who perform services on a volunteer or compensated basis.

All adults shall be expected to maintain professional, moral and ethical relationships with district students that are conducive to an effective, safe learning environment. This policy addresses a range of behaviors that include not only obviously unlawful or improper interactions with students, but also precursor grooming and other boundary-blurring behaviors that can lead to more egregious misconduct.

The Board directs that all adults shall be informed of conduct that is prohibited and the disciplinary actions that may be applied for violation of Board policies, administrative regulations, rules and procedures.[\[1\]](#)

This policy is not intended to interfere with appropriate pre-existing personal relationships between adults and students and their families that exist independently of the district or to interfere with participation in civic, religious or other outside organizations that include district students.

Definition

For purposes of this policy, **legitimate educational reasons** include matters or communications related to teaching, counseling, athletics, extracurricular activities, treatment of a student's physical injury or other medical needs, school administration or other purposes within the scope of the adult's job duties.

Delegation of Responsibility

The Superintendent or designee shall annually inform students, parents/guardians, and all adults regarding the contents of this Board policy through employee and student handbooks, posting on the district website, and by other appropriate methods.

The building principal or designee shall be available to answer questions about behaviors or activities that may violate professional boundaries as defined in this policy.

Independent contractors doing business with the district shall ensure that their employees who have interaction with students or are present on school grounds are informed of the provisions of this policy.
[2]

Guidelines

Adults shall establish and maintain appropriate personal boundaries with students and not engage in any behavior that is prohibited by this policy or that creates the appearance of prohibited behavior.

Prohibited Conduct

Romantic or Sexual Relationships -

Adults shall be prohibited from dating, courting, or entering into or attempting to form a romantic or sexual relationship with any student enrolled in the district, regardless of the student's age. Students of any age are not legally capable of consenting to romantic or sexual interactions with adults. [\[19\]](#)[\[20\]](#)

Prohibited romantic or sexual interaction involving students includes, but is not limited to:

1. Sexual physical contact.
2. Romantic flirtation, propositions, or sexual remarks.
3. Sexual slurs, leering, epithets, sexual or derogatory comments.
4. Personal comments about a student's body.
5. Sexual jokes, notes, stories, drawings, gestures or pictures.
6. Spreading sexual or romantic rumors.
7. Touching a student's body or clothes in a sexual or intimate way.
8. Accepting massages, or offering or giving massages other than in the course of injury care administered by an athletic trainer, coach, or health care provider.
9. Restricting a student's freedom of movement in a sexually intimidating or provocative manner.
10. Displaying or transmitting sexual objects, pictures, or depictions.

Social Interactions -

In order to maintain professional boundaries, adults shall ensure that their interactions with students are appropriate.

Examples of prohibited conduct that violates professional boundaries include, but are not limited to:

1. Disclosing personal, sexual, family, employment concerns or other private matters to one or more students.
2. Exchanging notes, emails or other communications of a personal nature with a student.
3. Giving personal gifts, cards or letters to a student without written approval from the building principal.
4. Touching students without a legitimate educational reason. (Reasons could include the need for assistance when injured, a kindergartner having a toileting accident and requiring assistance, appropriate coaching instruction, or appropriate music instruction).
5. Singling out a particular student or students for personal attention or friendship beyond the ordinary professional adult-student relationship.
6. Taking a student out of class without a legitimate educational reason.
7. Being alone with a student behind closed doors without a legitimate educational reason.

8. Initiating or extending contact with a student beyond the school day or outside of class times without a legitimate educational reason.
9. Sending or accompanying a student on personal errands.
10. Inviting a student to the adult's home.
11. Going to a student's home without a legitimate educational reason.
12. Taking a student on outings without prior notification to and approval from both the parent/guardian and the building principal.
13. Giving a student a ride alone in a vehicle in a nonemergency situation without prior notification to and approval from both the parent/guardian and the building principal.
14. Addressing students or permitting students to address adults with personalized terms of endearment, pet names, or otherwise in an overly familiar manner.
15. Telling a student personal secrets or sharing personal secrets with a student.
16. For adults who are not guidance/counseling staff, psychologists, social workers or other adults with designated responsibilities to counsel students, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, the student should be referred to the appropriate school resource.
17. Furnishing alcohol, drugs or tobacco to a student or being present where any student is consuming these substances.
18. Engaging in harassing or discriminatory conduct prohibited by other district policies or by state or federal law and regulations.[3][4][5]

Electronic Communications -

For purposes of this policy, **electronic communication** shall mean a communication transmitted by means of an electronic device including, but not limited to, a telephone, cellular telephone, computer, computer network, personal data assistant or pager. Electronic communications include, but are not limited to, emails, instant messages and communications made by means of an Internet website, including social media and other networking websites.

As with other forms of communication, when communicating electronically, adults shall maintain professional boundaries with students.

Electronic communication with students shall be for legitimate educational reasons only.

When available, district-provided email or other district-provided communication devices shall be used when communicating electronically with students. The use of district-provided email or other district-provided communication devices shall be in accordance with district policies and procedures.[6]

All electronic communications from coaches and advisors to team or club members shall be sent in a single communication to all participating team or club members, except for communications concerning an individual student's medical or academic privacy matters, in which case the communications will be copied to the building principal. In the case of sports teams under the direction of the Athletic Director, such medical or academic communications shall also be copied to the Athletic Director.

Adults shall not follow or accept requests for current students to be friends or connections on personal social networking sites and shall not create any networking site for communication with students other than those provided by the district for this purpose, without the prior written approval of the building

principal.

Exceptions

An emergency situation or a legitimate educational reason may justify deviation from professional boundaries set out in this policy. The adult shall be prepared to articulate the reason for any deviation from the requirements of this policy and must demonstrate that s/he has maintained an appropriate relationship with the student.

Under no circumstance will an educational or other reason justify deviation from the "Romantic and Sexual Relationships" section of this policy.

There will be circumstances where personal relationships develop between an adult and a student's family, e.g. when their children become friends. This policy is not intended to interfere with such relationships or to limit activities that are normally consistent with such relationships. Adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity.

It is understood that many adults are involved in various other roles in the community through nondistrict-related civic, religious, athletic, scouting or other organizations and programs whose participants may include district students. Such community involvement is commendable, and this policy is not intended to interfere with or restrict an adult's ability to serve in those roles; however, adults are strongly encouraged to maintain professional boundaries appropriate to the nature of the activity with regard to all youth with whom they interact in the course of their community involvement.

Reporting Inappropriate or Suspicious Conduct

Any person, including a student, who has concerns about or is uncomfortable with a relationship or interaction between an adult and a student, shall immediately notify the Superintendent, principal or other administrator.[5]

All district employees, independent contractors and volunteers who have reasonable cause to suspect that a child is the victim of child abuse, shall immediately report the suspected abuse, in accordance with applicable law, regulations and Board policy.[7][8]

An educator who knows of any action, inaction or conduct which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act shall report such misconduct to the Pennsylvania Department of Education on the required form, and shall report such misconduct to the Superintendent and his/her immediate supervisor, within fifteen (15) days of discovery of such misconduct.[9][10]

If the Superintendent or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Child Protective Services Law, the Educator Discipline Act or the Safe Schools Act, the Superintendent or designee shall make a report, in accordance with applicable law, regulations and Board policy.[7][9][11][12][13][14][15][10][16][8]

It is a violation of this policy to retaliate against any person for reporting any action pursuant to this policy or for participating as a witness in any related investigation or hearing.

Investigation

Allegations of inappropriate conduct shall be promptly investigated in accordance with the procedures utilized for complaints of harassment.[5][17]

It is understood that some reports made pursuant to this policy will be based on rumors or misunderstandings; the mere fact that the reported adult is cleared of any wrongdoing shall not result in disciplinary action against the reporter or any witnesses. If as the result of an investigation any individual, including the reported adult, the reporter, or a witness is found to have intentionally provided false information in making the report or during the investigation or hearings related to the

report, or if any individual intentionally obstructs the investigation or hearings, this may be addressed as a violation of this policy and other applicable laws, regulations and district policies. **Obstruction** includes, but is not limited to, violation of "no contact" orders given to the reported adult, attempting to alter or influence witness testimony, and destruction of or hiding evidence.

Disciplinary Action

A district employee who violates this policy may be subject to disciplinary action, up to and including termination, in accordance with all applicable district disciplinary policies and procedures.[18]

A volunteer, student teacher, or independent contractor or an employee of an independent contractor who violates this policy may be prohibited from working or serving in district schools for an appropriate period of time or permanently, as determined by the Superintendent or designee.

Training

The district shall provide training with respect to the provisions of this policy to current and new district employees, volunteers and student teachers subject to this policy.

The district, at its sole discretion, may require independent contractors and their employees who interact with students or are present on school grounds to receive training on this policy and related procedures.

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Legal

- [1. 24 P.S. 510](#)
2. Pol. 818
3. Pol. 103
4. Pol. 103.1
5. Pol. 248
6. Pol. 815
- [7. 23 Pa. C.S.A. 6311](#)
8. Pol. 806
- [9. 24 P.S. 2070.9a](#)
10. Pol. 317.1
- [11. 24 P.S. 1302.1-A](#)
- [12. 24 P.S. 1303-A](#)
- [13. 22 PA Code 10.2](#)
- [14. 22 PA Code 10.21](#)
- [15. 22 PA Code 10.22](#)
16. Pol. 805.1
17. Pol. 348
18. Pol. 317
- [19. 18 Pa. C.S.A. 3124.2](#)
- [20. 24 P.S. 2070.9f](#)
- [22 PA Code 235.1 et seq](#)
- [24 P.S. 2070.1a et seq](#)
- [23 Pa. C.S.A. 6301 et seq](#)

Last Modified by Judith C Walz on August 1, 2016