



Policy Advisory Committee
Thursday, August 8, 2019
6:30PM – District Office Conference Room

*Per BOG 006.2, all public meetings of the Board of Directors,
including committees, are audio recorded.*

Call to Order

Approve Minutes from the July 16, 2019 meeting

Old Business

- ✚ Third Reading of BOG 005.1 and BOG 005.2 will be discussed at the September Policy Advisory Committee Meeting.
- ✚ Second Readings of Policies:
 - ✚ 103 – Nondiscrimination in School and Classroom Practices
 - ✚ 103.1 Nondiscrimination – Qualified Students with Disabilities
 - ✚ 104 – Nondiscrimination in Employment/Contract Practices
 - ✚ 148 – Harassment
- ✚ Review of Policy 218 Student Discipline Attachment, Code of Student Conduct

New Business

- ✚ Non-substantive changes to be presented to the Board by Policy Subcommittee
 - ✚ 701 – Facilities Planning
 - ✚ 701.1 – Naming Rights
 - ✚ 701.2 – Sponsorships, Partnerships, and Advertising
 - ✚ 702 – Gifts, Grants, Donations
 - ✚ 703 – Sanitary Management
 - ✚ 704 – Maintenance
 - ✚ 705 – Safety
 - ✚ 706 – Asset Records
 - ✚ 706.1 – Disposal of Equipment/Supplies/Textbooks
 - ✚ 707 – Use of School Facilities
 - ✚ 708 – Lending of School Owned Equipment and Books
 - ✚ 709 – Key Control
 - ✚ 711 – Employee Off-Site Use of Computer Equipment
 - ✚ 712 – Cellular Phones
 - ✚ 713 – Protection of Property
 - ✚ 716 – Integrated Pest Management
 - ✚ 718 – Service Animals in Schools

Public Comment

Adjournment



Policy Committee Meeting Minutes – July 16, 2019

Board Chair- Mr. Doug McDonough

Administrative Liaison – Mrs. Megan Candido

Attendance – Please see accompanying committee attendance sheet.

Committee Members Absent: Emma Fitzsimmons, Drew Giorgi, Rich Hepp,
Emma Ives, Sean Christopher Kielty and Margaret Thompson

Board Committee Members Absent: None

Mr. McDonough called the meeting to order at 6:17pm.

The meeting minutes from June 11, 2019 meeting were approved.

Old Business

- ✚ Second Readings of Board Operating Guidelines:
 - ✚ 005.1 – Board Standing Committees
 - ✚ The committee discussed changing the name to “Board Standing Advisory Committee.”
 - ✚ This Board Operating Guideline will move for a third reading in August 2019.
 - ✚ 005.2 - Functions of Standing Committees
 - ✚ The committee discussed changing the name to “Functions of the Standing Advisory Committees.”
 - ✚ The committee discussed determining which actions would be brought to the full Board for a vote and removing the voting function at the committee level.
 - ✚ This Board Operating Guideline will move for a third reading in August 2019.
- ✚ Second Readings of Board Policies:
 - ✚ 201.1 - Registration/Proof of Residency Requirements
 - ✚ 315 – Bloodborne Pathogens
 - ✚ 333 – Professional Development
 - ✚ 913 – Nonschool Organizations/Groups/Individuals

New Business

- ✚ First Readings of Policies:
 - ✚ 103 – Nondiscrimination in School and Classroom Practices
 - ✚ The committee discussed defining those in protected classes and using that language throughout the nondiscrimination policies.
 - ✚ The committee discussed changing the generic term of “Compliance Officer” to “Nondiscrimination Compliance Officer.”
 - ✚ 103.1 – Nondiscrimination – Qualified Students with Disabilities
 - ✚ 104 – Nondiscrimination in Employment/Contract Practices
 - ✚ 148 – Harassment
- ✚ Review of Policy 218 Student Discipline Attachment, Code of Student Conduct

- ✦ Non-substantive changes to be presented to the Board by Policy Subcommittee
 - ✦ 619 – District Audit
 - ✦ 620 – Fund Balance
 - ✦ 621 – Local Taxpayer Bill of Rights
 - ✦ 622 – GASB Statement 34
 - ✦ 623 – Returned Checks
 - ✦ 624 – Taxable Fringe Benefits
 - ✦ 625 – Procurement Cards
 - ✦ 626.1 – Travel Reimbursement for Federal Programs
 - ✦ 627 – Continuing Disclosure and Post-Issuance Compliance for District Bond Obligations
 - ✦ 627.1 – Continuing Disclosure
 - ✦ 627.2 - Post-Issuance Tax Compliance and Record Retention for General Obligation Notes and Bonds
 - ✦ 630 – Conflict of Interest
 - ✦ 631 – Fraud Detection

Public Comment

There was no public comment.

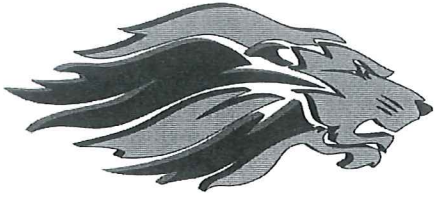
Adjournment

Mr. McDonough adjourned the meeting at 8:02pm.

Respectfully submitted,

Megan Candido

Director of Human Resources



NEW HOPE-SOLEBURY SCHOOL DISTRICT
*Engaging, Enriching, and Empowering All Students
 through a World-Class Education*

Committee Meeting Sign-In and Attendance

July 16, 2019

Name (Please Print)	Committee (C) or Public (P)
Megan Candido	(C) P
Chuck Lentz	(C) P
ANDREW ORRIVER	(C) P
Chaneé Frammeil	(C) P
STAN MARCUS	(C) P
Deirdre Alderfer (Board Member)	C P
Doug McDonough	(C) P
Charles Malone	C (P)
	C P
	C P
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Please note: This sign-in sheet will be included in the meeting minutes and posted to the District's website.



Book	Policy Manual
Section	100 Programs
Title	Nondiscrimination in School and Classroom Practices
Code	103
Status	Policy Committee Review
Adopted	October 28, 1991
Last Revised	February 28, 2019
Prior Revised Dates	July 15, 2013, February 28, 2019

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Authority

A. The Board declares it to be the policy of this District to provide an equal opportunity for all students to achieve their maximum potential through the programs offered in the schools ~~without discrimination on the basis of race, color, age, creed, religion, sex, sexual orientation, gender identity or expression, ancestry, national origin, marital status, pregnancy or handicap/disability.~~

B. ~~The District strives to maintain a safe, positive learning environment for all students that is free from discrimination. Discrimination is inconsistent with the educational and programmatic goals of the District and is prohibited on school grounds, at school sponsored activities and on any conveyance providing transportation to or from a school entity or school sponsored activity.~~

C. ~~The District shall provide to all School District students, without discrimination, all School District programs, activities and services. The District shall make reasonable accommodations for identified physical and mental impairments that constitute handicaps and disabilities, consistent with the requirements of federal and state laws and regulations.~~

D. ~~The Board encourages students and third parties who have been subject to discrimination to promptly report such incidents to designated employees.~~

E. ~~The Board directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated.~~

F. ~~Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with this policy and the District's legal and investigative obligations.~~

G. ~~No reprisals nor retaliation shall occur as a result of good faith charges of discrimination.~~

B. The purpose of this policy is to establish expectations for behavior that promote a safe, engaging and supportive school environment and provide direction for students, employees, and third parties in recognizing and reporting discrimination in accordance with this policy and with local, state, and federal requirements.

C. The District is committed to providing an educational and work environment that is free from discrimination, fosters equitable opportunities, and values diversity and commonality.

D. The Board prohibits discrimination on the basis of a protected class, including co-curricular and extra-curricular activities, and in the workplace.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)

E. This policy applies to admissions, enrollment to the school, educational programs and policies, access to services, facilities, activities, and financial aid, as well as all terms and conditions of hiring, employment, promotion, training, compensation, and benefits.

F. Any member of New Hope- Solebury community has the right to raise concerns or make a complaint regarding discrimination under this policy without fear of retaliation.

G. Discrimination is inconsistent with the educational and programmatic goals of the District and is prohibited on school grounds, at school-sponsored activities and on any school sponsored conveyance providing transportation to or from a school entity or school-sponsored activity.

H. The District shall provide to all qualified School District students, without discrimination, all School District programs, activities and services.

I. The Board recognizes its responsibility to promote worth, dignity, respect, and safety and therefore prohibits discrimination through curriculum, instruction, professional development, and resource selection.

J. Employees, students, and third parties share responsibility for the health, safety, and general welfare of students and for creating and ensuring an environment free from discrimination.

K. Employees, students, and third parties may be subject to disciplinary action or consequences for discriminatory behavior even when the behavior does not rise to the level of discrimination as defined by prevailing federal and state laws.

L. The Board encourages students and third parties who have been subject to discrimination to promptly report such incidents to designated employees.

M. The Board directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated.

N. Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with this policy and the District's legal and investigative obligations.

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

II. Definitions Authority

A. The District adheres to a policy of nondiscrimination in employment and educational programs/activities and strives affirmatively to provide equal opportunity for all as required by:

- 1. Title VI of the Civil Rights Act of 1964 – prohibits discrimination on the basis of race, color, religion, or national origin.**
- 2. Title VII of the Civil Rights Act of 1964 as amended – prohibits discrimination in employment on the basis of race, color, religion, gender, or national origin.**
- 3. Title IX of the Education Amendments of 1972 – prohibits discrimination on the basis of gender.**
- 4. Age Discrimination in Employment Act of 1967 (ADEA) as amended – prohibits discrimination on the basis of age with respect to individuals who are at least 40.**
- 5. The Equal Pay Act of 1963 as amended – prohibits gender discrimination in payment of wages to women and men performing substantially equal work in the same establishment.**
- 6. Section 504 of the Rehabilitation Act of 1973 – prohibits discrimination against the disabled.**
- 7. Americans with Disabilities Act of 1990 (ADA) – prohibits discrimination against individuals with disabilities in employment, public service, public accommodations and telecommunications.**
- 8. The Family and Medical Leave Act of 1993 (FMLA) – requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to “eligible” employees for certain family and medical reasons.**
- 9. The Pregnancy Discrimination Act of 1978 – prohibits discrimination in employment on the basis of pregnancy, childbirth, or related medical conditions.**
- 10. Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA) – prohibits discrimination against employees or applicants because of genetic information.**
- 11. Boy Scouts of America Equal Access Act of 2002 – no public school shall deny equal access to, or a fair opportunity for groups to meet on school premises or in school facilities before or after school hours, or discriminate against any group officially affiliated with Boy Scouts of America or any other youth or community group listed in Title 36 (as a patriotic society).**

III. Delegation of Responsibility Definitions

A. Discriminatory Harassment

1. Harassment by students, employees or third parties on the basis of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy, handicap/disability or for participation in reports or investigations of alleged discrimination is a form of discrimination and is subject to this policy. A person who is not necessarily an intended victim or target of such harassment but is adversely affected by the offensive conduct may file a report of discrimination. [\[21\]](#)[\[22\]](#)[\[23\]](#)[\[24\]](#)[\[25\]](#)[\[26\]](#)
2. For purposes of this policy, "harassment" shall consist of unwelcome conduct which relates to an individual's or group's race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability

when such conduct is:

- a. Sufficiently severe, persistent or pervasive that a reasonable person in the complainant's position would find that it unreasonably interferes with the complainant's performance in school or school-related programs, or otherwise creates an intimidating, hostile, or offensive school or school-related environment such that it unreasonably interferes with the complainant's access to or participation in school or school-related programs.

A. Sexual Harassment

1. Sexual harassment is a form of discrimination on the basis of sex and is subject to this policy. For purposes of this policy, **"sexual harassment"** shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, nonverbal, written, graphic or physical conduct of a sexual nature when: [\[20\]](#)
 - a. Submission to such conduct is made explicitly or implicitly a term or condition of a student's status in any educational or other programs offered by a school; or
 - b. Submission to or rejection of such conduct is used as the basis for educational or other program decisions affecting a student; or
 - c. Such conduct deprives a student or group of individuals of educational aid, benefits, services or treatment; or
 - d. Such conduct is sufficiently severe, persistent or pervasive that a reasonable person in the complainant's position would find that it unreasonably interferes with the complainant's performance in school or school-related programs, or otherwise creates an intimidating, hostile, or offensive school or school-related environment such that it unreasonably interferes with the complainant's access to or participation in school or school-related programs.
2. Federal law declares sexual violence a form of sexual harassment. **"Sexual violence"** means physical or sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual may also be unable to give consent due to an intellectual or other disability. Sexual violence includes but is not limited to rape, sexual assault, sexual battery and sexual coercion.

A. Within the context of this policy, the following definitions apply:

1. Discrimination – Any act or omission due to an individual's status or perceived status in a protected class that creates an intimidating, hostile, or offensive working or educational environment; or substantially interferes with an individual's ability to work, learn, or otherwise is sufficiently serious to limit an individual's employment opportunities, or to limit a student's ability to participate in or benefit from the educational program.

2. Parent – Any one of the following, recognized as the adult(s) legally responsible for the student:

a. Biological Parent – A natural parent whose parental rights have not been terminated.

b. Adoptive Parent – A person who has legally adopted the student and whose parental rights have not been terminated.

c. Custodian – A person or agency appointed by the court as the legal custodian of the student and granted parental rights and responsibilities.

d. Guardian – A person who has been placed by the court in charge of the affairs of the student and granted parental rights and responsibilities.

f. Foster Parent – An adult approved to care for a child who has been placed in their home by a state agency or a licensed child placement agency.

3. Protected Class – A group's characteristics to include the following: race, color, creed, national origin, immigration status, ancestry, religion, physical, mental, or educational disability, pregnancy, age, sex, gender, gender expression, gender identity, genetic information, sexual orientation, marital status, homelessness, veteran status or socioeconomic status.

4. Respondent – An individual named by a complainant as allegedly violating the policy.

5. Retaliation – The act or process of threatening or otherwise penalizing a person for reporting an alleged violation of policy or for participating in an investigation of an alleged violation.

6. School-Related Activity – Any school system activity, on or off school property, in which a student directly participates (e.g., school field trip, athletic event, or class/graduation activity), or an activity in which the student does not directly participate but represents the school or student body simply by being present (e.g., spectator at a school event).

7. Third Party – Parents, mentors, volunteers, vendors, contractors and others with whom students or employees interact during school or school-related activities.

III. IV. Delegation of Responsibility

A. In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Superintendent or the Superintendent's designee as the District's **Nondiscrimination** Compliance Officer.

B. The **Nondiscrimination** Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public.

C. Nondiscrimination statements shall include the position, office address and telephone number of the **Nondiscrimination** Compliance Officer.

D. The **Nondiscrimination** Compliance Officer is responsible to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of nondiscrimination procedures in the following areas:

1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.

2. Training - Provision of training for students and staff to prevent, identify and alleviate problems of discrimination.

3. Student Access - Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or

regulation.

4. District Support - Assurance that like aspects of the school program receive like support as to staffing and compensation, facilities, equipment, and related matters.

5. Student Evaluation - Review of tests, procedures, and guidance and counseling materials for stereotyping and discrimination.

6. Resources - Maintain and provide information to staff on resources available to alleged victims in addition to the school complaint procedure, such as making reports to the police, available assistance from domestic violence or rape crisis programs and community health resources including counseling resources.

7. Complaints - Monitor and provide technical assistance to building principals or designees in processing complaints.

E. The building principal or the building principal's designee shall be responsible to complete the following duties when receiving a complaint of discrimination.

1. If the building principal is the subject of the complaint, refer the complainant to the Compliance Officer to carry out these responsibilities.

~~1-~~ **2.** Inform the complainant about this policy including the right to an investigation of both oral and written complaints of discrimination.

~~2-~~ **3.** Seek to obtain consent from parents/guardians to initiate an investigation where the complainant or alleged victim is under age eighteen (18).

~~3-~~ **4.** Inform the parents/guardians of the complainant that the complainant may be accompanied by a parent/guardian during all steps of the complaint procedure.

~~4-~~ **5.** When a parent/guardian requests confidentiality and will not consent to the alleged victim's participation in an investigation, explain that the school shall take all reasonable steps to investigate and respond to the complaint consistent with that request for confidentiality as long as doing so does not preclude the school from responding effectively to the discrimination and preventing discrimination of other students.

~~5-~~ **6.** Provide relevant information on resources available in addition to the school complaint procedure, such as making reports to the police, available assistance from domestic violence or rape crisis programs and community health resources including counseling resources.

~~6-~~ **7.** Immediately notify the **Nondiscrimination** Compliance Officer of the complaint.

8. The **Nondiscrimination** Compliance Officer shall assess whether the investigation should be conducted by the building principal, another District employee, the **Nondiscrimination** Compliance Officer or an attorney and shall promptly assign the investigation to that individual.

9. When a parent/guardian has requested confidentiality and will not consent to the alleged victim's participation in an investigation, the **Nondiscrimination** Compliance Officer shall provide the parent/guardian with a letter containing information related to the District's legal obligations to conduct an investigation and address violations of this policy, and any other information appropriate to the specific complaint.

~~7-~~ **10.** After consideration of the allegations and in consultation with the **Nondiscrimination** Compliance Officer and other appropriate individuals, promptly

implement interim measures as appropriate to protect the complainant and others as necessary from violation of this policy during the course of the investigation.

8- **11.** Notify the complainant and the accused of the progress at appropriate stages of the procedure.

IV. Guidelines Standards

A. The District will promote the worth and dignity of all individuals through curriculum, instruction, professional development, and resource selection in accordance with state regulation.

B. The District will provide K-12 curricula and instructional strategies that enable students to demonstrate an understanding of and respect for living in a culturally pluralistic society.

C. Instructional staff will use strategies that appropriately address students' identities and learning styles while providing rigorous instruction for all students to increase academic achievement.

D. Instructional staff will be provided with curricula that:

- 1. Avoids stereotyping, discrimination, bias, and prejudice;**
- 2. Reflects the diverse experiences relating to cultural groups and individuals;**
- 3. Is representative of the diversity of society and assist students to demonstrate an understanding of the experiences of individuals and groups.**

E. The District will provide professional development to prepare employees to design, manage, implement, and evaluate multicultural education.

F. Discrimination complaints can be filed by those who believe they are being subjected to discrimination and by those who believe they are a witness to discrimination against others.

G. A student will file a discrimination complaint orally or in writing with a teacher, school counselor, school-based administrator, or the Equity Assurance Manager/designee for action in accordance with established procedures. All such reports that allege discrimination by an employee or third party will be filed with or forwarded to the Equity Assurance Manager/designee.

H. An employee or third party will file a discrimination complaint with the Equity Assurance Manager/designee or with a school-based administrator or supervisor as appropriate. All such reports will be forwarded to the Equity Assurance Manager/designee.

I. Staff members and school-based administrators who believe discrimination has occurred will take action promptly in accordance with established procedures as defined in the implementation procedures of this policy.

A- J. Complaint Procedure – Student/Third Party

1. Step 1 – Reporting

- a. A student or third party who has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building principal. Any person with knowledge of conduct that may violate this policy

is encouraged to immediately report the matter to the building principal.

b. A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal, as well as properly making any mandatory police or child protective services reports required by law.[27]

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

d. If the Nondiscrimination Compliance Officer is the subject of the complaint, refer the complainant to the Superintendent to carry out these responsibilities.

e. If the Superintendent is the subject of the complaint, refer the complainant to the Board to carry out these responsibilities.

~~f.~~ **f.** The complainant or reporting employee may be encouraged to use the report form available from the building principal or **Nondiscrimination** Compliance Officer, or to put the complaint in writing; however, oral complaints shall be accepted, documented and the procedures of this policy implemented.

~~e.~~ **g.** The person accepting the verbal or written complaint may provide factual information on the complaint and the investigative process, the impact of choosing to seek confidentiality and the right to file criminal charges.

~~f.~~ **h.** In all other respects, the person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the complainant or those accused of a violation of this policy.

2. Step 2 – Investigation

a. The **Nondiscrimination** Compliance Officer shall ensure that the individual assigned to investigate the complaint has an appropriate understanding of the relevant laws pertaining to discrimination issues and this policy and how to conduct investigations.

b. The investigator shall work with the **Nondiscrimination** Compliance Officer to assess the anticipated scope of the investigation, who needs to be interviewed and what records may be relevant to the investigation.

c. The investigator shall conduct an adequate, reliable and impartial investigation.

d. The complainant and the accused may suggest additional witnesses and provide other evidence during the course of the investigation.

e. When the initial complaint involves allegations relating to conduct which took place away from school property, school-sponsored activities or school conveyances, the investigation may include inquiries related to these allegations to determine whether they resulted in continuing effects such as harassment in school settings.

f. The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the allegations.

g. The investigator may also evaluate any other information and materials relevant to the investigation.

- h. The person making the report, parties, parents/guardians and witnesses shall be informed of the prohibition against retaliation for anyone's participation in the process and that conduct believed to be retaliatory should be reported.
- i. All individuals providing statements or other information or participating in the investigation shall be instructed to keep the matter confidential and to report any concerns about confidentiality to the investigator.
- j. If the investigation reveals that the conduct being investigated may involve a violation of criminal law, the investigator shall promptly notify the **Nondiscrimination** Compliance Officer, who shall promptly inform law enforcement authorities about the allegations.[27][28][29]
- k. The obligation to conduct this investigation shall not be negated by the fact that a criminal or child protective services investigation of the allegations is pending or has been concluded.
- l. The investigator should coordinate with any other ongoing investigations of the allegations, including agreeing to requests for a short delay in fulfilling the District's investigative responsibilities during the fact-finding portion of a criminal or child protective services investigation.
- m. Such delays shall not extend beyond the time necessary to prevent interference with or disruption of the criminal or child protective services investigation.

3. Step 3 – Investigative Report

- a. The investigator shall prepare and submit a written report within fifteen (15) days of the initial report of alleged discrimination, unless the nature of the allegations, anticipated extent of the investigation or the availability of witnesses requires the investigator and the **Nondiscrimination** Compliance Officer to establish a different due date.
- b. The parties shall be notified of the anticipated date the investigative report will be completed and of any changes to the anticipated due date during the course of the investigation.
- c. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, the information and evaluation that formed the basis for this determination, and whether the conduct violated this policy and of any other violations of law or Board policy which may warrant further District action, and a recommended disposition of the complaint.
- d. An investigation into ~~discriminatory harassment or sexual harassment~~ **discrimination** shall consider the record as a whole and the totality of circumstances in determining whether a violation of this policy has occurred, recognizing that persistent and pervasive conduct, when taken together, may be a violation even when the separate incidents are not severe.
- e. The complainant and the accused shall be informed of the outcome of the investigation, for example, whether the investigator believes the allegations to be founded or unfounded, within a reasonable time of the submission of the written report to the extent authorized by the Family Educational Rights and Privacy Act (FERPA) and other applicable laws. The accused shall not be notified of the individual remedies offered or provided to the complainant.[30][31][32]

4. Step 4 – District Action

- a. If the investigation results in a finding that some or all of the allegations of the complaint are established and constitutes a violation of this policy, the District shall take prompt, corrective action designed to ensure that such conduct ceases and will not recur and that no retaliation occurs.
- b. The District shall promptly take appropriate steps to prevent the recurrence of the prohibited conduct and to address the discriminatory effect the prohibited conduct had on the complainant and the school or school program environment.
- c. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant.
- d. The **Nondiscrimination** Compliance Officer shall follow up by assessing the effectiveness of the corrective action at reasonable intervals.
- e. If an investigation results in a finding that a different policy was violated separately from or in addition to violations of this policy, or that there are circumstances warranting further action, such matters shall be addressed at the conclusion of this investigation or through disciplinary or other appropriate referrals where further evaluation or investigation is necessary.
- f. 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.
- g. Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws including Title VII of the Civil Rights Act 1964; the Age Discrimination Act of 1975; and the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

~~B-~~ **K.** Appeal Procedure

- 1. If the complainant or the accused is not satisfied with a finding made pursuant to the policy or with the corrective action recommended in the investigative report, the complainant or accused may submit a written appeal to the **Nondiscrimination** Compliance Officer within fifteen (15) days. If the **Nondiscrimination** Compliance Officer investigated the complaint, such appeal shall be made to the Superintendent. **If the Superintendent is investigated the complaint, such appeal shall be made to the Board.**
- 2. The individual receiving the appeal shall review the investigation and the investigative report and may also conduct or designate another person to conduct a reasonable supplemental investigation to assess the sufficiency and propriety of the prior investigation.
- 2. The person handling the appeal 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 investigator who conducted the initial investigation.

L. Upon the finding of violation, remedies available to complainants include, but are not limited to, counseling, imposition of an order against the guilty party prohibiting further contact with the complainant or others, reinstatement of employment to the complainant, reconsideration of an award of a contract with the school system or any

other remedy as is just and services the interest of reinstating the complainant to the complainant's position prior to the discrimination.

M. Violations of this policy are cumulative; subsequent offenses will affect the nature and severity of the consequences.

N. Students who violate this policy will have consequences that include all appropriate forms of discipline including expulsion from schools.

1. Disciplinary action against a student will be administered in accordance with the Student Code of Conduct, and board policy.

2. In addition, a student who violates this policy may also be required to participate in an appropriate education intervention and/or counseling designated by the school administrator and designed to increase the student's understanding of the offense and the impact on others.

O. Employees who violate this policy will have consequences that include all appropriate forms of discipline including termination of employment.

1. Disciplinary action against school system employees will be administered in accordance with Policy.

2. A violation of this policy may require, as a condition of continuing employment or other relationship with the school system, participation in counseling and/or other interventions designed to assist in the recognition and correction of the offending behavior/conduct.

P. Action against third parties will be taken in accordance with relevant school system policies and other applicable state and federal laws.

1. Actions may include ceasing further business with the third party, modifying the terms of the contract, discontinuance of the contract, or banning from the property.

Legal

1. 20 U.S.C. 1681 et seq
2. 22 PA Code 12.1
3. 22 PA Code 12.4
4. 22 PA Code 15.1 et seq
5. 22 PA Code 4.4
6. 24 P.S. 1301
7. 24 P.S. 1310
8. 24 P.S. 1601-C et seq
9. 24 P.S. 5004
10. 29 U.S.C. 794
11. 42 U.S.C. 12101 et seq
12. 42 U.S.C. 1981 et seq
13. 42 U.S.C. 2000d et seq
14. 43 P.S. 951 et seq
15. Pol. 103.1
16. Pol. 218

17. Pol. 247
18. Pol. 249
19. U.S. Const. Amend. XIV, Equal Protection Clause
20. 29 CFR 1604.11
21. 29 CFR 1606.8
22. Davis v. Monroe County Board of Education, 526 U.S. 629 (1999)
23. Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992)
24. Office for Civil Rights - Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability (Oct. 26, 2010)
25. Office for Civil Rights - Resources for Addressing Racial Harassment
26. Office for Civil Rights - Revised Harassment Guidance: Harassment of Students by School Employees, Other Students or Third Parties Title IX (January 2001)
27. Pol. 806
28. 18 Pa. C.S.A. 2709
29. Pol. 815
30. 20 U.S.C. 1232g
31. 34 CFR Part 99
32. Pol. 216
- 28 CFR Part 35
- 28 CFR Part 41
- 34 CFR Part 100
- 34 CFR Part 104
- 34 CFR Part 106
- 34 CFR Part 110
- Pol. 113
- Pol. 122
- Pol. 123
- Pol. 138
- Pol. 701

[103Attach-ReportFormComplaints.doc \(29 KB\)](#)[103Attach-TemplateLetter.docx \(24 KB\)](#)



Book	Policy Manual
Section	100 Programs
Title	Nondiscrimination - Qualified Students with Disabilities
Code	103.1
Status	
Adopted	April 19, 2010
Last Revised	February 28, 2019

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Authority

- A. The Board declares it to be the policy of this District to ensure that all District programs and practices are free from discrimination against all qualified students with disabilities.
- B. The Board recognizes its responsibility to provide academic and nonacademic services and programs equally to students with and without disabilities. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)
- C. The District shall provide to each qualified student with a disability enrolled in the District, without cost to the student or parent/guardian, a Free and Appropriate Public Education (FAPE).
 1. This includes provision of education and related aids, services, or accommodations which are needed to afford each qualified student with a disability equal opportunity to participate in and obtain the benefits from educational programs and extracurricular activities without discrimination, to the same extent as each student without a disability, consistent with federal and state laws and regulations.
- D. The Board encourages students and parents/guardians who believe they have been subjected to discrimination or harassment to promptly report such incidents to designated employees.
- E. The Board directs that complaints of discrimination or harassment shall be investigated promptly, and corrective or preventative action be taken for substantiated allegations.
- F. Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be maintained, consistent with the District's legal and investigative obligations.
- G. The District shall not intimidate, threaten, coerce, discriminate or retaliate against any individual for the purpose of interfering with any right or privilege secured by this policy.

II. Definitions

- A. **"Qualified student with a disability"** shall be defined as a student who has a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of the District's educational programs, nonacademic services or extracurricular activities. [\[11\]](#)[\[12\]](#)
- B. **"Section 504 Team"** shall be defined as a group of individuals who are knowledgeable about the student, the meaning of the evaluation data and the placement options for the student. This could include, as appropriate, documentation or input from classroom teachers, counselors, psychologists, school nurses, outside care providers and the student's parents/guardians. [\[3\]](#)[\[8\]](#)
- C. **"Section 504 Service Agreement" or ("Service Agreement")** shall be defined as an individualized plan for a qualified student with a disability which sets forth the specific related aids, services, or accommodations needed by the student, which shall be implemented in school, in transit to and from school, and in all programs and procedures, so that the student has equal access to the benefits of the school's educational programs, nonacademic services, and extracurricular activities. [\[13\]](#)
- D. **"Disability harassment"** shall be defined as intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the school's educational programs, nonacademic services, or extracurricular activities. [\[10\]](#)

III. Delegation of Responsibility

- A. In order to maintain a program of nondiscrimination practices that is in compliance with applicable law and regulations, the Board designates the Director of Student Services as the District's Section 504 Coordinator. [\[14\]](#)
- B. In addition, the school within the District shall designate the Section 504 building administrator for that building.
- C. The District shall publish and disseminate this policy and complaint procedure on or before the first day of each school year by posting it on the District's website, if available, and in the student handbook.
- D. The District shall notify parents/guardians of students residing in the District of the District's responsibilities under applicable laws and regulations, and that the District does not discriminate against qualified individuals with disabilities. [\[15\]](#)[\[16\]](#)

IV. Guidelines

A. Identification and Evaluation

- 1. The District shall conduct an annual child find campaign to locate and identify every District student with a disability thought to be eligible for Section 504 services and protections. [\[16\]](#)[\[17\]](#)
- 2. The District may combine this search with the District's IDEA child find efforts.
- 3. If a parent/guardian or the District has reason to believe that a student should be identified as a qualified student with a disability, should no longer be identified as a qualified student with a disability, or requires a change in or modification of the student's current Service Agreement, the parent/guardian or the District shall provide the other party with written notice. [\[18\]](#)[\[19\]](#)[\[20\]](#)
- 4. The District shall establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need related services because of a

disability.[20]

5. The District shall specifically identify the procedures and types of tests used to evaluate a student, and provide the parent/guardian the opportunity to give or withhold consent to the proposed evaluation(s) in writing.[20]
6. The District shall establish procedures for evaluation and placement that assure tests and other evaluation materials:
 - a. Have been validated and are administered by trained personnel.
 - b. Are tailored to assess educational need and are not based solely on IQ scores.
 - c. Reflect aptitude or achievement or anything else the tests purport to measure and do not reflect the student's impaired sensory, manual or speaking skills (except where those skills are what is being measured).

B. Service Agreement

1. If a student is determined to be a qualified student with a disability, the District shall develop a written Service Agreement for the delivery of all appropriate aids, services, or accommodations necessary to provide the student with FAPE.[13]
2. The District shall not implement a Service Agreement until the written agreement is executed by a representative of the District and a parent/guardian **of impacted student**. [13]
3. The District shall not modify or terminate a student's current Service Agreement without the parent's/guardian's written consent.[18]

C. Educational Programs/Nonacademic Services/Extracurricular Activities

1. The District shall educate a qualified student with a disability with students who are not disabled to the maximum extent appropriate to the needs of the student with a disability. [21][22]
2. A qualified student with a disability shall be removed from the regular educational environment only when the District determines that educating the student in the regular educational environment with the use of related aids, services, or accommodations cannot be achieved satisfactorily.[21][22]
3. Placement in a setting other than the regular educational environment shall take into account the proximity of the alternative setting to the student's home.[21][22]
4. The District shall not discriminate against any qualified student with a disability in its provision of nonacademic services and extracurricular activities, including but not limited to, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs, and referrals to agencies which provide assistance to individuals with disabilities.[21][22][23][24][25][26][27]

D. Discipline

1. When necessary, the District shall discipline qualified students with disabilities in accordance with state and federal laws and regulations and Board policies.[33][34]
019

E. Parental Involvement

1. Parents/Guardians have the right to inspect and review all relevant school records of the student, meet with the appropriate school officials to discuss any and all issues relevant to the evaluation and accommodations of their child, and give or withhold their written consent to the evaluation and/or the provision of services.[\[13\]](#)[\[19\]](#)[\[20\]](#)[\[28\]](#)

F. Confidentiality of Student Records

1. All personally identifiable information regarding a qualified student with a disability shall be treated as confidential and disclosed only as permitted by the Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, state regulations, and Board policy.[\[29\]](#)[\[30\]](#)[\[31\]](#)[\[32\]](#)

G. Referral to Law Enforcement and Reporting Requirements

1. For reporting purposes, the term **incident** shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.[\[35\]](#)[\[36\]](#)[\[37\]](#)
2. The Superintendent or the Superintendent's designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance **provided by the District**, providing transportation to or from a school or school-sponsored activity by a qualified student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement, and Board policies. The Superintendent or designee shall respond in a manner that is consistent with the student's Service Agreement and Behavior Support Plan, if applicable.[\[11\]](#)[\[13\]](#)[\[21\]](#)[\[29\]](#)[\[33\]](#)[\[35\]](#)[\[38\]](#)[\[39\]](#)[\[40\]](#)[\[41\]](#)[\[42\]](#)[\[43\]](#)[\[44\]](#)[\[45\]](#)[\[46\]](#)[\[53\]](#)
3. In making a determination of whether to notify the local police department of a discretionary incident committed by a qualified student with a disability, including a student for whom an evaluation is pending, the Superintendent or the Superintendent's designee shall use the same criteria used for students who do not have a disability.[\[10\]](#)[\[39\]](#)[\[47\]](#)
4. For a qualified student with a disability who does not have a Behavior Support Plan as part of the student's Service Agreement, subsequent to notification to law enforcement, the District, in consultation with the student's parent/guardian, shall consider whether a Behavior Support Plan should be developed as part of the Service Agreement to address the student's behavior.[\[13\]](#)[\[40\]](#)
5. In accordance with state law, the Superintendent shall annually, by July 31, report to the Office for Safe Schools on the required form all new incidents committed by qualified students with disabilities, including students for whom an evaluation is pending, which occurred on school property, at any school-sponsored activity or on a conveyance **provided by the District**, providing transportation to or from a school or school-sponsored activity.[\[36\]](#)

H. Procedural Safegaurds

1. The District shall establish and implement a system of procedural safeguards that includes notice of rights to the parent/guardian of a student suspected of being a qualified student with a disability, an opportunity for the parent/guardian to review relevant records, an impartial hearing with an opportunity for participation by the student's parent/guardian, and a review procedure.[\[28\]](#)[\[48\]](#)
2. A student or parent/guardian filing a claim of discrimination need not exhaust these procedures prior to initiating court action under Section 504.[\[19\]](#)

I. Parental Request for Assistance

1. Parents/Guardians may file a written request for assistance with the Pennsylvania Department of Education (PDE) if one or both of the following apply:[\[28\]](#)
 - a. The District is not providing the related aids, services and accommodations specified in the student's Service Agreement.
 - b. The District has failed to comply with procedures and state regulations.
2. PDE shall investigate and respond to requests for assistance and, unless exceptional circumstances exist, shall, within sixty (60) calendar days of receipt of the request, send to the parents/guardians and District a written response to the request.[\[28\]](#)
3. The response to the parents'/guardians' request shall be in the parents'/guardians' native language or mode of communication.

J. Informal Conference

1. At any time, parents/guardians may file a written request with the District for an informal conference with respect to the identification or evaluation of a student, or the student's need for related aids, services or accommodations.[\[28\]](#)
2. Within ten (10) school days of receipt of the request, the District shall convene an informal conference.
3. At the conference, every effort shall be made to reach an amicable agreement.

K. Formal Due Process Hearing

1. If the matters raised by the District or parents/guardians are not resolved at the informal conference, the District or parents/guardians may submit a written request for an impartial due process hearing.[\[28\]](#)
2. The hearing shall be held before an impartial hearing officer and shall be conducted in accordance with state regulations.[\[28\]](#)[\[49\]](#)

L. Judicial Appeals

1. The decision of the impartial hearing officer may be appealed to a court of competent jurisdiction.[\[28\]](#)

M. Complaint Procedure

1. This complaint procedure is in addition to and does not prevent parents/guardians from using any option in the procedural safeguards system.[10]

a. Step 1 – Reporting

- i. A student or parent/guardian who believes to have been subject to conduct by any student, employee or third party that constitutes a violation of this policy is encouraged to immediately report the incident to the Section 504 building administrator.
- ii. Any person with knowledge of conduct that may violate this policy, is encouraged to immediately report the matter to the Section 504 building administrator.
- iii. 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 Section 504 building administrator, as well as properly making any mandatory police or child protective services reports required by law.[50]
- iv. If the Section 504 building administrator is the subject of a complaint, the student, parent/guardian or employee shall report the incident directly to the District's Section 504 Coordinator. **If the District's Section 504 Coordinator is the subject of a complaint, the incident shall be reported to the Superintendent. If the Superintendent is the subject of a complaint, the incident shall be reported to the Board.**
- v. The complainant or reporting employee is encouraged to use the report form available from the Section 504 building administrator, but oral complaints shall be acceptable.
- vi. Oral complaints shall be documented by the Section 504 building administrator.
- vii. The person accepting the verbal or written complaint may provide factual information on the complaint and the investigative process, the impact of choosing to seek confidentiality and the right to file criminal charges.
- viii. In all other respects, the person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the complainant or those accused of a violation of this policy.

b. Step 2 – Investigation

- i. The Section 504 Coordinator shall ensure that the individual assigned to investigate the complaint has an appropriate understanding of the relevant laws pertaining to discrimination issues and this policy and how to conduct investigations.

- ii. Upon receiving a complaint of discrimination, the Section 504 building administrator shall immediately notify the District's Section 504 Coordinator.
- iii. The Section 504 Coordinator shall authorize the Section 504 building administrator to investigate the complaint, unless the Section 504 building administrator is the subject of the complaint or is unable to conduct the investigation.
- iv. If the complaint is about the Director of Student Services, the complaint shall be referred to the Superintendent. If the complaint is about the Superintendent, the complaint shall be referred to the Board President.
- v. 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.
- vi. The investigator shall work with the Section 504 Coordinator to assess the anticipated scope of the investigation, who needs to be interviewed and what records may be relevant to the investigation.
- vii. The investigator shall conduct an adequate, reliable and impartial investigation.
- viii. The complainant and the accused may suggest additional witnesses and provide other evidence during the course of the investigation.
- ix. When the initial complaint involves allegations relating to conduct which took place away from school property, school-sponsored activities or school conveyances, the investigation may include inquiries related to these allegations to determine whether they resulted in continuing effects such as harassment in school settings.
- x. The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the allegations. The investigator may also evaluate any other information and materials relevant to the investigation.
- xi. The person making the report, parties, parents/guardians and witnesses shall be informed of the prohibition against retaliation for anyone's participation in the process and that conduct believed to be retaliatory should be reported.
- xii. All individuals providing statements or other information or participating in the investigation shall be instructed to keep the matter confidential and to report any concerns about confidentiality to the investigator.
- xiii. If the investigation reveals that the conduct being investigated may involve a violation of criminal law, the Section 504 building administrator shall promptly inform law enforcement authorities about the allegations.[10][50][51][52]
- xiv. The obligation to conduct this investigation shall not be negated by the fact that a criminal or child protective services investigation of the allegations is pending or has been concluded.
- xv. The investigator should coordinate with any other ongoing investigations of the allegations, including agreeing to requests for a short delay in fulfilling the District's investigative responsibilities during the fact-finding portion of a

criminal or child protective services investigation. Such delays shall not extend beyond the time necessary to prevent interference with or disruption of the criminal or child protective services investigation.

c. Step 3 – Investigative Report

- i. The Section 504 building administrator shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required.
- ii. The parties shall be notified of the anticipated date the investigative report will be completed and of any changes to the anticipated due date during the course of the investigation.
- iii. The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, the information and evaluation that formed the basis for this determination, and whether the conduct violated this policy and of any other violations of law or Board policy which may warrant further District action, and a recommended disposition of the complaint.
- iv. An investigation into disability harassment shall consider the record as a whole and the totality of circumstances in determining whether a violation of this policy has occurred, recognizing that persistent and pervasive conduct, when taken together, may be a violation even when the separate incidents are not severe.
- v. The complainant and the accused shall be informed of the outcome of the investigation, for example, whether the investigator believes the allegations to be founded or unfounded, within a reasonable time of the submission of the written report to the extent authorized by the Family Educational Rights and Privacy Act (FERPA) and other applicable laws. The accused shall not be notified of the individual remedies offered or provided to the complainant. [\[29\]](#) [\[30\]](#) [\[31\]](#) [\[32\]](#)

d. Step 4 – District Action

- i. If the investigation results in a finding that some or all of the allegations of the complaint are established and constitute a violation of this policy, the District shall take prompt, corrective action designed to ensure that such conduct ceases and will not recur, and that no retaliation occurs.
- ii. The District shall promptly take appropriate steps to prevent the recurrence of the prohibited conduct and to address the discriminatory effect the prohibited conduct had on the complainant and the school or school program environment.
- iii. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant.
- iv. The Section 504 Coordinator shall follow up by assessing the effectiveness of the corrective action at reasonable intervals.
- v. If the investigation results in a finding that a different policy was violated separately from or in addition to violations of this policy, or that there are circumstances warranting further action, such matters shall be addressed at

the conclusion of this investigation or through disciplinary or other appropriate referrals where further evaluation or investigation is necessary.

- vi. Disciplinary actions shall be consistent with the Student Code of Conduct, Board policies, District procedures, applicable collective bargaining agreements, and state and federal laws.

N. Appeal Procedure

1. If the complainant or the accused is not satisfied with a finding made pursuant to the policy or with recommended corrective action, the complainant may submit a written appeal to the District's Section 504 Coordinator within fifteen (15) days.
2. The Section 504 Coordinator shall review the investigation and the investigative report and may also conduct a reasonable supplemental investigation to assess the sufficiency and propriety of the prior investigation.
3. The Section 504 Coordinator shall prepare a written response to the appeal within fifteen (15) days.
4. Copies of the response shall be provided to the complainant, the accused and the Section 504 building administrator who conducted the initial investigation.

Legal

1. 22 PA Code 12.1
2. 22 PA Code 12.4
3. 22 PA Code 15.1 et seq
4. 22 PA Code 4.4
5. 28 CFR Part 35
6. 28 CFR Part 36
7. 29 U.S.C. 794
8. 34 CFR Part 104
9. 42 U.S.C. 12101 et seq
10. Pol. 103
11. 22 PA Code 15.2
12. 42 U.S.C. 12102
13. 22 PA Code 15.7
14. 34 CFR 104.7
15. 22 PA Code 15.4
16. 34 CFR 104.32
17. Pol. 113
18. 22 PA Code 15.5
19. 22 PA Code 15.6
20. 34 CFR 104.35
21. 22 PA Code 15.3
22. 34 CFR 104.34
23. 34 CFR 104.37

- 24. Pol. 112
- 25. Pol. 122
- 26. Pol. 123
- 27. Pol. 810
- 28. 22 PA Code 15.8
- 29. 22 PA Code 15.9
- 30. Pol. 216
- 31. 20 U.S.C. 1232g
- 32. 34 CFR Part 99
- 33. Pol. 218
- 34. Pol. 233
- 35. 22 PA Code 10.2
- 36. 24 P.S. 1303-A
- 37. 35 P.S. 780-102
- 38. 22 PA Code 10.21
- 39. 22 PA Code 10.22
- 40. 22 PA Code 10.23
- 41. 22 PA Code 10.25
- 42. 24 P.S. 1302.1-A
- 43. Pol. 218.1
- 44. Pol. 218.2
- 45. Pol. 222
- 46. Pol. 227
- 47. 22 PA Code 15.1
- 48. 34 CFR 104.36
- 49. 22 PA Code 14.162
- 50. Pol. 806
- 51. 18 Pa. C.S.A. 2709
- 52. Pol. 815
- 53. Pol. 113.3

103_1Attach-ReportFormComplaints.doc (29 KB)

103_1Attach-District-InitiatedEvalNotice.doc (29 KB)

103_1Attach-Parent_GuardianRequest-PermissionToEvaluate.doc (56 KB)

103_1Attach-ProceduralSafeguards.doc (35 KB)



Book	Policy Manual
Section	100 Programs
Title	Nondiscrimination in Employment/Contract Practices
Code	104
Status	Policy Committee Review
Adopted	October 28, 1992
Last Revised	July 15, 2013

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Authority

A. The Board declares it to be the policy of this District to provide ~~to all persons equal access to all categories of employment in this District, regardless of race, color, age, creed, religion, gender, sexual orientation, gender identity or expression, ancestry, national origin, handicap/disability or genetic information~~ **an equal opportunity for all students to achieve their maximum potential through the programs offered in the schools.**

B. The District shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with the requirements of federal and state laws and regulations. ~~[1][2][3][4][5][6][7][8][9][10]~~

~~B.~~ **C.** The Board encourages employees and third parties who have been subject to discrimination to promptly report such incidents to designated employees.

~~C.~~ **D.** The Board directs that complaints of discrimination shall be investigated promptly, and corrective action be taken when allegations are substantiated.

E. Confidentiality of all parties shall be maintained, consistent with the District's legal and investigative obligations.

~~D.~~ **F.** Neither reprisals nor retaliation shall occur as a result of good faith charges of discrimination.

II. Delegation of Responsibility

A. In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Superintendent or ~~his/her~~ **the Superintendent's** designee as the District's **Nondiscrimination** Compliance Officer.

B. The **Nondiscrimination** Compliance Officer shall publish and disseminate this policy and complaint procedures at least annually to students, parents, employees and the public.

C. Nondiscrimination statements shall include the position, office address and telephone number of the **Nondiscrimination** Compliance Officer.

~~C.~~ **D.** The **Nondiscrimination** Compliance Officer is responsible to monitor the implementation of nondiscrimination procedures in the following areas:

1. Development of position qualifications, job descriptions and essential job functions.
2. Recruitment materials and practices.
3. Procedures for screening, interviewing and hiring.
4. Promotions.
5. Disciplinary actions, up to and including terminations.

D. The building principal or ~~his/her~~ **the building principal's** designee shall be responsible to complete the following duties when receiving a complaint of discrimination:

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~~ **accused** of the progress at appropriate stages of the procedure.
3. Refer the complainant to the **Nondiscrimination** Compliance Officer if the building principal is the subject of the complaint.

III. Guidelines

A. Complaint Procedure-Employee/Third Party

1. Step 1 - Reporting

- a. An employee or third party who believes ~~s/he has~~ **to have** been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the building principal.
- b. If the building principal is the subject of a complaint, the employee or third party shall report the incident directly to the **Nondiscrimination** Compliance Officer. **If the Nondiscrimination Compliance Officer is the subject of a complaint, the employee or third party shall report the incident directly to the Superintendent. If the Superintendent is the subject of a complaint, the employee or third party shall report the incident directly to the Board.**

2. Step 2 - Investigation

- a. Upon receiving a complaint of discrimination, the building principal shall immediately notify the **Nondiscrimination** Compliance Officer.
- b.** The **Nondiscrimination** 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.
- ~~b.~~ **c.** The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the incident.

d. The investigator may also evaluate any other information and materials relevant to the investigation.

~~e.~~ **e.** 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.

3. Step 3 - Investigative Report

a. The building principal shall prepare a written report within fifteen (15) days, unless additional time to complete the investigation is required.

b. 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.

~~b.~~ **c.** Copies of the report shall be provided to the complainant, the accused and the **Nondiscrimination** Compliance Officer.

4. Step 4 - District Action

a. 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.

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

c. Appeal Procedure

1. If the complainant is not satisfied with a finding of no violation of the policy or with the corrective action recommended in the investigative report, ~~s/he~~ **the complainant** may submit a written appeal to the **Nondiscrimination** Compliance Officer within fifteen (15) days.

2. The **Nondiscrimination** Compliance Officer shall review the investigation and the investigative report and may also conduct a reasonable investigation.

3. The **Nondiscriminnation** ~~compliance officer~~ **Compliance Officer** shall prepare a written response to the appeal within fifteen (15) days.

4. Copies of the response shall be provided to the complainant, the accused and the building principal who conducted the initial investigation.

Revision History:

July 15, 2013

Legal

1. 20 U.S.C. 1681 et seq
2. 29 U.S.C. 206
3. 29 U.S.C. 621 et seq
4. 29 U.S.C. 794
5. 42 U.S.C. 1981 et seq
6. 42 U.S.C. 2000e et seq
7. 42 U.S.C. 2000ff et seq
8. 42 U.S.C. 12101 et seq
9. 43 P.S. 336.3
10. 43 P.S. 951 et seq
- 16 PA Code 44.1 et seq

104-Attach.doc (22 KB)



Book	Policy Manual
Section	100 Programs
Title	Harassment
Code	148
Status	Policy Committee Review

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. The District has determined that a safe, civil, and supportive environment in school is necessary for students to learn and achieve high academic standards.

B. In order to maintain that environment, the Board prohibits acts of harassment, bullying, cyber-bullying, intimidation, or any other victimization of students, based on any actual or perceived traits or characteristics.

C. To that end, the Board has in place processes and procedures to address incidents of bullying and harassment.

II. Definitions

A. "Harassment, intimidation, victimization or bullying" mean conduct that substantially interferes with a student's education, opportunities, performance, or ambience, which conduct is severe, pervasive, persistent, and which negatively or adversely affects the student, or which creates a hostile environment around that student. The prohibited conduct can result in one or more of the following (which are not intended to be limiting):

- 1. Physically or mentally harming a student or damaging a student's property;**
- 2. Knowingly placing a student or students in reasonable fear of physical or mental harm to the student or damage to the student's property;**
- 3. Causing emotional distress to a student or students; or**
- 4. Creating a hostile educational environment.**

B. "Sexual Harassment" is harassment that includes unwelcome conduct of a sexual nature, which can include unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal, or physical conduct of a sexual nature.

C. "Cyber-bullying" shall mean the use of electronic communication to bully a person, typically by sending messages of an intimidating or threatening nature.

D. "Electronic devices" include, but are not limited to, telephones, cellular phone or other wireless telecommunication devices, text messaging, emails, social networking sites, instant messaging, videos, web sites or fake profiles

E. "Hazing" is harassment by one or more persons in connection with initiation into or affiliation with any organization.

F. "Protected Class" as a group's characteristics to include the following: race, color, creed, national origin, immigration status, ancestry, religion, physical, mental, or educational disability, pregnancy, age, sex, gender, gender expression, gender identity, genetic information, sexual orientation, marital status, homelessness, veteran status or socioeconomic status.

III Delegation of Responsibility

A. The Board requires the principal and/or principal's designee, at each school to be responsible for investigating and resolving complaints alleging violations of this policy.

B. The principal and/or principal's designee is responsible for determining whether any alleged conduct constitutes a violation of this policy.

C. In doing so, the principal and/or principal's designee, shall conduct a prompt, thorough, and complete investigation of each alleged incident. If the principal and/or the principal's designee is the subject of such an investigation it will be completed by the Superintendent. If the principal and/or the Superintendent is the subject of such an investigation it will be completed by the Board.

IV. Requirements

A. This policy will be annually disseminated to all school staff, students, and parents and may be publicized in student handbooks and district/school web sites.

B. This policy is in effect while students are on school property, at any school-sponsored activity, on school-provided equipment or school-provided transportation, or at any official school bus stop.

C. If prohibited conduct takes place off school property or outside of a school-sponsored activity, this policy is in effect if the prohibited conduct is directed specifically at a student or students and has the effect of creating a hostile educational environment or otherwise creating a substantial disruption to the education environment or learning process.

D. When looking at the totality of the circumstances, harassment, bullying, cyber-bullying, or any other disruptive or violent behavior includes conduct such as gestures, written, verbal, graphic, or written acts, including electronically transmitted acts, toward a student which is based on any actual or perceived trait or characteristic of the student and creates an educational environment that meets one or more of the following conditions:

1. Places the student in reasonable fear or harm to the student's person or property;

2. Has substantially detrimental effect on the student's physical or mental health;

3. Has the effect of substantially interfering with the student's academic performance; or

4. Has the effect of substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

E. All school employees are required to report alleged violations of this policy to the principal and/or principal's designee.

F. All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy.

G. Reports may be made anonymously; however, such complaints may affect the school's ability to issue formal disciplinary action.

H. Consequences and appropriate remedial actions for anyone who commits one or more acts of harassment, bullying, or other acts of violent behavior may range from positive behavioral interventions up to and including suspension or expulsion, as set forth in the approved code of Student conduct.

I. School administrators shall consider the nature and circumstances of the incident, the age and maturity of the student, the degree of harm, previous incidences or patterns of behavior, or any other factors, as appropriate to properly respond to each situation.

J. Consequences for a student who engages in prohibited conduct, or other act of violent behavior shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance, and must be consistent with the District's approved code of student conduct.

K. Remedial measures shall be designed to:

- 1. Correct the problem behavior;**
- 2. Prevent other occurrences of the behavior; and**
- 3. Protect the complainant of the act.**

L. Effective discipline should employ a school-wide approach to adopt a procedure of handling harassment or bullying offenses and the associated consequences.

- 1. This procedure should reflect appropriate potential consequences in accordance with discipline policies.**
- 2. The Superintendent shall be responsible for the development and enforcement of this requirement.**

M. Reprisal, Retaliation, and False Accusations

- 1. The Board prohibits reprisal or retaliation against any person who reports or assists in any investigation of an act alleged in this policy.**
- 2. The consequences of appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.**

3. It shall be a violation of this policy to falsely accuse another of engaging in prohibited conduct.

a. The consequences and appropriate remedial action for a person found to have falsely accused another as a means of reprisal or retaliation or harassment or bullying may range from positive behavioral interventions up to and including suspension and expulsion.

b. Any person who falsely accuses another of engaging in prohibited conduct shall be subject to appropriate disciplinary action.

Legal

1. 29 U.S.C. 621 et seq
2. 29 U.S.C. 794
3. 42 U.S.C. 1981 et seq
4. 42 U.S.C. 2000e et seq
5. 42 U.S.C. 2000ff et seq
6. 42 U.S.C. 12101 et seq
7. 43 P.S. 336.3
8. 43 P.S. 951 et seq
- 16 PA Code 44.1 et seq

104-Attach.doc (22 KB)

NEW HOPE-
SOLEBURY
SCHOOL DISTRICT

218-AR. CODE OF STUDENT CONDUCT

New Hope-Solebury School District

K-12
Expectations
And
Code of Conduct

Prepared by:

Mrs. Jennifer Bloom, Lower Elementary School Principal

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Mr. Erik Pedersen, High School/Middle School Assistant Principal

Dr. Charles Malone, Director of Education

Board Approved: August, 2019

New Hope-Solebury School District

MISSION STATEMENT

The New Hope-Solebury School District takes pride in its commitment to excellence. We strive to inspire and empower our students to become passionate, confident, life-long learners, with the skills and strength of character to contribute to a diverse and ever-changing world.

PREFACE

In order to function properly, public school education should provide an equal learning opportunity for all pupils. In addition to the regular curriculum, principles and practices of good citizenship must be taught and demonstrated. This includes an appreciation for the rights of others. No school or school system can discharge these responsibilities if it permits pupils to act in an objectionable manner or to disregard rules and regulations adopted for the benefit of all persons. The rights of an individual are preserved only by the protection and preservation of the rights of others. Pupils are responsible for the way they exercise their rights, and they must accept the consequences of their actions. Each exercise of an individual's rights must demonstrate respect for the rights of others. To achieve the goal of a democratic society, the staff, pupils, parents, guardians, and community must work cooperatively.

EQUAL OPPORTUNITY STATEMENT

It is the policy of the New Hope-Solebury School District to provide equal opportunity in all its programs and activities and in its employment practices. No pupil, employee, or other person shall be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination in regard to any District program on

RESPONSIBILITIES

Students

Students attend and participate in the school program so that they may develop to their fullest potential. With this in mind, pupils are to:

the grounds of race, color, religion, age, sex, national origin, or handicap. For additional information, please contact the District Human Resource Office at (215) 862-2552.

PHILOSOPHY

We, the staff, administration, and the Board of the New Hope-Solebury School District, believe that our primary function is to give children equal opportunities to mature in the ethical, intellectual, creative, emotional, social, and physical areas of their lives. This maturation process can best take place in a positive learning environment—one characterized by an atmosphere of openness and mutual respect for the personal worth and dignity of each individual—one in which we communicate our belief in the value of every child — and one in which pupils are helped to understand the reasons for their own and others' behavior.

We feel that the development of self-discipline and the acceptance of individual responsibility should be stressed throughout school life. By emphasizing these concepts, we help young people to assume their roles in a democratic society, for a democracy depends on a responsible citizenry for its survival.

A fair, consistent discipline policy is an integral part of a sound educational program. This policy includes a code of conduct which delineates individual responsibilities, categorizes behavior, and provides for appropriate responses. We believe that the goals of such a code are to help us:

1. Teach responsible behavior.
2. Foster self-discipline
3. Insure the rights and personal dignity of others.
4. Generate a close working relationship between the home, the school, and the community.
5. Provide disciplinary options that are appropriate to misbehavior.
6. Differentiate between minor and serious offenses.
7. Protect and maintain public and private property.
8. Comply with federal, state, and local laws.

- ✓ Accept responsibility for their actions.
- ✓ Respect the rights of others, including the right to secure an education in an environment that is orderly and disciplined.
- ✓ Attend school and be punctual on a regular basis.
- ✓ Maintain habits of personal cleanliness.
- ✓ Respect school property and help to keep it free from damage.
- ✓ Recognize that the school staff assumes the role of a surrogate parent in matters of behavior and discipline from time of departure from home until arrival at home as well as during any school sponsored activities.
- ✓ Make an earnest effort to do their best work.
- ✓ Contribute toward establishing and maintaining an atmosphere that generates mutual respect and dignity for all by obeying school rules and regulations.
- ✓ Not knowingly possess, handle, or transmit any object that is or can reasonably be considered a weapon (to include, but not be limited to any knife, cutting instrument, cutting tool, firearm, shotgun, rifle or any other tool, instrument or implement capable of inflicting serious bodily harm) or facsimile weapon (to include all instruments or implements resembling or intended to resemble a weapon) on school premises, at any school-sponsored activity, or on any public or private conveyance providing transportation to or from a school-sponsored activity unless for a program authorized by the District Superintendent.

Parents and Guardians

A cooperative relationship between home and school is essential to each pupil's successful development and achievement. To achieve this wholesome relationship parents and guardians are urged to:

- ✓ Exemplify an enthusiastic and supportive attitude toward school and education.
- ✓ Build a good working relationship between themselves, their children, and school District employees.
- ✓ Teach their children self-respect, respect for the law, respect for others, and respect for public property.
- ✓ Insist on prompt and regular attendance.
- ✓ Listen to the views and observations of all parties concerned before reaching a decision.
- ✓ Recognize that the school staff deserves the same consideration and respect that parents and guardians expect from their children.
- ✓ Encourage their children to take pride in their appearance.
- ✓ Insist that their children promptly bring home all communications from school.
- ✓ Cooperate with the school in jointly resolving any school-related problems.
- ✓ Set realistic standards of behavior for their children and be firm, fair, and consistent in applying them.
- ✓ Help their children learn to deal effectively with negative peer pressure.
- ✓ Provide a place conducive for study and insure the completion of homework assignments.

Staff

The staff recognizes their charge in educating the children of the community. To meet this responsibility they are to:

- ✓ Promote a climate of mutual respect and dignity which will strengthen the pupils' positive self-image.
- ✓ Plan and conduct a program of instruction that will make learning attractive and interesting.
- ✓ Recognize that some disciplinary problems are caused by student academic frustrations, teaching styles, and/or insensitive relationships.
- ✓ Seek to develop close cooperative relationships with parents/guardians for the educational benefit of students.
- ✓ Distinguish between minor student misconduct best handled by the staff and major problems requiring the assistance of the principal.
- ✓ Teach common courtesies by example.
- ✓ Handle infractions individually and avoid punishing the group for the misbehavior of one or two.
- ✓ Help pupils cope with negative peer pressures.
- ✓ Be sensitive to changing behavior patterns.
- ✓ Enable pupils to discuss their problems.
- ✓ Send communications home promptly.
- ✓ Report to the building administrator any pupils who jeopardize their own safety, the safety of other pupils or personnel, or who seriously interfere with the instructional program of the classroom.
- ✓ Be ethical in relationships with pupils, parents/guardians, administrators, and staff.
- ✓ Guide pupils to attain their full potential.
- ✓ Serve as a surrogate parent in matters of behavior and discipline in accordance with Pennsylvania School Law.

Building Administration

As the educational leaders of the school, the administration sets the disciplinary climate. They are to:

- ✓ Insure the staff is in-serviced to effectively implement the District Discipline Code.
- ✓ Seek to develop a sound and healthy atmosphere of mutual respect within the school.
- ✓ Evaluate the program of instruction in the school to achieve a meaningful education program.
- ✓ Help the staff self-evaluate their own procedures and attitudes in relation to interactions within their classrooms.
- ✓ Ensure that all at-risk pupils receive appropriate services.
- ✓ Develop procedures to reduce the likelihood of pupil misconduct.
- ✓ Provide the opportunity for pupils and staff to approach the principal directly for redress of grievances.
- ✓ Work with pupils and staff to formulate school regulations acceptable to all.
- ✓ Assist staff members to resolve problems.
- ✓ Work closely with parents/guardians to establish wholesome relationships between home and school.
- ✓ Utilize all appropriate auxiliary staff and community agencies to help parents/guardians and pupils identify problems and seek solutions.
- ✓ Establish and maintain building security.
- ✓ Assume responsibility for the dissemination and enforcement of the District Discipline Code and insure that all discipline cases are resolved promptly.
- ✓ Insure fairness, reasonableness, and consistency.
- ✓ Comply with pertinent state laws, governing hearings, suspensions, and pupils' rights.
- ✓ Teach common courtesies by example.
- ✓ Enable pupils to discuss their problems.

SUSPENSION AND EXPULSION OF PUPILS – (see [Board Policy #233](#))

Exclusion of students shall be conducted in accordance with the Pennsylvania Public School Code of 1949, which provides:

Section 1318. Suspension and Expulsion of Pupils. Every principal or teacher in charge of a public school may temporarily suspend any pupil on account of disobedience or misconduct, and any principal or teacher suspending any pupil shall promptly notify the District Superintendent or Secretary of the Board of School Directors. The Board may, after a proper hearing, suspend such child for such time as it may determine or may permanently expel him/her. Such hearings, suspension, or expulsion may be delegated to a duly authorized committee of the Board.

The following guidelines are established to ensure uniformity of procedure and to comply with Commonwealth directives regarding the exclusion of students from the New Hope-Solebury School District. (Regulation of the State Board of Education of Pennsylvania, Chapter 12, amended December 2005). Exclusion from school may take the form of suspension or expulsion.

DEFINITIONS:

Suspension – Suspension is exclusion from school for a period of one (1) to ten (10) consecutive school days.

Expulsion - Expulsion is exclusion from school by the Board of School Directors for a period exceeding ten (10) school days and may be permanent expulsion from school rolls. All expulsions require a prior formal hearing by the Board of School Directors in accordance

with procedures established by the Office of the Superintendent and Board Policy and regulations of the State Board of Education of Pennsylvania, Chapter 12.

Self-Discipline - The ability to control one's behavior in order to conform to school rules and other age-appropriate and desirable behavioral norms.

Guidelines for Developing Self-Discipline

1. The development and maintenance of self-discipline is an integral aspect of learning.
2. Each professional staff member, as a part of the normal teacher-learning process, shall develop and emphasize self-disciplinary procedures with students.
3. Each staff member is responsible for contributing to the maintenance of these standards of behavior which are conducive to learning not only in the classroom but in corridors, the cafeteria and throughout the school site.

DISCIPLINARY ACTION

Building Level

- Under these District wide guidelines, basic standards of behavior shall be developed and then reviewed annually within each building of the District.
- Appropriate and consistent action shall be taken not only in the classroom, but throughout the entire building to maintain these standards. Punishment (or consequences) will be proportional to the severity of the infraction with consideration of academic consequences associated with discipline.
- Building administrators shall be responsible for maintaining such standards building-wide.
- The individuality of each student and each incident shall be taken into consideration in any disciplinary action.
- If a student is suspended from school, a building administrator shall contact the parents or guardian by telephone or face-to-face prior to re-admittance of the student.

Suspension Procedures: General as per [Board Policy #233](#)

The student shall be told the reason for the suspension and shall be afforded the opportunity to respond to the charges before the suspension becomes effective. This shall be the responsibility of the assistant principal or principal (administrator of record) suspending the student. The reason for the suspension also shall be stated in written correspondence to the home (for less serious or isolated offenses, use the sample letter attached hereto as Attachment A; for more serious offenses, use the sample letter attached hereto as Attachment B; for multiple offenses, use the sample letter attached hereto as Attachment C, for In-School Suspensions, use the sample letter attached hereto as Attachment D). Prior notice of the intended suspension need not be given when it is clear that the health, safety, or welfare of the school community is threatened.

The student and parents/guardians are notified of the suspension in the following manner:

- The student is given a copy of the suspension letter and instructed to hand carry it home to the parents/guardians, where appropriate.
- The appropriate assistant principal/principal personally contacts by telephone the parents/guardians, if possible.
- If the assistant principal/principal contacts the parent by telephone, a letter is sent via regular mail or electronic mail to the parent on the same day the student is suspended. A copy of that letter must be forwarded to the individual with student attendance reporting responsibilities; student's file, and others at the discretion of the principal.
- If the assistant principal/principal is unable to contact the parents/guardians by telephone, a letter is sent by the school via regular mail or electronic mail to the parents/guardians on the same day the child is suspended. A copy of that letter must be forwarded to the individual with student attendance reporting responsibilities; student's file; and others at the discretion of the principal.
- Students shall be permitted to make up exams and work missed while suspended.

One-Day to Three-Day Suspensions (One (1) to Three (3) School Days) Procedures:

- The suspension shall not be for a period longer than three (3) **school** days, unless the infraction involves a serious or repeated offense.
- In the case of a less serious or isolated offense, the suspension letter shall indicate that a conference with the parents/guardians is to be arranged prior to readmission. That meeting may be at the outset of the suspension or via phone (See Attachment A).
- Students shall be permitted to make up exams and work missed while suspended.

Extended Suspension or Expulsion Four to Ten Day Suspensions (4-10 School Days) Procedures:

Recommendation for suspension or expulsion (Attachment B) when made to the Superintendent for action shall include:

A chronology of the incident(s) (also known as an incident report).

- Statement(s) by those involved in crucial incident(s).
- Statement(s) of student status from educators currently involved with student(s).
- A review and recommendation by the principal and/or Directors of Elementary and Secondary Education and Student Services.

As soon as extended suspension or expulsion is considered as a possible course of action, the principal shall consult with the Superintendent and request legal guidance on the matter.

The Superintendent or designee shall review such information, including the student's file, and recommend to the Board the setting of a hearing to consider possible expulsion from school.

Suspension Procedures: (Four (4) to Ten (10) School Days)

Suspension beyond three (3) school days shall generally be reserved for more serious or persistent infractions of school rules. Such suspensions may be assigned only by a building principal, assistant principal or District Office Administrator in the principal's absence.

To ensure due process, the following requirements are to be observed with respect to the informal hearing (Attachment E – Procedural Safeguards):

- The principal must present to the parents/guardians and to the student a notification for the informal hearing. A copy of that letter must be forwarded to the individual with student attendance reporting responsibilities; student's file; and others at the discretion of the principal.
- Sufficient notice of the time and place of the hearing is to be given. Attempts must be made to arrange such meetings for mutually convenient times.
- A student must be given the right to cross-examine any witnesses presented by the principal.
- The student must be extended the right to speak and produce witnesses.
- As this is an informal hearing, tape recording of the meeting is not permitted. There is no entitlement to legal representation at the hearing for either the student or the school.
 - If, after the informal hearing, the principal deems it advisable to extend the suspension up to ten (10) school days and/or refer the matter to the Superintendent for possible expulsion proceedings, the principal may do so. The action must be confirmed in writing by mail or electronic mail to the parents/guardians. A copy of that correspondence must be forwarded to the individual with student attendance reporting responsibilities; student's file; the Student Services Office, if the student is either receiving special education services or thought to be an eligible student; and others at the discretion of the principal.
- Suspensions may not be made to run consecutively beyond the ten (10) school day period, unless the principal determines that a student's presence in his/her normal class would constitute a threat to the health, safety, morals, or welfare of others and it is not possible to hold a formal hearing within the period of a suspension, as long as the formal hearing is not unreasonably delayed. The principal may request a readmission conference at the termination of the suspension.
- Students shall be permitted to make up examinations and work missed while being disciplined by suspensions.

Multiple Suspension Procedures:

Whenever any student shall have had multiple suspensions adding up to eight days or one (1) ten-day suspension his/her case must be reviewed by the building principal (use attached sample letter C). The building principal also may review any suspension offense that, in his/her opinion constitutes a threat to the health, safety, or welfare of other students or school employees. Such review may include, but is not limited to, a conference with the parents/guardians.

After such a review and conference, the principal may elect to readmit the student, extend the suspension, and/or refer the matter to the Superintendent for possible expulsion proceedings. In cases requiring such referral, it shall be necessary for the principal to administer a ten (10) school day suspension in order to ensure adequate time for the referral. All procedures relating to a suspension from four to ten school days (see prior sections)

including an informal hearing will be followed. In cases requiring referral to the Superintendent, the parents/guardians must be notified of the ten (10) school day suspension and referral. A copy of that correspondence must be forwarded to the Superintendent, in addition to the individual with student attendance reporting responsibilities; student's file; and others at the discretion of the principal. After a conference, if the Superintendent does not elect to readmit the student, the student must be referred to the Board of School Directors for an expulsion hearing in accordance with the procedures established for such proceedings in [Board Policy #233](#) – Suspensions and Expulsions.

In accordance with School Code Section 1317.2 - Exclusion for Possession of Weapons:

A "school district or area vocational-technical school shall expel, for a period of not less than one year, any student who is determined to have brought a weapon onto or is in possession of a weapon on any school property, any school-sponsored activity or any public conveyance providing transportation to a school or school-sponsored activity." Refer to Board Policy regarding [Weapons # 218.1](#)

- Expulsion shall be conducted pursuant to all applicable regulations as outlined in [Board Policy #233](#) Suspensions and Expulsions.
- The superintendent of a school district or an administrative director of an area vocational-technical school may recommend discipline short of expulsion on a "case- by-case basis." The Superintendent, in the case of an exceptional student, will take all steps necessary to comply with the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. §1400, et seq.).
- The Superintendent can make an alternative assignment or provide alternative educational services during this period of expulsion.
- The Superintendent shall report the discovery of any weapon prohibited by this section to local law enforcement officials.
- The Superintendent shall report to the Department of Education all incidents relating to expulsions for possession of a weapon on school grounds, school-sponsored activities or public conveyances providing transportation to a school or school- sponsored activity. Reports shall include all information as required under School Code Sections 1302-A and 1303-B.

In-School Suspension Procedures: (Exclusion from Classes) (Attachment D)

- No student may receive an in-school suspension unless the student has been informed of the reasons for the suspension and has been given an opportunity to respond before the suspension becomes effective.
- Communication to the parents/guardians shall follow the suspension action taken by the school.
- In-school suspension beyond three (3) school days shall generally be reserved for more serious or persistent infractions of school rules. Such suspensions may be assigned only by a building principal or assistant principal in the principal's absence.
- Students shall be provided with appropriate schoolwork while on in-school suspension.

- During the period of in-school suspension, the student shall be recorded as in attendance and is excluded from all extra-curricular activities (including evening events such as Dances).

ATTACHMENTS

Attachment A: Notice of 1-3 day Suspension Letter

Date: *Insert Date here*

Parents/Guardians Names: *Insert Parent/Guardian names here*

Parents Address: *insert parent/guardian address here*

Re: *Students Name*

NOTICE OF OUT-OF-SCHOOL SUSPENSION

Dear Mr. and Mrs.:

The purpose of this letter is to inform you that your child, *Student's Name*, has been suspended from New Hope-Solebury School District for *insert #* days, beginning on *First Date* until *Last Date*. This suspension is an out of school suspension.

Student's Name has been suspended for violation of school district policy *Insert Policy #*, *insert description of rule violating behavior*:

During the Out-of-School suspension, the student is barred from involvement in all school social functions and activities, both as a participant and a spectator. Under no circumstances should the student be on school property at any time for any reason other than to attend an informal hearing/meeting if needed.

Student has the responsibility to make up exams and work missed during the suspension period and shall be permitted to complete these assignments within guidelines established by the Board. You may obtain school assignments for your child by calling the main office at *insert school telephone number here*.

If you have any questions concerning this suspension or the informal hearing, please do not hesitate to call me.

Sincerely,

Principal

Cc: Dr. Charles Malone, Director of Elementary and Secondary Education
Mr. Erik Pedersen, Middle School/High School Assistant Principal and Athletic Director
Dr. Charles Lentz, Superintendent
Discipline File

Attachment B: Notice of 4-10 day Suspension Letter and Informal Hearing

Date: *Insert Date here*

Parents/Guardians Names: *Insert Parent/Guardian names here*

Parents Address: *insert parent/guardian address here*

Re: *Students Name*

NOTICE OF OUT-OF-SCHOOL SUSPENSION AND INFORMAL HEARING

Dear Mr. and Mrs.:

The purpose of this letter is to inform you that your child, *Student's Name*, has been suspended from New Hope-Solebury School District for *insert #* days, beginning on *First Date* until *Last Date*. This suspension is an out of school suspension.

Student's Name has been suspended for violation of school district policy *Insert Policy #*, *insert description of rule violating behavior*.

When an Out-of-school suspension exceeds 3 school days, the student and parents/guardians have the opportunity to participate in an informal hearing. The purpose of the informal hearing is to enable the student to meet with the school official to explain the circumstances surrounding the event for which the student is being suspended or to show why the student should not be suspended and for the parent/guardian and school official to discuss ways by which future offenses might be avoided. The student has the right to question any witnesses present at the hearing and the right to speak and produce witnesses on his or her own.

Please be advised that the informal hearing has been scheduled for *insert date & time here* at the New Hope Solebury High, Middle, Upper, and Lower School. If you intend to waive this informal hearing, please contact me as soon as possible at the number set forth below or via email at *insert Principal's email address here*. See the PROCEDURAL SAFEGUARDS NOTICE-EXPULSION enclosed with this letter for information about the informal hearing.

During the Out-of-School suspension, the student is barred from involvement in all school social functions and activities, both as a participant and a spectator. Under no circumstances should the student be on school property at any time for any reason other than to attend the informal hearing.

Student has the responsibility to make up exams and work missed during the suspension period and shall be permitted to complete these assignments within guidelines established by the Board. You may obtain school assignments for your son by calling the main office at *insert school telephone number here*.

If you have any questions concerning this suspension or the informal hearing, please do not hesitate to call me.

Sincerely,

Principal

Cc: Dr. Charles Malone, Director of Elementary and Secondary Education
Mr. Erik Pedersen, Middle School/High School Assistant Principal/Athletic Director
Dr. Charles Lentz, Superintendent
Discipline File

ATTACHMENT C: (Multiple Suspensions Review)

Date: *Insert Date here*

Parents/Guardians Names: *Insert Parent/Guardian names here*

Parents Address: *insert parent/guardian address here*

I am writing to inform you that your *Insert Student Name* has been suspended for a _____-day period from school for violating School Board Policy Exclusions from School, *Insert offense and policy #*.

Because this is the *Insert #* suspension, the principal must review the case. Upon such review, the principal may elect to extend this suspension to ten school days and/or refer the case to the Office of the Superintendent of Schools for possible expulsion proceedings. It is necessary that you arrange a conference with within three school days of this suspension.

You will be contacted by phone to arrange a conference by the school's administrative assistant and/or principal. You are required to attend with your child.

After the conference, the principal or assistant principal may readmit *Insert Student Name*, extend suspension up to ten (10) school days and/or refer the matter to the Office of the Superintendent for possible expulsion proceedings (see attachment B).

If the suspension is extended beyond three school days, then you will be given the opportunity for an informal principal's hearing. It should be clearly understood that during the time of the suspension *Insert Student Name* should not appear on school grounds or be in attendance at any school function, social or otherwise.

Sincerely,

Principal

Cc: Dr. Charles Malone, Director of Elementary and Secondary Education
 Mr. Erik Pedersen, Middle School/High School Assistant Principal/Athletic Director
 Dr. Charles Lentz, Superintendent
 Discipline File

ATTACHMENT D: SAMPLE: (In-School Suspension)

Date: *Insert Date here*

Parents/Guardians Names: *Insert Parent/Guardian names here*

Parents Address: *insert parent/guardian address here*

This letter is to inform you that your _____ has been assigned to In- School Suspension or Temporary Alternative Educational Placement for a day period for violating School Board Policy Discipline Code of Conduct, Offense #_____.

.

At _____ School, we have initiated the in-school suspension program as an alternative means of dealing with certain behavior which previously resulted in out- of-school suspension. Hopefully, this program will be effective in modifying your _____'s behavior. In order for this program to be successful, I need your support for the duration of the in-school suspension.

If absence is necessary during in-school suspension, please call me by 8:00 a.m. on the day of the absence.

It should be clearly understood that during the time of in-school suspension, _____ should not be in attendance at any extracurricular or social function sponsored by the school.

Sincerely,

Principal

Cc: Dr. Charles Malone, Director of Elementary and Secondary Education
 Mr. Erik Pedersen, Middle School/High School Assistant Principal/Athletic Director
 Dr. Charles Lentz, Superintendent
 Discipline File

ATTACHMENT E: PROCEDURAL SAFEGUARDS NOTICE – EXPULSION

Informal Hearing

The following due process requirements will be observed at the informal hearing:

1. Your child will be given the right to cross examine any witnesses presented by the principal.
2. Your child will be extended the right to speak and produce witnesses.
3. As this is an informal hearing, tape recording of the meeting is not permitted.
4. No retained attorneys will be permitted to participate in the hearing.

Formal Expulsion Hearing

The following due process requirements apply to the formal expulsion hearing:

1. The hearing shall be held in private unless you request a public hearing.
2. A stenographic record will be made of the hearing. You may request a copy of the transcript at his or your expense.
3. Your child/children have a right to be represented by counsel.
4. You will have the right to cross-examine any witness presented by the Administration.
5. Your child/children have the right to testify and present witnesses on their own behalf.
6. You have a right to review any written statements made by the above witnesses.
7. Where the student disagrees with the results of the hearing, recourse is available in the appropriate court of the Commonwealth. If it is alleged that a constitutional issue is involved, the student may file a claim for relief in the appropriate federal district court.
8. Students who are less than 17 years of age are still subject to the compulsory school attendance law even though expelled, and they must be provided an education by the student's district of residence. The initial responsibility for providing the required education rests with the student's parents or guardian, through placement in another school, through tutorial or correspondence study, or through another educational program approved by the district superintendent. If the parents or guardians are unable to provide for the required education, they must, within thirty (30) days, submit to the school district written evidence so stating. The district then has the responsibility to make some provision for the student's education. If the approved educational program is not complied with, the school district may take action in accordance with Chapter 63 of the Juvenile Act (42 Pa.C.S. 6301-6308), to ensure that the child will receive a proper education.

ATTACHMENT F: (Pupil Misconduct/Disciplinary Response Structure)

**NEW HOPE-SOLEBURY SCHOOL DISTRICT DISCIPLINE CODE PUPIL
MISCONDUCT/DISCIPLINARY RESPONSE STRUCTURE**

	LEVELS-DESCRIPTION OF BEHAVIOR	EXAMPLES	PROCEDURES	DISCIPLINARY OPTIONS/RESPONSES
I.	<p>Misbehavior on the part of the pupil which impedes orderly classroom procedures or interferes with the orderly operation of the school.</p> <p>These misbehaviors can usually be handled by an individual staff member but sometimes require the intervention of other school support personnel.</p>	<ul style="list-style-type: none"> • Disturbance out of class (hall, cafeteria, yard, etc.) • Disrespect • Disruption of learning • Tardiness • Abusive language • Non-defiant failure to complete assignments or carry out directions • Unprepared for class • Inappropriate use of a computer or computer network • Other offenses fitting the definition of level one misconduct • Dress code violation • Failure to submit an excuse note 	<ul style="list-style-type: none"> - There is immediate intervention by the staff member who is supervising the pupil or who observes the misbehavior. - Repeated misbehavior requires a pupil conference with the counselor, teacher, and/or administrator. - A proper and accurate record of offenses and disciplinary action is maintained by the staff member and, upon written referral to a building administrator, is recorded in the disciplinary files. 	<ul style="list-style-type: none"> • Parent Contact • Verbal Reprimand • Special Assignment • Behavioral contract • Counseling • Withdraw of privileges • Strict supervised study • Teacher detention • Peer Mediation/Counseling • Removal from class/activity • Loss of computer privileges
II.	<p>Misbehavior whose FREQUENCY or SERIOUSNESS tends to disrupt the learning climate of the school.</p> <p>These infractions, which usually result from the continuation of LEVEL I or more serious misbehaviors, require the intervention of personnel on the administrative level because the execution of LEVEL I disciplinary options has failed to correct the situation. Also included in this level are misbehaviors which do not represent a direct threat to the health and safety of others but whose educational consequences are serious enough to require corrective action on the part of administrative personnel.</p>	<ul style="list-style-type: none"> • Continuation of LEVEL I misbehavior • Bus disturbance • Truancy/Repeated tardiness • Disruptive behavior • Bullying • Forging notes or excuses • Cheating and/or plagiarism • Cutting class • Insubordination • Intimidation/threats • Failure to serve a detention • Unauthorized leaving of school property • Inappropriate behavior when traveling between buildings • Violation of school policy on a student field trip • Presence in an unauthorized area • Failure to identify oneself correctly • Profane or obscene language • Offensive ethnic and/or racial comments • Unauthorized possession of any electronic device • Violation of Internet/Acceptable Use Policy • Possession of pornographic material • Disruptive behavior at social functions, athletic contests or extra-curricular activities • Hate speech • Other offenses fitting the definition of LEVEL II misconduct 	<ul style="list-style-type: none"> - There is immediate intervention by the staff member who is supervising the pupil or who observes the misbehavior. - The pupil is referred to the administrator for appropriate disciplinary action. - The administrator or designee meets with the pupil and/or teacher about the pupil's misconduct and the resulting disciplinary action. - The teacher is informed of the administrator's action. - A proper and accurate record of the offense and the disciplinary action is maintained by the administrator. - Parents are informed and involved. - If a suspension is considered, the pupil shall be advised of the reasons for the suspension and be given the opportunity to respond before the suspension becomes effective. - Pupil is referred to guidance counselor. 	<ul style="list-style-type: none"> • Any appropriate response from LEVEL I • Academic and/or co-curricular probation • Administrative detention • Loss of bus privileges • Restriction from field trips • Schedule change • Behavior plan • Referral to outside agency • In-school suspension • Out of school suspension: 1-3 days • Withdraw of privileges

**NEW HOPE-SOLEBURY SCHOOL DISTRICT DISCIPLINE CODE PUPIL
MISCONDUCT/DISCIPLINARY RESPONSE STRUCTURE**

	LEVELS-DESCRIPTION OF BEHAVIOR	EXAMPLES	PROCEDURES	DISCIPLINARY OPTIONS/RESPONSES
III.	<p>Acts directed against self, persons or property, but whose consequences DO NOT SERIOUSLY ENDANGER the health, safety, and welfare of others in the school or which require referral to law enforcement officials, although, on occasion, these offenses may result in the intervention of law enforcement officers.</p> <p>These acts might be considered criminal, but most frequently can be handled by the disciplinary mechanism in the school. Corrective measures which the school should undertake, however, depend on the extent of the school's resources for remediating the situation in the best interests of all pupils.</p>	<ul style="list-style-type: none"> Continuation of LEVEL II misbehavior Fighting Bullying Vandalism/malicious mischief Gambling Tobacco/vaping use/possession and/or paraphernalia Theft/possession/sale of stolen property Violation of any school policy during an extended field trip Irresponsible use of motor vehicles Harassment Direct threatening call, letters, or emails Ethnic and/or racial intimidation Theft of computer hardware or software Other offenses violating the Pennsylvania Crimes Code Other offensives fitting the definition of LEVEL III misconduct 	<ul style="list-style-type: none"> - There is immediate intervention by the staff member who is supervising the pupil, provided that such intervention can take place safely. - The administrator initiates disciplinary action by investigating the infraction and conferring with staff on the extent of the consequences. - The administrator meets with the pupil about the misconduct and the resulting disciplinary action. A proper and accurate record of offenses and disciplinary actions is maintained by the administrator. - Law enforcement officials are contacted, when appropriate. - There is restitution of property and damages. - If a suspension is considered, the pupil shall be advised of the reasons for the suspension and given the opportunity to respond before the suspension becomes effective. - Parents are informed and involved. - Pupil is referred to guidance counselor. 	<ul style="list-style-type: none"> Any appropriate response from LEVEL II Restriction from extended fieldtrips; student to return home at parents' expense Alternative program Out-of-School suspension: 1-10 days (informal hearing after 3 days) Referral to law enforcement officials Modified day Permanent loss of computer privileges.
IV.	<p>Acts which result in VIOLENCE to self, persons, or property, or which POSE A DIRECT THREAT to the health, safety, and welfare of others in the school.</p> <p>These acts may involve misconduct which involves the possession, furnishing, use or involvement of any nature with any unauthorized substance in school, on school property, at any school sponsored activity, on any public or private conveyance providing transportation to and from school sponsored activities.</p> <p>These acts are clearly criminal and are so serious that they always require administrative actions which result in the immediate removal of the pupil from school, the intervention of law enforcement authorities, and possible action by the Board of School Directors.</p>	<ul style="list-style-type: none"> Continuation of LEVEL III misbehavior Terroristic threats Assault/battery Vandalism Arson Bullying Harassment Violation of weapons policy Inappropriately using, furnishing, selling or possessing unauthorized substances Bomb threat Extortion Theft/possession/sale of stolen property Use of firecrackers, smoke bombs, etc. Other offenses violating the Pennsylvania Crimes Code Other offenses fitting the definition of LEVEL IV misconduct 	<ul style="list-style-type: none"> - There is immediate intervention by the staff member who is supervising the pupil or who observes the misconduct, provided such intervention can take place safely. - The administrator verifies the offense, confers with the staff involved, and meets with the pupil. The pupil is immediately removed from the school environment. - If a suspension is considered, the pupil should be advised of the reasons for the suspension and given the opportunity to respond before the suspension becomes effective. - Referral is made to the Superintendent of Schools. - Law enforcement officials are contacted. - A complete and accurate report is submitted to the superintendent for possible board action. - The pupil is given a full due process hearing before the board, if expulsion is recommended. -Parents are informed and involved. 	<ul style="list-style-type: none"> Superintendent's exclusion Expulsion Alternative educational services Out-of-school suspension: 4-10 days – Informal Hearing protocol Completion of drug/alcohol assessment and compliance with resultant recommendations Other Board action which results in appropriate placement Referral to local law enforcement agency for prosecution



Book	Policy Manual
Section	700 Property
Title	Facilities Planning
Code	701
Status	Policy Committee Review
Adopted	March 29, 1993

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. Strategic planning is desirable and is required by State Board of Education regulations.

B. Community involvement is an important part of such a process.

C. Facilities planning is a primary component of long range planning.

~~III.~~ **II.** Delegation of Responsibility

A. In order to inform the Board of the future needs of the district, the Superintendent **or the Superintendent's designee** shall prepare a report which shall include at least:

1. Annual reports to the Board on number of resident pupils attending private school by grades;
2. Reports to the Board on the enrollment by grades during the school year on a monthly basis;
3. Estimates by April 1st of each year the number of students who will be enrolled in the schools of the ~~district~~ **District** in September of the year for which the estimate is made; and
4. Preparation of student population projections every year and compare the actual population figures to previously projected figures to detect any changes in population trends.[2]

B. C. In planning for the enlargement or modification of its facilities, the Board shall consider not only the number of children whose educational needs must be met, but also the physical requirements of the program it deems best suited to meet those needs.[3][5][6][7][11]

~~C.~~ **D.** Sale or Disposal Obsolete Equipment

1. The Board shall from time to time authorize the administration to prepare an inventory of obsolete equipment for sale or disposal in accordance with the School Laws of Pennsylvania. [\[8\]](#)

~~II. Authority~~ III. Guidelines

A. The Board shall maintain and periodically update a census of all the children from birth to eighteen years living in the ~~district~~ **District**.

- 1.** The Board will employ the staff necessary for that purpose.

B. Information gathered in the census shall include for each child: the child's name, date of birth, sex, nationality, address, name and address of parents or guardians, name and location of the school in which the child is or could be assigned, and the name and address of any employer of a child under 18, and such other information as the Board may require to operate the ~~district~~ **District** efficiently and fairly. [\[1\]](#)

Legal

1. 24 P.S. 1351
2. 22 PA Code 5.151
3. 24 P.S. 701
8. 24 P.S. 707
11. 24 P.S. 704
5. Pol. 94-142
6. 45 CFR 84
7. 22 PA Code 21.41
10. P.L. 94-142



Book	Policy Manual
Section	700 Property
Title	Naming Rights
Code	701.1
Status	Policy Committee Review
Adopted	July 21, 2003
Last Revised	November 30, 2017

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Authority

A. The Pennsylvania School Code authorizes school boards to own and maintain grounds and buildings necessary to provide educational services to school-age children.

B. The Board believes that the naming rights of facilities or areas of the District are a matter of great importance, one that requires careful and considerable thought.

C. The intent of this policy is to set forth parameters and guidelines for use by the Board in meeting its responsibility in this area.[\[1\]](#)

~~II.~~ III. Delegation of Responsibility

A. The Superintendent or his/her **the Superintendent's** designee shall:

1. Develop of a list of prospective sites for naming within the District and the approximate cost of each.
2. Ensure consistent signage that clearly marks the named area in a tasteful manner.
3. Plan appropriate recognition for both the donor and honoree (if applicable).

~~II.~~ III. Guidelines

~~B.~~ **A.** In all cases, the Board retains control and ownership over the named facilities.

B. Naming rights shall not convey any input or control over the content of school programs in the named facilities, nor the disposition of said named facilities.

C. The granting of naming rights under this policy shall not be considered an endorsement by the Board of a commercial product, business enterprise or institution of learning.

a-~~D.~~ Nominations for the naming rights of the facilities/areas shall come to the Board by recommendation of the Superintendent or his/her **the Superintendent's** designee:

1. Facilities may be named by/for major contributors to the ~~district~~ **District**.
2. The term of the naming rights shall not exceed the expected life of the facility or equipment.
3. The Board also reserves the right to refuse any contributions conditioned upon naming facilities or areas in a manner that the Board determines would be inconsistent with the District's education purpose, would be inappropriate for a public school ~~district~~**District**, or otherwise does not reflect the image that the District seeks to put forth.
4. The Board shall not accept any contribution made with a view toward naming a facility where to do so would involve unlawful discrimination based upon race, religion, sex, age, national origin, color, disability, or any other basis prohibited by federal, state or local laws or regulations or would otherwise violate applicable law **of District Policy**.
5. The Facilities Committee will review naming opportunities with prospective benefactors.
 - i.** However, no commitments or promises ~~should~~ **can** be made, nor will such be honored, with respect to dollar amounts needed for a naming opportunity.
 - ii.** The Facilities Committee shall review the request and offer a recommendation for approval/nonapproval to the Superintendent. ~~and~~
 - iii.** No commitment shall be binding upon the District until approved by the Board at a public meeting.
6. Irrevocable trusts made through deferred giving processes shall be suitable for naming existing buildings, facilities or programs.
7. Special requests to name buildings, other facilities and/or programs in honor of people who have contributed to the betterment of the District, and to its educational programs, will be considered by the Facilities Committee.
8. Facilities will not be named for persons who are currently employed by the District or those who currently hold public office.
 - i.** For such naming considerations in these instances, a person shall have been retired from the District or public office for a minimum of five (5) years.
9. The Board reserves the right to revoke the naming of a facility in the event that the individual, for whom the facility is named, is determined to have committed any criminal act deemed to warrant such removal or has engaged in any act of moral turpitude, regardless of whether such act violates any criminal statute or results in a criminal indictment or charge.
10. In the event of significant renovations to a previously named facility, or a portion thereof, the Board may, at its discretion, determine that a new naming opportunity be considered for the renovated area.
11. In the event that the District enters into a lease advertising arrangement, in general, naming will require a commitment for each year of the term.
- 12.** Advertising areas, including but not limited to the auditorium, gymnasium(s), cafeteria and outdoor facilities, may utilize a yet-to-be-determined formula to determine

the level of commitment and the duration of this commitment.

13. In such cases, a plaque paid for by the proposed sponsor may be located at an appropriate location, giving the name and a brief biography of the donor.

14. Proposed signage by contracted marketing companies will be considered by the District.

~~12.~~**15.** Following the approval of naming rights on any District property or portion thereof, a memorandum of understanding, or comparable document, shall be created by the Solicitor and signed by the donor, the President of the Board and the Superintendent. Following the acceptance of a naming rights commitment, the Board of shall make every effort to honor the intent of the donor in its use of the funds, but reserves the right to use any gift it accepts in the best interest of the educational program of the district.

Legal

1. 24 P.S. 701

24 P.S. 510



Book	Policy Manual
Section	700 Property
Title	Sponsorships, Partnerships, and Advertising
Code	701.2
Status	Policy Committee Review
Adopted	May 6, 2013
Last Revised	November 30, 2017

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. The Board recognizes the need for commitment to educational integrity and quality with acceptance of financial support through permitted commercial sponsorships and advertisements on designated school premises and facilities.

B. In doing so, the Board will make a conscious and consistent effort to assure that the District's commitment to its mission is not compromised.

~~B.~~ **C.** The Board recognizes its responsibility to protect students from an excessive amount of commercialism in the District and from intrusion of commercial interests in the classroom, when such intrusion would influence curriculum or instruction, or become a distraction to the school's primary purpose.

~~C.~~ **D.** The Board recognizes that sponsorships, partnerships, and commercial advertising in schools can provide additional revenues or other benefits, which the taxpayers might otherwise be asked to fund.

E. The Board has a responsibility to district taxpayers to maximize revenues whenever possible.

~~D.~~ **F.** The Board recognizes that public schools provide for a potential market for commercial activities.

G. Yet, it is important the District protect students and parents/guardians from exploitation and ensure commercial activities do not interfere with the educational program.

H. The Board recognizes that in certain instances and with certain limitations, it may be in the best interest of the District to enter into sponsorship, partnership, and/or advertising relationships with outside entities for a fixed period of time.

I. Furthermore, the Board acknowledges that District facilities are publicly funded and that students and school personnel should be shielded from overt commercial activity, particularly in

the classroom environment.

J. Consequently, the Board recognizes that entering into sponsorship, partnership, and advertising arrangements which involve the use of District facilities or in any way impact students and school personnel creates ethical and legal issues that must be addressed.

E. K. The purpose of this policy is to provide procedures and guidelines for permitting sponsorships, partnerships, and advertising in a manner which is supportive of the school district's **District's** overall mission of enhancing curricular and extracurricular activities, while protecting the interests of the district **District**, its students, and personnel.

II. Authority

A. All sponsorships, partnerships, and advertising arrangements shall require prior approval by the Board of School Directors.

B. School organizations, sponsors, and advertisers must agree to abide by the policies and regulations of the District at all times.

B. C. Use of the name, nickname, and/or any logo representing the District for any commercial purpose or any other purpose directly related to a school-sponsored or school-affiliated organization is not permitted without the approval of the Administration and the Board on a case-by-case basis.

III. Delegation of Responsibility

A. The Superintendent or his/her **the Superintendent's** designee shall be responsible for implementing this policy.

B. Except as otherwise set forth herein, the Superintendent his/her **the Superintendent's** designee shall be responsible for reviewing sponsorship, partnership, and advertising proposals according to Board policy.

C. All sponsorship, partnership, and advertising arrangements shall require Board approval.

Definitions

- A. Advertisement** – For the purposes of this policy, "advertisement" shall mean any payment of money or other economic benefit to a school or to the District that requires visual, audio, video, or electronic placement of a name, slogan, or product message on a district property, in a District publication, or electronic communication message. The term advertisement does not include traditional fundraising activities such as "a-thon", magazine sales, food sales, and etc., nor does it apply to outright gifts to which no quid pro quo is attached.
- B. Sponsorship** – For the purposes of this policy, "sponsorship" shall be mean any payment of money or other economic benefit to a school or to the District in exchange for name or product recognition.
- C. Partnership** – For the purposes of this policy, "partnership" shall be mean as any payment of money or other economic benefit to a school or District in exchange for recognition and mutual benefit.
- D. Electronic Media** – For the purposes of this policy, "electronic media" shall mean any type of medium used for instruction that happens during school time, or any program shown during school time, or at a school related activity or function that requires the use of electronic equipment, such as televisions, video equipment, computers, movie projectors, and etc.

- E. **Exclusivity** – For the purposes of this policy, "exclusivity" shall mean an exclusive arrangement to sell, vend, or advertise a product or service in schools is one where a school or the District enters into a contract to make one (1) product available to students and such contract specifically forbids the sale of a competitor's product in the same school or the District.

V. Guidelines Standards

~~C.~~ **A.** To meet the goal of this policy, the Superintendent or ~~his/her~~ **the Superintendent's** designee shall review all proposed sponsorship, partnership, and advertising contracts to ensure compliance with this policy.

B. As part of the review process, additional competitive vendors may be contacted to determine if they wish to participate in the possibility of advertising and/or entering into a corporate-sponsored contract.

C. The Superintendent or ~~his/her~~ **the Superintendent's** designee shall refer the proposed contract to the appropriate committees and to the Board for review, discussion, and approval/denial.

~~A.~~ **D.** All proceeds from the sale of sponsorships, partnerships, and advertising must be deposited into a designated revenue account within the District's General Fund upon collection.

E. Proceeds to be set aside for future use may be allocated to an assigned fund balance per Board policy.

~~B.~~ **F.** Students shall not be required to read, to listen, or be subjected to commercial advertising in the classroom or in school-provided materials in curriculum-related activities as provided by this policy, except in those instances where commercial advertising materials are germane to the curriculum, in which case commercial advertising materials may be used in a curricular setting for instructional purposes only.

~~C.~~ **G.** Sponsorships, partnerships, and advertising opportunities for the District will be subject to certain restrictions in keeping with the standards of good taste and will model and promote positive values and a healthy lifestyle for our students.

H. The utilization of proactive educational messages and not just traditional advertising of a product is desired by the ~~district~~ **District**.

I. Preferred advertising includes messages that encourage student achievement and the establishment of high standards of personal conduct.

J. In keeping with this, no sponsorships, partnerships, and advertising will be allowed which is in poor taste, which fails to promote positive values for our students, or which otherwise may be prohibited by law, including, but not limited to, materials which fall within the following categories:

1. Promotes hostility, disorder, or violence.
2. Attacks ethnic, racial, gender, sexual orientation, and/or religious groups.
3. Discriminates, demeans, harasses, or ridicules any person or group of persons.
4. Is libelous.
5. Invades or violates the rights of others.
6. Inhibits the functioning of the schools and/or the ~~district~~ **District**.

7. Overrides the District's identity.
8. Promotes, favors, or opposes the candidacy of any political candidate for election, adoption of any bond issue, or any public questions submitted at any general, county, municipal, or school election.
9. Promotes the use of drugs, alcohol, tobacco, weapons, or firearms.
10. Promotes any religious or political organization.
11. Is lewd, obscene, vulgar, or pornographic as defined by prevailing community standards throughout the ~~district~~ **District**.
12. Uses any school or District logo without prior approval.
13. ~~And~~ **A**n Anything not listed above which is in violation of Board policies.

~~D.~~ **K.** Promotion, display, or sale of commercial products or advertisement promoting corporate interests may be permitted if approved by the Board when such promotion will generate revenue or provide some other benefit for the ~~district~~ **District**.

L. No commercial product, logo, or corporate name shall be displayed, advertised, or sold in schools without express approval by the Board, except for the purpose of school fundraisers or events that benefit students that are approved by the building principal.

M. This regulation does not apply to the incidental display of names of product or corporate names on school equipment or supplies, or to food products sold in cafeterias and vending machines or at ~~district~~ **District** events.

~~E.~~ **N.** Sponsorship, partnership, and advertising activities may include, but shall not be limited to, the following types of revenue-enhancing activities:

1. Exclusive advertising and/or sale, lease or use of any product or service in exchange for goods, services, or financial consideration (e.g., scoreboards, electronic message boards, athletic gear, exclusive rights to sell beverages, bottled water, snacks, meals, ~~and~~ etc).
2. The use of District facilities or grounds in exchange for products, services or financial considerations (advertising signs, ~~and~~ etc).
3. Technology hardware, software, satellite hook-up and/or access in exchange for free or reduced prices and/or advertising rights, or agreement to use equipment a certain number of hours of a day, month, etc.

~~F.~~ **O.** All sponsorship and advertising agreements shall be subject to the following terms and conditions:

1. Schools and educators should hold sponsored and donated materials to the same standards used for the selection and purchase of curriculum materials.
2. Where the sponsorship involves signage, the organization that erects the sign(s) bears full responsibility for all costs and expenses associated with the procurement, erection, maintenance, and dismantling of the sign(s).
3. Any sponsorship, partnership, or advertising proposals contemplating permanently or semi-permanently affixing a sign, name, or logo to any District facility (e.g. building, press box, scoreboard, ~~and~~ etc.) must be set forth in writing and shall require Board approval.

1. **a.** The Board may limit the total number of signs that may be erected at any one time so as to minimize distractions or the over-commercialization of the school environment.
4. Any sign that is determined by a Municipal Zoning Officer to be out of compliance with local zoning ordinances shall not be permitted to be erected, and, if erected, shall be removed by the responsible organization at its cost.
1. **a.** The vendor should get a ruling on compliance prior to erecting the sign.
5. Advertising leases shall include a statement that advertising on school property should not be construed as an endorsement by the District of the product or service being advertised.
6. All contracts between the District and sponsors for the erection of advertising signs must include a provision that the sponsor waive in advance, and indemnify the ~~school district~~ **District** for, any claims which may arise as a result of the erection, maintenance, or removal of the signs.
7. Advertising agreements and sponsorship relationships shall not limit, in any way, the ~~district~~ **District**, its schools, administrators, and teachers, in exercising discretion and judgment in any curricular or extracurricular activity.
8. Contracts and/or lease agreements shall include a provision allowing the Board to terminate the contract and/or lease agreement if it is determined by the ~~district~~ **District** to have an adverse impact on the ~~district~~ **District**'s image, reputation, programs, services, or activities.
9. The economic benefit from any advertising or sponsorship arrangements to the school or the ~~district~~ **District** must be set forth in writing and approved by the School Board at a public meeting, where the community is given adequate notice and has the opportunity to provide input and feedback.
10. All public-private sector sponsorship, partnership, and advertising arrangements must be consistent with all labor contracts, competitive bid requirements, and all applicable federal, state and local laws, rules and regulations.
11. A sponsorship, partnership, and advertising written agreement shall not have a term greater than ten (10) years or provide for automatic renewals or extensions, nor shall it allow for payments to the ~~district~~ **District** during periods beyond the term of the contract or in excess of the prorated benefit in the event of early termination.

~~G.~~ **P.** No sponsorship or advertising arrangement shall result in any direct pecuniary benefit to any ~~district~~ **District** employee or School Board **Director** members, members of their immediate family, or businesses with which they are associated, in violation of the Public Official and Employee Ethics Act (State Ethics Act), 65 Pa. C.S.A. Sec. 1101 et seq. [\[1\]](#)

~~H.~~ **Q.** Advertising In Electronic Media

1. Except for courses of study which have specific lessons related to advertising, the students of this ~~district~~ **District** shall not be required to observe, listen to, or read commercial advertising in the classroom.
2. The ~~school district~~ **District** shall not enter into any contract to obtain electronic equipment or software that will obligate the ~~district~~ **District** to expose students to advertising directed at young people during school time or at home while completing school assignments.
3. The Board and Administration reserve the right to approve exceptions on a case-by-case basis.
4. The ~~school district~~ **District** shall not enter into any contract to obtain electronic equipment or software that will obligate the school to post information about school procedures or events on electronic media that contain advertising directed at students or

violates district policy requirements.

5. The ~~school district~~ **District** shall will not enter into any contract for electronic media services where personal information will be collected from the students by the providers of the services in question.

1. **a.** Personal information includes, but is not limited to, the student's name, social security number, telephone number, home address, and e-mail address.

⌚ **R.** Exclusive Vending Agreements

1. The District will enter into no exclusive agreements with vendors which require increased consumption of food or beverages served to or purchased by students in school facilities.
2. No students may be used as agents for any District-wide vendors in an exclusive arrangement to sell products or services to the community at large.
3. The District will not enter into any agreement with a vendor or business entity which requires students to carry a card used for school identification and/or to gain access to student services, when that card can also be used to gain access to private services provided by the vendor or business entity.

⌚ **S.** Sponsored Educational Materials And Advertising In Curriculum

1. The District will purchase no curriculum materials that contain promotional information about a vendor or business entity that is irrelevant to the lesson being taught in the content of the curriculum and that is not incidental to materials that the ~~district~~ **District** shall otherwise desires.
2. Teachers in the ~~district~~ **District** shall will not use identifiable brand names or logos in their instruction unless the teacher deems them desirable in the context of the lesson being taught.
3. Sponsored educational materials, whether purchased by the District or provided free of charge by the sponsor, will not be used by teachers unless the ~~district~~ **District** administration has reviewed them and found them to meet the following standards:
 - a. Accuracy: Statements are consistent with established fact or with prevailing expert opinion.
 - b. Objectivity: Points of view are fairly represented. If the subject is controversial, arguments are balanced. Any sponsor bias is clearly stated and references to differing views are made.
 - c. Completeness: The materials contain all relevant information and do not deceive or mislead by omission.
 - d. Language: Materials are both interesting and readable.
 - e. Nondiscrimination: The text and illustrations are free of any content that could be considered derogatory toward a particular ethnic group, race, or sex.
 - f. Diverse Representation: The materials reflect the gender diversity and racial diversity of the students that will be using them.
 - g. Noncommercial: The name and logo of the sponsor are used only to identify the source of the materials.

~~K.~~ **T.** Student Marketing Surveys And Protection Of Student Privacy

1. Students shall not be required under any circumstances to fill out surveys to provide marketing information about their interests and preferences for particular vendors, businesses, and products.^[2]
2. A list of students' names and/or addresses, and telephone numbers **or other personal information** will not be released by the ~~district~~ **District** for the purpose of advertising brand name products to students.
3. **3.** Similarly, participation in any venture that provides any vendor with the information necessary to generate a list is prohibited.

~~L.~~ **U.** Site-Based Recordkeeping

- 1.** The Administration is responsible for maintaining the following records:

~~1.a.~~ A log of all sponsorship, partnership, and advertising contracts/lease agreements in effect during the school year.

- b.** The log shall include the following information from each sponsorship:

~~a.~~ **i.** Name and address of the sponsor.

~~b.~~ **ii.** Date sponsorship contract/lease agreement executed and location of contract.

~~c.~~ **iii.** Authorized signatures which appear on contract.

~~d.~~ **iv.** Contract item.

~~e.~~ **v.** List of benefits received by school including dollar amounts.

~~f.~~ **vi.** List of sponsorships activities.

~~g.~~ **vii.** Annual monetary benefit to sponsor if sponsorship involves product sales.

~~2.c.~~ All other records required by Board policies for contract execution and procurement of goods and services.

~~M.~~ **V.** The Board authorizes the following guidelines for commercial advertising, display, or sale in schools –

1. Appropriate media and venues for advertising might include:

a. Banners/signs.

b. Athletic or other uniforms.

c. District level publications.

d. Student publications.

e. Television.

f. Athletic facilities, library facilities, cafeterias, court yards, and halls.

g. District level projects.

- h. Community education advertising.
- i. District level activities at state tournaments.
- j. District electronic messages (Constant Contact, Alert Now, and web site).

2. Solicitation of students:

- a. Solicitation necessary for approved student activities such as class rings, pictures, and other special materials may be made with the approval of the building principal.

b. No prior Board approval is needed for this type of solicitation.

~~b.~~ **c.** Any other solicitation is prohibited.

d. This prohibition includes, but is not limited to:

- i. Surveys to provide marketing information about their interests and preferences for vendors, businesses, and corporations with whom the ~~district~~ **District** has an agreement for commercial use in schools.

- ii. Door-to-door sales in the community.

iii. Solicitation of staff:

- a. District-related purposes: The solicitation of staff by outside organizations, salespeople, students, and/or other staff is permitted in accordance with the following guidelines:

- i. Permission to meet with employees shall be granted by the Superintendent or ~~his/her~~ **the Superintendent's** designee.

- ii. The Superintendent or ~~his/her~~ **the Superintendent's** designee shall specify the District employees permitted to conduct business with the salesperson.

- iii. The discussion between the employee and the salesperson shall not infringe upon the employee's performance of ~~his/her~~ **the employee's** duties.

- b. Non-District related purposes: The solicitation of staff by anyone for non-District related purposes is prohibited without approval of the Superintendent or his/her designee.

i. This prohibition includes, but is not limited to:

~~i.~~ **AA.** Personal annuity plans.

~~ii.~~ **BB.** Personal insurance proposals.

~~iii.~~ **CC.** Retirement plans.

~~iv.~~ **DD.** Sales of non-district related items or services.

ii. An exception to this may be if the District opts to do a benefits fair or other event for its employees in which all vendors can be in one location.

4. Solicitation of parents: The solicitation of parents through the use of District records by outside organizations and/or salespeople is prohibited without Board approval.

i. This prohibition includes, but is not limited to:

a- ~~AA.~~ Distribution of flyers and other materials.

b- ~~BB.~~ Use of telephone lists and/or addresses.

c- ~~CC.~~ Direct sales on school property.

d- ~~DD.~~ Using the name of a school or in any other way indicating that a school or the school ~~district~~ **District** is supporting or endorsing an activity, product, or person.

ii. Exceptions to this policy will be for made for organizations that have benefit to students as approved by the building principal.

5. Commercial advertisements viewed by students are permitted during television programs or as part of computer access when the District has entered into an agreement with corporate sponsors to benefit the ~~district~~ **District**.

i. No student shall be forced to view, listen to, or read commercial advertisements, even when use of such advertisements in schools is part of a ~~district~~ **District** agreement.

ii. The Board also recognizes that commercial advertisements are an integral part of Internet sites and cannot be regulated by the school district.

6. No educational materials published by a corporate interest shall be used in instruction unless they are part of the approved course of study, even when such materials are free.

7. Any exclusive use of food products shall be approved by the Board and regulated by the ~~district~~ **District** contract with a food service provider or by some other ~~district~~ **District** agreement with a vendor, business, or corporation.

8. With the approval of the building principal, coupons for goods and services provided by local businesses may be used as rewards or incentives for an educational program.

9. No parent and/or student shall, on behalf of the school or any school authorized or sponsored group, sell commercial products, or to collect materials such as product labels and cash register receipts, in order to raise funds or provide equipment without obtaining building principal approval.

10. Students shall not be used to solicit door-to-door sales or car solicitation in any form such as roadways, parking lots, and/or intersections.

~~10-~~ **11.** Posters or other materials designed to promote the use of a product shall not be permitted in classrooms, auditoriums, or school offices.

12. Limited use of commercial posters is permitted in the cafeteria, libraries, halls, gymnasiums, and athletic fields if such use is part of a ~~district~~ **District** agreement with a vendor, business, or corporation.

~~11-~~ **13.** Limited use of posters and other materials, which are not part of a ~~district~~ **District** agreement with a vendor, may also be permitted in cafeteria and halls if their primary purpose is to promote a clearly defined educational goal and if the use of a corporate name or logo is incidental.

i. Examples of such goals might be prevention of substance abuse or encouraging students to read.

ii. The building principal shall determine the poster's educational value and how much use is permissible.

~~12-14.~~ **14.** School-related organizations and/or youth-related organizations may request the building principal's approval to post on bulletin boards and/or to disseminate information on applying for membership, activities, schedules, and events.

i. {Examples of organizations include sports boosters, band boosters, PTO, scouts, or various community youth groups open to all.}

ii. All bulletin board posters are subject to the same guidelines as listed for advertisers.

~~13-15.~~ **15.** Promotion of an industry's image or political agenda is not permitted even when educational goals, such as good nutrition or preserving the environment, may be invoked.

i. This regulation also applies to materials produced by nonprofit organizations whose purpose is to promote a particular industry or group of products.

~~14-16.~~ **16.** Goods, services, performances, and activities produced or conducted by such nonprofit organizations, the names of such organizations, and the persons connected with such enterprises may be brought to the attention of students or parents, but only when the information would clearly be of interest or value to the students themselves.

i. The most appropriate method for communicating such information shall be through routine announcements at the high school and incorporating the material in regular newsletters, web site, e-mail communications, and student menus distributed to parents, as opposed to having students carry flyers and brochures home.

~~15-17.~~ **17.** Although advertisements and announcements for fundraisers, charity drives, a-thons, and the like may be made in accordance with this policy, neither the ~~school district~~ **District**, itself, nor any student groups, clubs, or other organizations sponsored or funded by the ~~district~~ **District** shall make contractual arrangements for such activities or become involved in any manner in such an activity without prior Board approval.

~~16-18.~~ **18.** Advertisements and announcements regarding various types of contests (essays, posters, and etc.) shall be subject to the limitations of this policy.

i. Any participation in contests shall be optional with individual pupils.

ii. School time may be used only if the contest activity complements the normal program of instruction and only if meaningful alternatives are available for pupils who do not wish to participate.

~~17-19.~~ **19.** The Board recognizes the value of foreign travel to high school students.

i. It will cooperate with reputable firms to bring economical travel packages to the attention of the students.

ii. No final arrangements may be made for student travel or obtaining travel packages for student travel without first obtaining the permission and approval of the Board.

~~18-~~ **20.** No religious group, religiously oriented group, political party or group, or special interest group may disseminate tracts, materials, or publications of any kind in any school buildings or on any school district **District** property, unless these materials or publications are part of a Board approved planned instruction.

i. These groups may use or rent facilities per Policy 707.

~~19-~~ **21.** Gifts from individuals or businesses to the district **District** may be accepted with approval of the Board.

i. All gifts become the property of the school district **District**.

ii. The Board reserves the right to refuse a gift that the Board deems inappropriate or does not provide a benefit to the district **District** program or which, by the terms, type or condition of the gift, can be construed as discriminating.

~~20-~~ **22.** The Board seeks and encourages participation arrangements with area businesses, especially those that are mutually beneficial.

i. Partnerships can take many forms, including outright sponsorship of specific programs or purchases, personnel exchange, volunteering, speakers, advisory committees, etc.

ii. The Board shall assure that the goals of each specific partnership be mutually developed and agreeable.

iii. In case a particular business wishes to formally sponsor the financial part or all of a specific activity, school officials shall maintain control and management of the activity.

iv. The schools may cooperate with nonprofit organizations or government agencies in the general public interest, which are nonpartisan and nonsectarian and which promote the educational program of the school and the best interest of the students.

v. All partnerships shall be approved by the Board.

vi. If the Board decides to form a partnership with and/or allow sponsorship of any school activity by any third party or outside entity the Board will first seek approval of any applicable regulatory agency prior to making any agreement with a third party or outside entity.

~~21-~~ **23.** All materials to be distributed or posted must be approved in accordance with this policy.

i. Material to be approved by the building principal must be provided to the principal at least seventy-two (72) hours prior to the requested posting or distribution date.

ii. Materials that require Board approval must be delivered to the Board President at least one (1) week prior to the regularly scheduled Board meeting for that month in which the requestor seeks approval.

~~22-~~ **24.** Any exceptions to this policy must be voted upon by the Board at a public Board meeting.

~~23.~~ **25.** The Board reserves the absolute right to reject or cancel, at its sole discretion, any proposed advertising, copy or running advertisements which the Board, in its sole discretion, deems violates the law or is in contradiction of the stated goals, purposes or directives contained in this policy.

Legal

1. 65 Pa. C.S.A. 1101 et seq
2. 20 U.S.C. 1232h



Book	Policy Manual
Section	700 Property
Title	Gifts, Grants, Donations
Code	702
Status	Policy Committee Review
Adopted	March 29, 1993
Last Revised	March 4, 2013

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. The Board recognizes that individuals, businesses and community organizations may wish to contribute supplies, equipment, or money to the ~~school district~~ **District**.

II. Authority

A. The Board has the authority to accept gifts and donations made to the ~~school district~~ **District** or to any ~~district~~ **District** school.^[1]

B. The Board reserves the right to refuse to accept any gift that does not contribute to achievement of ~~district~~ **District** goals or when such ownership would adversely affect the ~~district~~ **District** ^[1].

C. Any gift accepted by the Board or its designee shall become ~~district~~ **District** property, may not be returned without Board approval, and is subject to the same controls and regulations as are other district properties.^{[1][2]}

D. The Board shall be responsible for the maintenance of any gift it accepts, unless otherwise stipulated.

E. The Board shall make every effort to honor the intent of the donor in the use of the gift, but it reserves the right to utilize any gift in the best interests of the ~~district~~ **District** 's educational program.

F. In no case shall acceptance of a gift be considered an endorsement by the Board of a commercial product, business enterprise, or institution of learning.

G. All gifts shall be recorded in the appropriate inventory listing and property records.^{[1][3]}

III. Delegation of Responsibility

A. Endowments

~~2.~~**A.** The Secretary is hereby authorized to establish and maintain a bank account and a separate fund entitled "Trust and Agency Funds" in accordance with the "Manual of Accounting and Related Financial Procedures for Pennsylvania School Systems" and Section 216 of the School Code.[\[1\]](#)

IV. Requirements

~~1.~~ **A.** From time to time the Board is the recipient of certain funds and is subsequently asked to hold the monies in trust.

a. These monies are in the form of grants (other than state or federal), endowments, and gifts or donations to third parties, to be utilized for various purposes.

B. The administration shall request approval of the Board to receive such funds and to establish trust funds as needed and in accordance with applicable law.

C. Requests to remain anonymous will be honored on the Board agenda action and in any other public information regarding the trust agreement.

~~3.~~ **D.** Gifts and donations to the ~~district~~ **District** shall be processed in the manner contained in Board policies related to gifts and are not to be administered in accordance with this policy.

~~4.~~ **E.** The Superintendent or **the Superintendent's** designee shall:

a. Counsel potential donors on the appropriateness of gifts.

b. Encourage individuals and organizations considering a contribution to consult with the principal or Superintendent before appropriating funds. ~~The Business Administrator will carefully review and account for all gifts and appropriations.~~

c. Report to the Board all gifts accepted on behalf of the Board. ~~Any gift with a value of \$2,000.00 or more, must be approved by the Board and be recorded in the minutes of the public meeting.~~

d. Acknowledge the receipt and value of any gift accepted by the ~~school district~~ **District** .

e. Prepare appropriate means for recognizing or memorializing gifts.

f. Have the **District** attorney review any gifts that are considered confidential.

g. The Business Administrator will carefully review and account for all gifts and appropriations.

h. Any gift with a value of \$2,000.00 or more, must be approved by the Board and be recorded in the minutes of the public meeting.

Legal

1. 24 P.S. 216

2. 24 P.S. 703

3. Pol. 706



Book	Policy Manual
Section	700 Property
Title	Sanitary Management
Code	703
Status	Policy Committee Review
Adopted	March 29, 1993
Last Revised	February 28, 2000

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. The Board recognizes that the health and physical well-being of the students of this ~~district~~ **District** depend to a certain extent upon the cleanliness and sanitary conditions of the school premises.

II. Authority

A. The Board directs that a program of sanitary management be instituted in the schools and explained periodically to all staff members.[\[1\]](#)

B. The Board directs that standards be maintained that meet the requirements set forth by the Pennsylvania Department of Health, Department of Labor & Industry and any local agency which has jurisdiction.[\[2\]](#)

III. Delegation of Responsibility

A. The Director of Operations shall develop and supervise a program for the cleanliness and sanitary management of the school buildings, school grounds and school equipment pursuant to statute rules of the State Board, and regulations of the local and State Boards of Health and the Department of Labor & Industry.

B. Cleanliness of each school building shall be the responsibility of the building principal and the Director of Operations.

C. Teachers shall be responsible for the general condition of their classroom.

Legal	1. 24 P.S. 701
	2. 24 P.S. 3141



Book	Policy Manual
Section	700 Property
Title	Maintenance
Code	704
Status	Policy Committee Review
Adopted	March 29, 1993
Last Revised	January 24, 2019

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

- A. Adequate maintenance of buildings, property and equipment is essential to fiscal responsibility and efficient management of District facilities.

II. Authority

- A. The Board directs that a continuous program of inspection and maintenance of all school buildings and equipment be established and implemented.
- B. Wherever possible, maintenance shall be preventive. [\[1\]](#)[\[2\]](#)[\[3\]](#)

III. Delegation of Responsibility

- A. A planned program of preventive maintenance shall be developed by the Director of Operations which will produce maximum performance and longevity of equipment and keep buildings and grounds in good condition.
- B. The principals and Director of Operations shall carry on frequent inspections of all buildings, equipment, playgrounds and playground apparatus to discover conditions which might be dangerous to health, safety and comfort of the students or personnel, and return a written report to the Superintendent or the Superintendent's designee as to the findings of that inspection.
- C. Teachers shall be responsible for the safe use of buildings, grounds and equipment in the classes which they teach or in the activities for which they are responsible.

IV. Requirements

- A. Employees and students shall be encouraged to report promptly to the principal of the school or department head any defects in building, furniture, playground apparatus or other equipment that might prove injurious to the comfort, health or safety of teachers, students or other persons.

- B. The Superintendent or the Superintendent's designee shall report periodically to the Board regarding the current maintenance and improvement program and projected maintenance needs that include cost analyses.
- C. The Superintendent or the Superintendent's designee shall develop and supervise a maintenance program which shall include:
 - 1. Regular program of maintenance, repair and improvement of buildings and facilities.
 - 2. Critical spare parts inventory.
 - 3. Equipment replacement program.

D. Long-range plans for building modernization and conditioning.

The Superintendent or the Superintendent's designee shall develop a maintenance check list applicable to all District buildings and facilities.

Revision History:

February 28, 2000

Legal

- 1. 24 P.S. 701
- 2. 24 P.S. 742
- 3. 24 P.S. 772
- 25 PA Code 171.1 et seq



Book	Policy Manual
Section	700 Property
Title	Safety
Code	705
Status	Policy Committee Review
Adopted	March 29, 1993
Last Revised	April 15, 2003

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. The Board directs that the facilities of this ~~district~~**District** shall be maintained and operated in a safe condition.

II. Authority

A. The Board directs that there shall be developed, published and posted rules for safety and the prevention of accidents.

B. These rules shall provide for instruction of students and staff in safety and accident prevention, provide protective devices where they are required for the safety of students and employees, and provide suitable and safe equipment where such equipment is necessary for the conduct of the educational program and the operation of the schools.[\[1\]](#)

III. Delegation of Responsibility

A. The Superintendent shall prepare rules governing school safety and the prevention of accidents and fire which shall include as a minimum the requirements of law and the applicable regulations of various departments of government.

B. The Superintendent shall appoint a Safety Coordinator.

~~B. Safety Committee~~

IV. Requirement

~~1.~~**A.** A Safety Committee shall be responsible for providing a safe school environment and workplace.

~~C. Accidents~~

~~1.~~ **B.** All accidents involving possible physical injuries occurring at school or during school activities shall be reported to the school nurse.

1. These, in turn, will be reported to the administration through the monthly report of the school nurse.

C. In addition, serious accidents including any type of head, neck, or back injury shall be reported immediately to the building principal and to the office of the Superintendent.

D. The following persons shall be informed, **of accidents involving possible physical injuries**, and in this order:

- a. The pupil's parents.
- b. The pupil's family physician.
- c. The school physician.
- d. Staff person's primary contact.

~~2.~~ **E.** In case the principal or school nurse cannot reach the home or the family physician, the school physician shall be authorized to act in ~~the~~ **an** emergency.

~~3.~~ **F.** Minor injuries to students, which require limited attention (cleansing, antiseptic, Band-Aid, etc.) shall be treated by the school nurse.

1. In the absence of the school nurse, a designated staff member who has been thoroughly trained in first-aid procedures shall attend to this type of injury.

G. All treatment shall be reported to the parent or guardian, the school principal and the school physician.

~~4.~~ **H.** Employees who are injured during working hours should report the injury to their immediate supervisor.

1. These employees must call the Worker's Compensation company within twenty-four (24) hours of the injury.

a. If the injury prevents them from doing so, the supervisor should call the company on their behalf.

Legal

1. 24 P.S. 510



Book	Policy Manual
Section	700 Property
Title	Asset Records
Code	706
Status	Policy Committee Review
Adopted	March 29, 1993
Last Revised	December 16, 2002

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. The Board directs that records be kept on assets owned or in the control of the ~~district~~ **District**.

II. Authority

A. The Board directs that a complete inventory be kept of ~~district~~ **District** owned or controlled capital and controllable assets.

B. ~~It~~ **The Board** further directs that records be kept on buildings and grounds under the control of the ~~district~~ **District**.

C. It is directed that records on capital assets be depreciated and reported in accordance with Governmental Accounting Standards Board (GASB) Statement 34, beginning no later than the fiscal year ending June 30, 2003.[3]

III. Definitions

For purposes of this policy the following definitions will apply:

A. **"Capital Assets" means** – Improvements to land, easements, buildings, building improvements, vehicles, machinery, equipment, works of art and all other tangible assets that are used in operations and have a useful life extending beyond a single reporting period valued at \$1,500 or more. ~~These assets are depreciated and reported on the Financial Statements of the district.~~

B. **Controllable Assets** - Assets under the control of the ~~district~~ **District** below the threshold for capitalization but hold importance for record keeping and safeguarding such as but not limited to computer related equipment, musical instruments, small equipment, library books and athletic equipment.

C. Equipment is ~~normally~~ defined as **property** valued at \$250 or more with a life of more than one year.

IV. Delegation of Responsibility

A. It shall be the duty of the Business Administrator to ensure that asset records are systematically and accurately maintained and adjusted on an ongoing basis and further that annual reports are prepared according to current requirements of both GASB and the insurance company.

V. Requirements

~~B.~~A. Any loss amounting to \$1,000 or more shall be reported to the Board.

B. These assets are depreciated and reported on the Financial Statements of the District.

C. No equipment shall be removed for personal or non-school use except in accordance with Board Policy.[1][2]

Legal

1. Pol. 708
2. Pol. 711
3. Governmental Accounting Standards Board, Statement No. 34



Book	Policy Manual
Section	700 Property
Title	Disposal of Equipment/Supplies/Textbooks
Code	706.1
Status	Policy Committee Review
Adopted	July 21, 2003

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Authority

A. Equipment and supplies in the ~~district~~ **District** which become obsolete or are no longer needed by the ~~district~~ **District** may be disposed of in accordance with this policy.

II. **Guidelines Requirements**

A. Equipment and supplies may be disposed of utilizing any of the following methods:

1. Trades on new equipment.
2. Disposed of at public sale.
3. Disposed of at a private sale.
4. Sealed quotes.
5. Donated to a non-profit or governmental agency.
6. Discarded.

B. Funds received from the sale of outdated equipment and supplies shall be deposited in the ~~district's~~ **District's** general account.

C. The disposition of outdated equipment and supplies shall be managed by the Director of Business and Finance/School Board Secretary.

~~C. Textbooks~~

D. Textbooks shall be reviewed annually to determine if they are obsolete or outdated.

E. Obsolete or outdated textbooks shall be reviewed annually and disposed of in the following general priority:

1. Placement in classrooms as supplemental materials.
2. Sold to commercial used book purchasers by quotation.
3. Sold to private schools by quotation.
4. Donated to a non-profit or governmental agency.
5. School endorsed fair giveaway.
6. Disposal as classified "unwanted" textbooks.

~~D.~~ **F.** Funds received from the sale of outdated textbooks shall be deposited in the district's general fund account.

G. The disposition of outdated textbooks shall be managed by the Director of Business and Finance/School Board Secretary in cooperation with the Assistant to the Superintendent for Curriculum and Instruction.



Book	Policy Manual
Section	700 Property
Title	Use of School Facilities
Code	707
Status	Policy Committee Review
Adopted	March 29, 1993
Last Revised	October 15, 2003

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. School facilities of this ~~district~~ **District** should be made available for community purposes, provided that such use does not interfere with the educational and extracurricular programs of the schools.

B. Facility use is subject to the following rules, regulations and general policies.

II. Authority Requirements

A. ~~Facilities Use~~

1. **A.** The ~~New Hope Solebury School~~ Board permits the use of facilities by resident students and community groups, ~~within the guidelines.~~

B. School sponsored activities take precedence over other activities. **[1]**

2. **C.** Fee schedules have been established to cover operating expenses and normal "wear and tear" when facilities are used. ~~Facility use is subject to the following rules, regulations and general policies.~~

~~III. Guidelines~~

A. ~~Rules, Regulations and General Policies~~

1. **D.** The availability of school facilities for use is dependent upon the needs of the school, as determined by the principal and the Director of Operations, and is subject to the priority use established by school officials.

1. This applies even for any school activity that needs to be rescheduled.

~~2.~~ **E.** Community groups shall be required to share larger facilities, i.e., gymnasiums and cafeterias, when their numbers cannot justify the exclusive use of the entire facility.

~~3.~~ **F.** Saturday and Sunday rental of school facilities shall be limited by the availability of necessary school district **District** personnel and subject to the priority assignments determined by the administration.

~~B.~~ Restrictions

~~1.~~ **G.** There shall be no installation of equipment or alterations to existing facilities by the user.

~~2.~~ **H.** Smoking or use of any tobacco product is not permitted in school buildings or on school grounds.[\[2\]](#)[\[3\]](#)

~~3.~~ **I.** Intoxicants or controlled substances of any kind whatsoever are not permitted on school **District** property at any time.

~~4.~~ **J.** Fireworks of any kind are prohibited on school **District** property.

~~5.~~ **K.** Weapons of any type are forbidden on school **District** property.[\[4\]](#)

~~6.~~ **L.** Any and all decorations to be used must be fireproof or fire retardant rated and subject to the approval of school officials.

M. No open flame decoration shall be used anywhere in the building.

N. The use of smoke producing equipment is strictly prohibited.

~~7.~~ **O.** Skate boarding and in-line roller-skating are not permitted on school property unless it is part of a previously approved activity.

~~8.~~ **P.** Pets are not permitted on school grounds without prior approval.

1. Owners or handlers of animals on school grounds, with permission, are required to have them leashed and under control and clean up the animal's excrement.

2. Violators of this policy will be subject to charges for a minimum of one (1) hour at overtime rate for custodial time for clean-up.

~~9.~~ **Q.** Use of mechanized self-propelled vehicles designed primarily for recreational or sporting purposes such as motor scooters, powered cycles, snowmobiles, and other vehicles of similar nature are not permitted.

R. ~~Also, vehicles~~ **Vehicles** transporting people to approved school functions are restricted to paved roadways and parking lots or other areas approved by the school district.[\[4\]](#)[\[1\]](#)

~~10.~~ **S.** No motor vehicles are permitted on unpaved areas without the expressed written authorization of the administration.

~~11.~~ **T.** The Board does not permit mechanical amusement rides, animal rides, e.g. pony rides, helicopter rides, hot air balloons rides, moonwalks or any rides or uses not recommended by the district **District** insurance carrier.

~~C.~~ Responsibilities of Users Of School Facilities

~~1.~~ **U.** All groups using facilities must leave them in the same or better condition than they found them.

- 2- **V.** Any and all decorations, furnishings, and equipment shall be installed and removed by the user under the direction and supervision of the school staff. All such decorations, furnishing, equipment, and debris shall be removed by an agreed upon time.
- 3- **W.** The user agrees to assume all responsibility for theft, damage or liability of any kind whatsoever related to its use of school facilities, and further agrees to hold harmless the ~~School Board~~ **District** from any expense or cost in connection with the use of school facilities.
- 4- **X.** Proper supervision of activities must be provided at all times.
- 5- **Y.** Organizations using school facilities shall provide police protection at their own expense if deemed necessary by school officials to maintain order and protect school property.
- 6- **Z.** When an admission is charged, the group using the facilities is responsible for the payment of any required admission tax directly to the appropriate taxing agency.
1. Evidence of such payment, together with an itemized attendance report, must be furnished to the school ~~district~~ **District** upon request.
- 7- **AA.** Start and stop times must be observed so as not to interfere with any other group or event.
- 8- **BB.** The ~~district~~ **District** reserves the right to request refundable security deposit in advance.

~~D. District Rights~~

- 1- **CC.** A periodic check may be conducted on community groups to determine whether they are fully utilizing a school facility.
1. The purpose of this check is to determine that sufficient participants are involved in the activity to justify use of the facility.
2. In the event that there are not sufficient participants, the ~~district~~ **District** reserves the right to terminate the activity use.
- 2- **DD.** All apparatus, equipment, and devices owned by the ~~school~~ **District** shall be operated by ~~school~~ **District** employees or specifically trained student personnel unless special arrangements are made otherwise.
- 3- **EE.** The Board reserves the right for the student council or other appropriate school organizations to operate the coat check room, refreshment stand, parking lot, etc, for the organization's own profit.
- 4- **FF.** The parking lot is operated as a revenue source for the school ~~district~~ **District** on weekends and holidays.
- GG.** Any group wishing to use the parking lot must reimburse the school district for lost revenue as determined by the ~~Director of Business and Finance~~ **Chief Operations Officer**.
- 5- **HH.** The school employee in charge during the facility use may call the police if, in the employee's judgment, it becomes necessary.
- 6- **II.** Based upon the considerations of this policy, the Board reserves the right to refuse the use of the building to any group at any time.

E. Application for Facility Use

~~1.~~ **JJ.** All applications for use of the facilities of the New Hope-Solebury School District shall be made to the principal of the building where the requested facilities are desired.

1. Applications shall be on forms prepared for this purpose. (see attachment "B" application).

~~2.~~ **KK.** The building principal shall notify the Director of Operations of all use of school buildings by forwarding a copy of the Application for Use of Facilities which shall set the appropriate charges in accordance with this policy.

~~3.~~ **LL.** All applications must be signed by a responsible officer of the group making the application.

~~4.~~ **MM.** All applications are subject to approval of school officials with regard to general conditions, special facilities, or services desired.

~~5.~~ **NN.** Organizations using a school facility may not sublet or transfer their rights and privileges to any other individual, group, or organization.

~~6.~~ **OO.** All organizations and groups using school facilities must have certificate of liability insurance for at least \$1,000,000/\$3,000,000 on file in the Business Office before final approval will be given for an activity.

1. Questions concerning insurance can be referred to the New Hope-Solebury School District Business Office by calling (215) 862-5372.

2. New Hope-Solebury School District must be named as an additional insured on the certificate of liability insurance.

F. Facility Use Scheduling

~~1.~~ **PP.** For the period September 1 to January 31 - No request for Non-District use of facilities will be acted on before the preceding June 1.

~~2.~~ **QQ.** For the period February 1 to August 31 - No request for Non-District use of facilities will be acted on before the preceding December

G. Facility Use Fee Schedule

~~1.~~ **RR.** See Attachment "A" for Facilities Use Fee Schedule.

~~2.~~ **TT.** All fee schedules shall be reviewed by administration on an annual basis.

1. Fee schedules, if updated, will be submitted to the Board for approval prior to July 1.

H. Facility Use Fee Payment

~~1.~~ **UU.** All rental charges for the use of school facilities must be paid at least two (2) weeks prior to the event by presenting remittance payable to the New Hope-Solebury School District, 180 West Bridge Street, New Hope, PA 18938.

~~2.~~ **VV.** Payment provisions other than those listed on the fee schedule may be arranged at the discretion of the administration, provided that there is a net benefit to the ~~school district~~ **District** and that ~~the~~ Board approval is attained.

I. Exceptions

~~1.~~ **WW.** Situations not covered in the above statements must be referred to the Superintendent or **the Superintendent's** designee with the initial application.

1. The Superintendent will notify the Board of all exceptions requested.

J. District Passenger Elevators

~~1.~~ **XX.** The New Hope-Solebury School Board limits the use of the elevators to disabled persons.

1. Pupils requesting use of the elevator shall present written parental requests to the school principal.

2. A log shall be kept by the principal's office of all elevator users stating the permissible dates of use and the condition necessitating the need.

3. A key to operate the elevators shall be assigned eligible users.

i. Such keys shall be secured from the school principal.

ii. A log of key issues shall be maintained by the principal.

4. Only disabled persons issued a key, and if needed, possibly one (1) person assigned by the principal to assist the handicapped persons, are permitted in the elevator **at any given time.**

5. Students temporarily handicapped will be permitted to use the elevator if the request is initiated by a licensed physician including dates for use and endorsed by the student's parents.

6. The elevator is not to be used during a building disaster such as fire, explosion, severe weather condition, etc.

7. Emergency procedures for evacuating the handicapped during a disaster are to be formulated and published by the building principal.

8. The elevator emergency alarm systems are to be tested monthly and logged by the Director of Operations.

9. Emergency procedures shall be posted in each elevator.

~~7.~~ **10.** All elevators are to be maintained to pass license inspections.

Legal

1. 24 P.S. 775
2. 20 U.S.C. 7181 et seq
3. 35 P.S. 1223.5
4. 24 P.S. 511
5. 20 U.S.C. 7905

707-Attach B.doc (145 KB)

707 - Attachment Facilities Use Fee Schedule.pdf (288 KB)



Book	Policy Manual
Section	700 Property
Title	Lending of School Owned Equipment and Books
Code	708
Status	Policy Committee Review
Adopted	March 29, 1993

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. Items of ~~district~~ **District** owned equipment shall not be loaned for nonschool use off school property.

B. If equipment is required for the use of those granted permission to use school facilities, it may be loaned in accordance with Board policy on the use of school facilities.^[1][2]

II. Authority

A. Use of specific items of equipment may be granted on the written request of the intended user and approval by the Superintendent and only when such equipment is unobtainable elsewhere.

B. The user of ~~district~~ **District** owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use, and shall be responsible for its safe return.

1. The user must agree to these conditions in writing.

C. When equipment authorized for loan requires the services of an operator, the user shall employ the services of a person designated by the ~~district~~ **District** and shall pay such costs as have been set for said hire.

D. School equipment may be removed from school property by students or staff members only when such equipment is necessary to accomplish tasks arising from their school or job responsibilities.

1. The prior approval of the principal is required for such removal.

E. Removal of school equipment from school property for personal use by staff or students is prohibited.

Legal

1. 24 P.S. 801

2. Pol. 707



Book	Policy Manual
Section	700 Property
Title	Key Control
Code	709
Status	Policy Committee Review
Adopted	March 29, 1993
Last Revised	February 28, 2000

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. The Board recognizes the need to maintain security of school facilities. ~~Toward this end,~~

B. ~~A~~ program of building security shall be administered by the Superintendent and Director of Operations with the cooperation of the other administrators.

C. The need for access shall be the underlying principle in determining who shall have keys for access to school properties.

II. ~~Authority~~ **Delegation of Responsibility**

A. The Director of Operations and principal shall determine, in accordance with these guidelines, who will be entitled to building(s) keys and who may have after hours access to the facilities of this district.[1]

III. ~~Delegation of Responsibility~~ **Directives**

A. Access to school buildings and grounds may be established by the appropriate administrator in accordance with the following:

1. All keys used in a school shall be the responsibility of the respective principal.
2. Requests for permanent issuance of keys shall be made only in those instances where the employee regularly needs a key in order to carry out their normal activities necessitated by the position which they hold.
3. When need for a particular key is of a temporary nature, a key shall be issued on that basis and shall be returned immediately following termination of the need for its use.
4. Each Director of Operations shall set up a key control system with a record of the number of each key filed.

5. The person issued a key shall be responsible for its safekeeping and shall pay for a duplicate key and related expenses if lost. **a.** Duplicate keys are obtained only through the Director of Operations Office.
6. The Board prohibits the duplication of school keys.
7. Keys shall be used only by authorized individuals and shall never be loaned to students.
8. The greatest care shall be given to master and sub-master keys.
9. Master keys shall never be loaned.

Legal

1. Pol. 707



Book	Policy Manual
Section	700 Property
Title	Employee Off-Site Use of Computer Equipment
Code	711
Status	Policy Committee Review
Adopted	March 29, 1993
Last Revised	May 21, 2003

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. The Board of Education recognizes that learning to use a computer as an effective instructional tool takes considerable time. ~~To allow school personnel time to master this technology, they may take laptop computers home over extended vacation periods under the following conditions.~~

II. Guidelines Directives

A. To allow school personnel time to master this technology, they may take laptop computers home over extended vacation periods under the following conditions.

~~A.~~ **1.** The building principal and Director of IMS must authorize off-site use.

~~1.~~ **2.** Documentation will be kept showing the dates, location and purpose of all off-site use.

~~2.~~ **3.** Each user is responsible for the care of equipment and must confirm its good working order upon its return.

~~3.~~ **4.** All off-site users must sign an off-site use agreement.

~~B.~~ **5.** Only laptops will be designated by the principals in each building as off-site equipment.

~~1.~~ **6.** Computers may be signed out one week at a time over summer and winter recesses.

~~2.~~ **7.** Priority may be given to certain employees dependent upon need, instructional responsibility and availability of equipment.

~~3.~~ **8.** All computers, peripherals and software must be returned and checked per the calendar date identified on the agreement prior to the opening of the school year.

~~6.~~ **9.** Authorization of off-site use will be limited to the following purposes:

- ~~1.~~ **a.** Examining instructional software.
- ~~2.~~ **b.** Developing programs for school use.
- ~~3.~~ **c.** Preparing school related materials.
- ~~4.~~ **d.** Developing computer instructional skills.
- ~~5.~~ **e.** Becoming more familiar with equipment operation.

~~8.~~ **10.** Unauthorized uses include:

- ~~1.~~ **a.** Activities for profit or hire.
- ~~2.~~ **b.** Personal recordkeeping for non-school activities.
- ~~3.~~ **c.** Off-site use during school hours.
- ~~4.~~ **d.** Use by persons other than the person signing the agreement.
- ~~5.~~ **e.** Use for the benefit of other persons and/or organizations.

~~E.~~ **11.** The principal and Director of ~~IMS~~ **Information Technology** have the option of denying requests due to the limit of computer availability or employee violations of the above criteria.

~~F.~~ **12.** All personnel who borrow ~~district~~ **District** computers must:

- ~~1.~~ **a.** File a computer equipment checkout form.
- ~~2.~~ **b.** Assume total responsibility for the equipment and its return in the same condition as when checked out on or before the designated return date.



Book	Policy Manual
Section	700 Property
Title	Cellular Phones
Code	712
Status	Policy Committee Review
Adopted	January 24, 2000
Last Revised	June 28, 2018

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

- A. The Board of School Directors recognizes ~~for~~ the use of cellular devices **are needed** to complete essential job functions.

II. Guidelines Delegation of Responsibility

- A. The Board authorizes the Superintendent and Business Administrator to develop a procedure for employee reimbursement to the District for personal use of school District cellular phones.
- B. The Board further authorizes that the procedure will adhere to all state and federal requirements and regulations.[1]

III. ~~Delegation of Responsibility~~ Directives

- A. ~~Listed guidelines should be followed when using~~ District-issued cellular phones:
1. ~~Are t~~To be used when mobile communications are advised and when walkie-talkies are ineffective.
 2. **Are to be used f**For school-related use only.[1]
 3. Should be used ~~in accordance with Section 1, Purpose, of this policy.~~ **to complete essential job functions.**
 4. ~~Are t~~The responsibility of persons to whom they have been assigned with regard to loss or theft through negligence.
 5. To have charged batteries at all times;
 - a. **This** is the responsibility of the person to whom the phone has been assigned.

6. **Are t**To be listed by the Business Office with the following information:

- a. Serial numbers.
- b. Cellular numbers.
- c. Persons to whom they are assigned.

Legal

1. Pol. 624

26 U.S.C. 1 et seq

Pol. 317



Book	Policy Manual
Section	700 Property
Title	Protection of Property
Code	713
Status	Policy Committee Review
Adopted	March 29, 1993
Last Revised	May 24, 2018

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. The Board provides facilities for the effective operation of the District.

B. As the governing body **of** the District, the Board has the right and duty to be informed of instances when property is vandalized.

II. Definitions

A. For the purposes of this policy, **vandalism** shall be defined as any deliberate act that defaces or destroys District property.

III. Delegation of Responsibility

A. The Superintendent or his/her **the Superintendent's** designee shall be responsible for implementing this policy.

IV. Guidelines Requirements

A. Any theft and/or damage to buildings, grounds, or equipment shall be reported immediately to the Director of Operations.

B. The principal shall immediately report to the ~~Director of Business and Finance~~ **Chief Operations Officer** and, if appropriate, the police department, the extent of any facilities or grounds damage.

C. Any verbal report shall be followed by a written report, within twenty-four (24) hours, to the ~~Business Administrator~~ **Chief Operations Officer**.

1. If appropriate, one copy of this report will be sent by the principal to the police department.

D. The Director of Operations shall be responsible for recording any costs related to vandalism.

1. This record shall be forwarded to the ~~Business Administrator~~ **Chief Operations Officer**.

E. Hours spent and materials used by custodial employees in repairing damages due to vandalism shall be recorded.

1. This record shall be forwarded to the ~~Business Administrator~~ **Chief Operations Officer**.

F. The building principals shall be responsible for providing student discipline **if a student is responsible** for acts of vandalism.

G. The Superintendent shall inform the Board of all acts of vandalism and malicious mischief exceeding five hundred dollars (\$500) or that are sensitive in nature no later than at its ~~at its~~ **the Board's** next scheduled meeting.



Book	Policy Manual
Section	700 Property
Title	Integrated Pest Management
Code	716
Status	Policy Committee Review
Adopted	December 20, 1999
Last Revised	January 15, 2003

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

- A. The school ~~district~~ **District** shall utilize integrated pest management procedures to manage structural and landscape pests and the toxic chemicals used for their control in order to alleviate pest problems with the least possible hazard to people, property and the environment.
- B. The ~~district~~ **District** shall integrate IPM **Integrated Pest Management** education into the curriculum in accordance with relevant academic standards. [\[1\]](#)[\[2\]](#)

II. Definitions for the purposes of this policy.

- A. "**Integrated Pest Management (IPM)**" is **defined as** the coordinated use of pest and environmental information to design and implement pest control methods that are economically, environmentally and socially sound. ~~IPM promotes prevention over remediation and advocates the integration of at least two (2) or more strategies to achieve long term solutions.~~
- B. "**Integrated Pest Management Plan**" is **defined as** a plan that establishes a sustainable approach to managing pests by combining biological, cultural, physical and chemical tools in a way that minimizes economic, health and environmental risks.

III. Authority

- A. The Board establishes that the ~~school district~~ **District** shall use pesticides only after consideration of the full range of alternatives, based on analysis of environmental effects, safety, effectiveness and costs. [\[7\]](#)
- B. The Board shall adopt an Integrated Pest Management Plan for ~~district~~ **District** buildings and grounds that complies with policies and regulations promulgated by the Department of Agriculture.

IV. Delegation of Responsibility

- A. The Superintendent or **the Superintendent's** designee shall be responsible to implement ~~integrated pest management~~ **IPM** procedures and to coordinate communications between the district and the approved contractor.
- B. The Superintendent shall designate an employee to serve as IPM coordinator for the district **District**.
- C. The Superintendent or **the Superintendent's** designee shall be responsible to annually notify parents and guardians of the procedures for requesting notification of planned and emergency applications of pesticides in school buildings and on school grounds.[\[4\]](#)
- D. Appropriate personnel involved in making decisions relative to pest management shall participate in update training.

V. Guidelines **Directives**

A. IPM promotes prevention over remediation and advocates the integration of at least two (2) or more strategies to achieve long-term solutions.

~~A.~~ **B.** Pest management strategies may include education, exclusion, sanitation, maintenance, biological and mechanical controls, and site appropriate pesticides.

~~B.~~ **C.** An integrated pest management **IPM** decision shall consist of the following five (5) steps:

1. Pest species identification.
2. Estimate pest populations and compare to established action thresholds.
3. Select the appropriate management tactics based on current on-site information.
4. Assess effectiveness of pest management.
5. Keep appropriate records.

~~C.~~ **D.** An Integrated Pest Management Plan shall include the education of staff, students and the public about IPM policies and procedures.

~~D.~~ **E.** When pesticide applications are scheduled in school buildings and on school grounds, the district **District** shall provide notification in accordance with law, including:

1. Posting a pest control sign in an appropriate area.
2. Providing the pest control information sheet to all individuals working in the school building.
3. Providing required notice to all parents and guardians of students or to a list of parents and guardians who have requested notification of individual applications of pesticides.

~~E.~~ **F.** Where pests pose an immediate threat to the health and safety of students or employees, the district **District** may authorize an emergency pesticide application and shall notify by telephone any parent and guardian who has requested such notification.[\[4\]](#)

~~F.~~ **G.** The district **District** shall maintain detailed records of all chemical pest control treatments for at least three (3) years.

H. Information regarding pest management activities shall be available to the public at the district **District's** administrative office.[\[4\]](#)

Legal

1. 22 PA Code 4.12
2. Pol. 102
4. 24 P.S. 772.1
6. 7 U.S.C. 136 et seq
7. 7 PA Code 128.1 et seq



Book	Policy Manual
Section	700 Property
Title	Service Animals in Schools
Code	718
Status	Policy Committee Review
Adopted	December 21, 2009
Last Revised	June 27, 2011

Proposed deletions: ~~strike through~~

Proposed additions/revisions: **underlined and bold**

I. Purpose

A. The Board adopts this policy to ensure that individuals with disabilities are permitted to participate in and benefit from ~~district~~ **District** programs, activities and services, and to ensure that the ~~district~~ **District** does not discriminate on the basis of disability.

II. Definition for purposes of this policy

A. **"Service animal" is defined as** ~~means~~ any dog individually trained to do work or perform tasks for the benefit of an individual with a disability.[\[1\]](#)

~~B. Miniature horses may be utilized as service animals if:~~[\[2\]](#)

- ~~1. The miniature horse is individually trained to do work or perform tasks for the benefit of an individual with a disability.~~
- ~~2. The facility can accommodate the type, size and weight of the miniature horse.~~
- ~~3. The presence of the miniature horse does not compromise the safe operation of the facility.~~

~~C. The work or tasks performed by a service animal shall be directly related to the handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.~~[\[1\]](#)

~~D. The provision of emotional support, well being, comfort, or companionship does not constitute work or tasks for the purpose of this definition.~~[\[1\]](#)

III. Authority

A. The Board shall permit individuals with disabilities to use service animals in ~~district~~ **District** buildings; on ~~district~~ **District** property; and on vehicles that are owned, leased or controlled by the school ~~district~~ **District**, in accordance with this policy and applicable state and federal laws and regulations.[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[13\]](#)

~~IV. Guidelines~~ Delegation of Responsibility

A. The Superintendent or designee shall develop and disseminate administrative regulations to implement Board policy and accommodate individuals with disabilities requesting use of a service animal in District buildings and on District property and vehicles.

B. The designated administrator shall ensure that all individuals involved in a situation where a service animal will regularly accompany an owner or handler in District buildings or on District property or vehicles are informed of the Board policy and administrative regulations governing this issue.

C. Involved individuals can include administrators, appropriate employees, student and parent/guardian.

V. Requirements

A. The work or tasks performed by a service animal shall be directly related to the handler's disability.

1. Examples of work or tasks include, but are not limited to,

a. assisting individuals who are blind or have low vision with navigation and other tasks,

b. alerting individuals who are deaf or hard of hearing to the presence of people or sounds,

c. providing nonviolent protection or rescue work,

d. pulling a wheelchair,

e. assisting an individual during a seizure,

f. alerting individuals to the presence of allergens,

g. retrieving items such as medicine or the telephone,

h. providing physical support and assistance with balance and stability to individuals with mobility disabilities, and

i. helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.[\[1\]](#)

B. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purpose of this policy.[\[1\]](#)

C. Miniature horses may be utilized as service animals if: [2]

1. **The miniature horse is individually trained to do work or perform tasks for the benefit of an individual with a disability.**
2. **The facility can accommodate the type, size and weight of the miniature horse.**
3. **The presence of the miniature horse does not compromise the safe operation of the facility.**

A- D. Admission of Service Animals to Schools

1. A student or an employee with a disability may submit a request to bring a service animal to school for educational or employment purposes. ~~However,~~
2. There is no automatic right to be accompanied by a service animal in the school setting.
3. Parents/Guardians of students with disabilities who believe the student needs to bring a service animal to school in order to receive a free and appropriate public education, shall notify the building principal or the Section 504 or IEP team.
4. The appropriate team shall evaluate the request to use the service animal in school, gather necessary information and determine whether the student requires the service animal during the school day or at school activities.
5. This **evaluation** may include a request for parental permission to formally assess the student's education-based needs that might include alternative methods of accommodating needs.
6. Any service animal accompanying a student with a disability to school or school activities shall be handled and cared for in a manner detailed in the student's IEP or Section 504 Service Agreement.[6][7]
7. Before a service animal shall be allowed in a ~~district~~ **District** building, or on ~~district~~ **District** property or vehicles, the ~~district~~ **District** shall ~~request~~ **require** the following documentation from the owner or handler of the animal: [5]

- a. Verification of the need for a service animal. [2]
- b. Description of the function(s) the service animal is trained to perform in relation to the individual's disability. [2]
- c. Current ~~dog~~ **animal** license. [8]
- d. Proof of current vaccinations and immunizations of the service animal. [9]

B- E. Admission of Service Animals to Public Events

1. Individuals with disabilities may be accompanied by their service animals while on ~~district~~ **District** property for events that are open to the general public.
2. This right of access does not extend to the schools generally or to other activities that are not open to the general public. [2][10][13]
3. School administrators may inquire of the owner or handler of an animal whether the animal is required because of a disability and the specific tasks that the animal has been trained to perform, but shall not ask questions about an individual's disability.

[2]

4. The ~~district~~ **District** shall not require an owner or handler of a service animal to pay an extra charge for the animal to attend events for which a fee is charged. [2]

~~V. Delegation of Responsibility~~

~~A. The Superintendent or designee shall develop and disseminate administrative regulations to implement Board policy and accommodate individuals with disabilities requesting use of a service animal in district buildings and on district property and vehicles.~~

~~B. The designated administrator shall ensure that all individuals involved in a situation where a service animal will regularly accompany an owner or handler in district buildings or on district property or vehicles are informed of the Board policy and administrative regulations governing this issue. Involved individuals can include administrators, appropriate employees, student and parent/guardian.~~

~~C. F.~~ The owner or handler of a service animal shall be solely responsible for:

1. Supervision and care of the animal, including any feeding, exercising, clean up and stain removal. [2]
2. Control of the animal at all times through the use of a harness, leash, tether or by other effective means.
3. Damages to ~~district~~ **District** buildings, property and vehicles caused by the animal.
4. Injuries to students, employees, volunteers and visitors caused by the animal.
5. Annual submission of documentation of vaccinations and immunizations.

~~D. G.~~ The building principal shall receive and forward to the Director of Pupil Services each completed request by an individual with a disability to be accompanied by a service animal.

- 1.** The Director of Pupil Services shall respond to the request.

~~E. H.~~ District administrators may exclude a service animal from ~~district~~ **District** buildings, property and vehicles under the following circumstances:

1. Presence of the animal poses a direct threat to the health and safety of others.
2. Owner or handler is unable to control the animal.
3. Animal is not housebroken.
4. Presence of the animal significantly disrupts or interferes with the educational process.
5. Presence of the animal would require a fundamental alteration to the program.

~~F. G.~~ Any individual with a service animal who is aggrieved by a decision to exclude, limit or remove a service animal may appeal that decision in accordance with applicable Board policy.

- 1.** The appeal must be in writing and provide detailed information regarding the basis of the appeal. [6][11][12]

Legal

1. 28 CFR 35.104
2. 28 CFR 35.136
3. 29 U.S.C. 794
4. 42 U.S.C. 12101 et seq
5. 28 CFR 35.130
6. Pol. 103.1
7. Pol. 113
8. 3 P.S. 459-201
9. 3 P.S. 455.1 et seq
10. Pol. 904
11. Pol. 104
12. Pol. 906
- 28 CFR Part 35
- 29 CFR Part 1630
13. 43 P.S. 953
- Pol. 103
- Pol. 707