

**Jersey Shore Area School District**  
**Board of Education – Regular Meeting**  
(held virtually using video conference calling)  
Minutes of August 10, 2020

**A. Opening**

1. **Call to Order:** Mr. Craig Allen, President, called the meeting to order at 7:10 p.m.

An Executive session was held beginning at 6:00 p.m. for legal issues.

2. **Roll Call:**

Members Present: Mr. Craig Allen, Mr. David Becker, Mr. Harry Brungard, Ms. Patrice Doebler, Mrs. Angela Grant, Mr. Wayne Kinley, Mrs. Nancy Petrosky, Mrs. Michelle Stemler, Mrs. Mary Thomas and Dr. Brian Ulmer, Superintendent.

Others Present: Christopher Kenyon, Esq., Solicitor, Mr. Benjamin Enders, Board Secretary, and Dr. Kenneth Dady, Jr., Assistant Superintendent

3. **Pledge of Allegiance**

**B. Approvals**

1. **Minutes:**

**Motion:** A motion was made by Mary Thomas and seconded by Nancy Petrosky to approve the following Minutes, as listed on the Agenda:

- a. July 27, 2020 Regular Meeting (held virtually)

A roll call vote was taken as listed below:

David Becker	Yes	Harry Brungard	(temporarily left meeting)
Patrice Doebler	Yes	Angela Grant	Yes
Wayne Kinley	Yes	Nancy Petrosky	Yes
Michelle Stemler	Yes	Mary Thomas	Yes
Craig Allen	Yes		

The vote was 8-yes and 0-no, motion carried.

**C. Presentations**

1. **Communications:**

- a. Dr. Ulmer received a news story regarding a study done by a research firm. The study ranked school districts in PA based on their equitable funding (amount of money spent per student vs household income in Jersey Shore). JSASD ranked the best in Lycoming County at 142 out of 499.
- b. Due to the change in guidance regarding mask wearing, the survey for parents to choose their students learning option will be open again until August 19, 2020.

2. **President's Report:**

- a. Asking for patience from everyone as we all navigate the planning for school opening. Planning is almost by the moment with changes coming from Harrisburg frequently. Also reminded everyone that the

frequently asked questions are being updated often!

**3. Intermediate Unit Report:**

- a. Recent meeting was spent reviewing the IU’s Health and Safety Plan.

**4. Superintendent’s Report:**

- a. Updated Board Policies: (Attachments)
  - Policy 247- Hazing
  - Policy 249 - Bullying/Cyberbullying
  - Policy 252 - Dating Violence
  - Policy 317.1 - Educator Misconduct
  - Policy 824 - Maintaining Professional Adult/Student Boundaries
- b. Pre K Counts Agreements - Ken Dady (Attachments)

**D. Courtesy of the Floor on Agenda Items and J. Courtesy of the Floor on Items not on the Agenda:**

Robert Fox, Pine Creek Twp. – commented on timing of feasibility study during pandemic.  
Raye Bierly, Piatt Twp. - commented on the Governor’s newest statement and a hybrid plan.

**E. Personnel**

**1. Personnel Items:**

**Motion:** A motion was made by Mary Thomas and seconded by Wayne Kinley to approve the following Personnel items as listed on the Agenda:

- a. appointment of Nancy Rodabaugh, Middle School teacher, to a position of Mentor for Madissen Davis, Middle School teacher, for the 2020-2021 school year at a stipend of \$500.
- b. appointment of Amber Eck to a full time Assistant Cook position at the Middle School, \$15.76 per hour, effective August 11, 2020.
- c. appointment of Jody Paulhamus to a full time Head Cook position at Jersey Shore Area Elementary, \$16.84 per hour, effective August 11, 2020.
- d. appointment of Shelly Smith to a full time Assistant Cook position at Jersey Shore Area Elementary, \$15.76 per hour, effective August 11, 2020.
- e. appointment of Jordan Bower to a part time Food Service position at Jersey Shore Area Elementary, \$10.20 per hour, effective August 11, 2020.
- f. the following Grade Level Leaders for the 2020-21 school year, each will be paid a \$1000 stipend, per contract:

Ann Knipe	First Grade
Nicole Allison	Fifth Grade

A roll call vote was taken as listed below:

David Becker	Yes	Harry Brungard	Yes
Patrice Doebler	Yes	Angela Grant	Yes
Wayne Kinley	Yes	Nancy Petrosky	Yes
Michelle Stemler	Yes	Mary Thomas	Yes
Craig Allen	Yes		

The vote was 9-yes and 0-no, motion carried.

**F. Curriculum and Instruction**

**1. Curriculum and Instruction Item:**

**Motion:** A motion was made by Mary Thomas and seconded by Harry Brungard to approve the following Curriculum and Instruction item as listed on the Agenda:

- a. Policy 124.1 - Jersey Shore Online Learning at second read. (Attachment)

A roll call vote was taken as listed below:

David Becker	Yes	Harry Brungard	Yes
Patrice Doebler	Yes	Angela Grant	Yes
Wayne Kinley	Yes	Nancy Petrosky	Yes
Michelle Stemler	Yes	Mary Thomas	Yes
Craig Allen	Yes		

The vote was 9-yes and 0-no, motion carried.

**G. Building and Grounds: None**

**H. Finance: None**

**I. Miscellaneous:**

**1. Miscellaneous Items**

**Motion:** A motion was made by Harry Brungard and seconded by Wayne Kinley to approve Miscellaneous item a. as listed on the agenda:

- a. authorization to conduct a district feasibility study.

A roll call vote was taken as listed below:

David Becker	Yes	Harry Brungard	Yes
Patrice Doebler	No	Angela Grant	No
Wayne Kinley	Yes	Nancy Petrosky	No
Michelle Stemler	Yes	Mary Thomas	No
Craig Allen	Yes		

The vote was 5-yes and 4-no, motion carried.

**Motion:** A motion was made by Harry Brungard and seconded by David Becker to approve Miscellaneous item b. as listed on the agenda, adding Hunt Engineering:

- b. hiring Hunt Engineering to complete a feasibility study.

A roll call vote was taken as listed below:

David Becker	Yes	Harry Brungard	Yes
Patrice Doebler	No	Angela Grant	No
Wayne Kinley	Yes	Nancy Petrosky	No
Michelle Stemler	Yes	Mary Thomas	No
Craig Allen	Yes		

The vote was 5-yes and 4-no, motion carried.

**Motion:** A motion was made by Mary Thomas and seconded by Harry Brungard to approve Miscellaneous item c.-e. as listed on the agenda:

c. the following policies at first read: (Attachments)

- Policy 100 - Comprehensive Planning
- Policy 101 - Mission Statement/Vision Statement/Shared Values
- Policy 102 - Academic Standards
- Policy 103 - Nondiscrimination/Discriminatory Harassment - School and Classroom Practices
- Policy 103.1 - Nondiscrimination - Qualified Students with Disabilities
- Policy 104 - Nondiscrimination/Discriminatory Harassment - Employment Practices

d. the updated Jersey Shore Area School District Reopening Health and Safety Plan. (Attachment)

e. an Interim Motion to comply with and implement all requirements to the Title IX regulations. (Attachment)

A roll call vote was taken as listed below:

David Becker	Yes	Harry Brungard	No
Patrice Doebler	Yes	Angela Grant	Yes
Wayne Kinley	Yes	Nancy Petrosky	Yes
Michelle Stemler	Yes	Mary Thomas	Yes
Craig Allen	Yes		

The vote was 8-yes and 1-no, motion carried.

**J. Old Business:** None

**L. Executive Session:** None

**M. Adjournment**

The August 10, 2020 Regular Board Meeting was adjourned at 7:54 p.m.

Respectfully submitted,

Benjamin J. Enders  
Board Secretary



Book	Board Policy Manual
Section	200 Pupils
Title	Hazing
Code	247
Status	
Legal	<ul style="list-style-type: none"><li>1. 18 Pa. C.S.A. 2802</li><li>2. 18 Pa. C.S.A. 2803</li><li>3. 18 Pa. C.S.A. 2804</li><li>4. 18 Pa. C.S.A. 2808</li><li>5. 18 Pa. C.S.A. 2806</li><li>6. 18 Pa. C.S.A. 2801</li><li>7. 24 P.S. 511</li><li>8. 18 Pa. C.S.A. 2301</li><li>9. Pol. 122 - Extracurricular Activities</li><li>10. Pol. 123 - Interscholastic Athletics</li><li>11. Pol. 103 - Discrimination/Title IX Sexual Harassment Affecting Students</li><li>12. Pol. 103.1 - Non - Discrimination - Qualified Students with Disabilities</li><li>13. 18 Pa. C.S.A. 2810</li><li>14. 24 P.S. 1303-A</li><li>15. 22 PA Code 10.2</li><li>16. 35 P.S. 780-102</li><li>17. 24 P.S. 1302.1-A</li><li>18. 22 PA Code 10.21</li><li>19. 22 PA Code 10.22</li><li>20. Pol. 805.1 - Relations with Law Enforcement Agencies</li><li>21. 22 PA Code 10.25</li><li>22. Pol. 218 - Student Discipline</li><li>23. Pol. 233 - Suspension and Expulsion</li><li>24. Pol. 317 - Conduct/Disciplinary Procedures</li><li>18 Pa. C.S.A. 2801 et seq</li><li>22 PA Code 10.23</li><li>Pol. 113.1 - Discipline of Student with Disabilities</li><li>Pol. 916 - Volunteers</li></ul>

## **Purpose**

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

## **Definitions**

Hazing occurs when a person intentionally, knowingly or recklessly, for the purpose of initiating, admitting or affiliating a student with an organization, or for the purpose of continuing or enhancing membership or status in an organization, causes, coerces or forces a student to do any of the following:[\[1\]](#)

1. Violate federal or state criminal law.
2. Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the student to a risk of emotional or physical harm.
3. Endure brutality of a physical nature, including whipping, beating, branding, calisthenics or exposure to the elements.
4. Endure brutality of a mental nature, including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.
5. Endure brutality of a sexual nature.
6. Endure any other activity that creates a reasonable likelihood of bodily injury to the student.

Aggravated hazing occurs when a person commits an act of hazing that results in serious bodily injury or death to the student and:[\[2\]](#)

1. The person acts with reckless indifference to the health and safety of the student; or
2. The person causes, coerces or forces the consumption of an alcoholic liquid or drug by the student.

Organizational hazing occurs when an organization intentionally, knowingly or recklessly promotes or facilitates hazing.[\[3\]](#)[\[4\]](#)

Any activity, as described above, shall be deemed a violation of this policy regardless of whether:[\[5\]](#)

1. The consent of the student was sought or obtained, or
2. The conduct was sanctioned or approved by the school or organization.

Student activity or organization means any activity, society, corps, team, club or service, social or similar group, operating under the sanction of or recognized as an organization by the district, whose members are primarily students or alumni of the organization.[\[6\]](#)[\[7\]](#)

For purposes of this policy, bodily injury shall mean impairment of physical condition or substantial pain.[\[8\]](#)

For purposes of this policy, serious bodily injury shall mean bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.[\[8\]](#)

## **Authority**

The Board prohibits hazing in connection with any student activity or organization regardless of whether the conduct occurs on or off school property or outside of school hours.[4][5][7][9][10]

No student, parent/guardian, coach, sponsor, volunteer or district employee shall engage in, condone or ignore any form of hazing.

The Board encourages students who believe they, or others, have been subjected to hazing to promptly report such incidents to the building principal or designee.

## **Title IX Sexual Harassment and Other Discrimination**

Every report of alleged hazing that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer **and Title IX Coordinator**. If, in the course of a hazing investigation, potential issues of discrimination are identified, the **Title IX Coordinator** shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged hazing.[11][12]

## **Delegation of Responsibility**

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

## **Guidelines**

In addition to posting this policy on the district's publicly accessible website, the district shall inform students, parents/guardians, sponsors, volunteers and district employees of the district's policy prohibiting hazing, including district rules, penalties for violations of the policy, and the program established by the district for enforcement of the policy by means of **distribution of written policy and publication in handbooks**.

This policy, along with other applicable district policies, procedures and Codes of Conduct, shall be provided to all school athletic coaches and all sponsors and volunteers affiliated with a student activity or organization, prior to coaching an athletic activity or serving as a responsible adult supervising, advising, assisting or otherwise participating in a student activity or organization together with a notice that they are expected to read and abide by the policies, procedures and Codes of Conduct.[7]

## **Complaint Procedure**

A student who believes that **they have** been subject to hazing is encouraged to promptly report the incident to the building principal or designee.

Students are encouraged to use the district's report form, available from the building principal, or to put the complaint in writing; however, oral complaints shall be accepted and documented. The person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the student filing the complaint or those accused of a violation of this policy.

The Board directs that verbal and written complaints of hazing shall be provided to the building principal or designee, who shall promptly notify the Superintendent or designee of the allegations and determine who shall conduct the investigation. Allegations of hazing shall be investigated promptly, and appropriate corrective or preventative action be taken when allegations are substantiated. The Board directs that any complaint of hazing brought pursuant to this policy shall also be reviewed for conduct which may not be proven to be hazing under this policy but merits

review and possible action under other Board policies.

### Interim Measures/Police

Upon receipt of a complaint of hazing, the building principal or designee, in consultation with the Superintendent or designee, shall determine what, if any interim measures should be put in place to protect students from further hazing, bullying, discrimination or retaliatory conduct related to the alleged incident and report. Such interim measures may include, but not be limited to, the suspension of an adult who is involved, the separation of alleged victims and perpetrators, and the determination of what the complaining student needs or wants through questioning.

Those receiving the initial report and conducting or overseeing the investigation will assess whether the complaint, if proven, would constitute hazing, aggravated hazing or organizational hazing and shall report it to the police consistent with district practice and, as appropriate, consult with legal counsel about whether to report the matter to the police at every stage of the proceeding. The decision to report a matter to the police should not involve an analysis by district personnel of whether safe harbor provisions might apply to the person being reported, but information on the facts can be shared with the police in this regard.[\[13\]](#)

### *Referral to Law Enforcement and Safe Schools Reporting Requirements –*

For purposes of reporting hazing incidents to law enforcement in accordance with Safe Schools Act reporting, 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.[\[14\]](#)[\[15\]](#)[\[16\]](#)

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents, as defined in the Safe Schools Act, committed by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.[\[14\]](#)[\[15\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)

The Superintendent or designee shall notify the parent/guardian of any student directly involved in a defined incident as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[\[15\]](#)[\[20\]](#)[\[21\]](#)

In accordance with state law, the Superintendent shall annually, by July 31, report all new incidents to the Office for Safe Schools on the required form.[\[14\]](#)[\[20\]](#)

### **Confidentiality**

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with **applicable law, regulations**, this policy and the district's legal and investigative obligations.

### **Retaliation**

Reprisal or retaliation relating to reports of hazing or participation in an investigation of allegations of hazing is prohibited and shall be subject to disciplinary action.

### **Consequences for Violations**



### *Safe Harbor –*

An individual needing medical attention or seeking medical attention for another shall not be subject to criminal prosecution if **the individual** complies with the requirements under law, subject to the limitations set forth in law.[\[13\]](#)

### *Students –*

If the investigation results in a substantiated finding of hazing, the investigator shall recommend appropriate disciplinary action up to and including expulsion, as circumstances warrant, in accordance with the Code of Student Conduct. The student may also be subject to disciplinary action by the coach or sponsor, up to and including removal from the activity or organization. The fact of whether a student qualified for and received safe harbor under a criminal investigation shall be considered in assigning discipline.[\[4\]](#)[\[7\]](#)[\[13\]](#)[\[22\]](#)[\[23\]](#)

### ***Nonstudent Violators/Organizational Hazing -***

If the investigation results in a substantiated finding that a coach, sponsor, or volunteer affiliated with the student activity or organization engaged in, condoned or ignored any violation of this policy, **the coach, sponsor, or volunteer** shall be disciplined in accordance with Board policy and applicable laws and regulations. Discipline could include, but is not limited to, dismissal from the position as coach, sponsor, or volunteer, and/or dismissal from district employment.[\[24\]](#)

If an organization is found to have engaged in organizational hazing, it shall be subject to the imposition of fines and other appropriate penalties. Penalties may include rescission of permission for that organization to operate on school property or to otherwise operate under the sanction or recognition of the district.

### *Criminal Prosecution –*

Any person or organization that causes or participates in hazing may also be subject to criminal prosecution.[\[4\]](#)

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 [247-Attach 1 Report Form.pdf \(161 KB\)](#)



Book	Board Policy Manual
Section	200 Pupils
Title	Bullying/Cyberbullying
Code	249
Status	
Legal	<ol style="list-style-type: none"> <li>1. <a href="#">24 P.S. 1303.1-A</a></li> <li>2. Pol. 103 - Dis crimination/Title IX Sexual Harrassment Affecting Students</li> <li>3. Pol. 103.1 - Nondiscrimaton - Qualified Students with Disabilities</li> <li>4. Pol. 218 - Student Discipline</li> <li>5. <a href="#">22 PA Code 12.3</a></li> <li>6. <a href="#">20 U.S.C. 7118</a></li> <li>7. <a href="#">24 P.S. 1302-A</a></li> <li>8. Pol. 236 - Student Assistance Program</li> <li>9. Pol. 233 - Suspension and Expulsion</li> <li>Pol. 113.1 - Discipline of Students with Disabilities</li> </ol>

### **Purpose**

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

### **Definitions**

Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting that is severe, persistent or pervasive and has the effect of doing any of the following: [\[1\]](#)

1. Substantially interfering with a student's education.
2. Creating a threatening environment.
3. Substantially disrupting the orderly operation of the school.

Bullying, as defined in this policy, includes cyberbullying.

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

## **Authority**

The Board prohibits all forms of bullying by district students.[1]

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

Students are encouraged to use the district's report form, available from the building principal, or to put the complaint in writing; however, oral complaints shall be accepted and documented. The person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the student filing the complaint or those accused of a violation of this policy.

The Board directs that verbal and written complaints of bullying shall be investigated promptly, and appropriate corrective or preventative action be taken when allegations are substantiated. The Board directs that any complaint of bullying brought pursuant to this policy shall also be reviewed for conduct which may not be proven to be bullying under this policy but merits review and possible action under other Board policies.

## **Title IX Sexual Harassment and Other Discrimination**

Every report of alleged bullying that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer **and Title IX Coordinator**. If, in the course of a bullying investigation, potential issues of discrimination are identified, the **Title IX Coordinator** shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged bullying.[2][3]

## **Confidentiality**

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with **applicable law, regulations**, this policy and the district's legal and investigative obligations.

## **Retaliation**

Reprisal or retaliation relating to reports of bullying or participation in an investigation of allegations of bullying is prohibited and shall be subject to disciplinary action.

## **Delegation of Responsibility**

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

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

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

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

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

1. Board's Bullying Policy.
2. Report of bullying incidents.

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

### **Guidelines**

The Code of Student Conduct, which shall contain this policy, shall be disseminated annually to students.[1][4][5]

This policy shall be accessible in every classroom. The policy shall be posted in a prominent location within each school building and on the district website.[1]

### **Education**

The district may develop, implement and evaluate bullying prevention and intervention programs and activities. Programs and activities shall provide district staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.[1][6][7][8]

### **Consequences for Violations**

A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include:[1][4][9]

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

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**DISCRIMINATION/SEXUAL HARASSMENT/BULLYING/  
HAZING/DATING VIOLENCE/RETALIATION  
REPORT FORM**

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

Position: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**Retaliation Prohibited**

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

**Confidentiality**

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

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

**I. Information About the Person Making This Report:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

School Building: \_\_\_\_\_

I am a:

- Student     Parent/Guardian     Employee     Volunteer     Visitor  
 Other \_\_\_\_\_ (please explain relationship to the district)

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

Name: \_\_\_\_\_

- The alleged victim is:  Your Child     Another Student     A District Employee  
 Other: \_\_\_\_\_ (please explain relationship to the alleged victim)

**II. Information About the Person(s) You Believe is/are Responsible for the Bullying, Hazing, Harassing or Other Discrimination You are Reporting**

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

Name(s):

**The reported individual(s) is/are:**

- Student(s)     Employee(s)  
 Other \_\_\_\_\_ (please explain relationship to the district)

### **III. Description of the Conduct You are Reporting**

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

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

Where did the reported conduct take place?

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

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

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

Yes       No

If yes, who did you tell about it?

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

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

\_\_\_\_\_  
Signature of Person Making the Report

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received By

\_\_\_\_\_  
Date



**FOR OFFICIAL USE ONLY**

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

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

*Upon receipt of the report, The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures as described in Policy 103 and Attachment 3. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.*

**I. Reporter Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

School Building: \_\_\_\_\_

Reporter is a:

- Student     Parent/Guardian     Employee     Volunteer     Visitor  
 Other \_\_\_\_\_ (please explain relationship to the district)

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

Name: \_\_\_\_\_

- The alleged victim is:  Reporter's Child     Another Student     Another Employee  
 Other: \_\_\_\_\_ (please explain relationship to the alleged victim)

**II. Respondent Information**

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

Name(s):

**The reported respondent(s) is/are:**

- Student(s)       Employee(s)
- Other \_\_\_\_\_ (please explain relationship to the district)

**III. Level of Report:**

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

**IV. Type of Report:**

- Title IX Sexual Harassment     Discrimination     Retaliation     Bullying
- Hazing               Dating Violence               Other \_\_\_\_\_

**Nature of the Report (check all that apply):**

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

**V. Reported Conduct**

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

How often did the conduct occur?

Is it being repeated?       Yes       No

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

No.

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

Date Director of Special Education was contacted: \_\_\_\_\_

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

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

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

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

## **VI. Safety Concerns**

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

No.

Yes, please describe:

## VII. Other Reports

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

No

Yes      Date reported: \_\_\_\_\_ Agency: \_\_\_\_\_

## VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

- Policy 103. Discrimination/Title IX Sexual Harassment Affecting Students
- Policy 104. Discrimination/Title IX Sexual Harassment Affecting Staff
- Policy 247. Hazing
- Policy 249. Bullying
- Policy 252. Dating Violence
- Other \_\_\_\_\_

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

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

Yes

No

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

- A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo sexual harassment.
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.
- Sexual assault, dating violence, domestic violence or stalking.

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

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

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

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

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

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

#### **IX. Recommended Course of Action**

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

No further action at this time. Reason:

Policy 247. Hazing

Policy 249. Bullying

Policy 252. Dating Violence

Other \_\_\_\_\_

Policy 103 Discrimination/Title IX Sexual Harassment Affecting Students: Attachment 2  
Discrimination Complaint Procedures

- Policy 104 Discrimination/Title IX Sexual Harassment Affecting Staff: Attachment 2  
Discrimination Complaint Procedures
- Policy 103. Discrimination/Title IX Sexual Harassment Affecting Students: Attachment 3 Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints
- Policy 104. Discrimination/Title IX Sexual Harassment Affecting Staff: Attachment 3 Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints

#### **X. Title IX Information to Complainant**

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

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

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

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

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

**XI. Title IX Coordinator Signature**

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

Title IX Coordinator: \_\_\_\_\_

Date: \_\_\_\_\_

**XII. Title IX Formal Complaint Action**

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

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

Yes                                       No

Complainant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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

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

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

Title IX Coordinator's Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Book	Board Policy Manual
Section	200 Pupils
Title	Dating Violence
Code	252
Status	
Legal	<ol style="list-style-type: none"> <li>1. <a href="#">24 P.S. 1553</a></li> <li>2. Pol. 218 - Student Discipline</li> <li>3. Pol. 103 - Discrimination/Title IX Sexual Harassment Affecting Students</li> <li>4. Pol. 103.1 - Nondiscrimination - Qualified Students with Disabilities</li> <li>5. <a href="#">71 P.S. 611.13</a></li> <li>6. Pol. 105.1 - Review of Instructional Materials by Parents/Guardians and Students</li> <li>7. Pol. 105.2 - Exemption from Instruction</li> </ol> <p><a href="#">22 PA Code 12.12</a></p> <p><a href="#">20 U.S.C. 1232g</a></p>

### **Purpose**

The purpose of this policy is to maintain a safe, positive learning environment for all students that is free from dating violence. Dating violence is inconsistent with the educational goals of the district and is prohibited at all times.

### **Definitions**

**Dating Partner** shall mean a person, regardless of gender, involved in an intimate relationship with another person, primarily characterized by the expectation of affectionate involvement, whether casual, serious or long-term.[1]

**Dating Violence** shall mean behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control the person's dating partner.[1]

### **Authority**

The Board encourages students who have been subjected to dating violence to promptly report such incidents.

The district shall investigate promptly all complaints of dating violence and shall administer appropriate discipline to any student who violates this policy.[2]

### **Title IX Sexual Harassment and Other Discrimination**



**Every report of alleged dating violence that can be interpreted at the outset to fall within the provisions of policies addressing potential violations of laws against discrimination shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer and Title IX Coordinator. If, in the course of a dating violence investigation, potential issues of discrimination are identified, the Title IX Coordinator shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged dating violence.[3][4]**

## **Guidelines**

### **Complaint Procedure**

When a student believes that **they have** been subject to dating violence, the student is encouraged to promptly report the incident, orally or in writing, to **the building principal, guidance counselor or classroom teacher.**

The building principal shall conduct a timely, impartial, and comprehensive investigation of the alleged dating violence.

The building principal shall prepare a written report summarizing the investigation and recommending disposition of the complaint. The complainant and the accused shall be informed of the outcome of the investigation.[1]

If the investigation results in a substantiated finding of dating violence, the building principal shall recommend appropriate disciplinary action, as circumstances warrant, in accordance with the Code of Student Conduct.[1][2]

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

This policy on dating violence shall be:[1]

1. **Published in the Code of Student Conduct.**
2. **Published in the Student Handbook.**
3. **Made available on the district's website, if available.**
4. **Provided to parents/guardians.**

### **Dating Violence Training**

The district may provide dating violence training to guidance counselors, nurses, and mental health staff at the high school as deemed necessary. At the discretion of the Superintendent, parents/guardians and other staff may also receive training on dating violence.[1]

### **Dating Violence Education**

The district may incorporate age-appropriate dating violence education into the annual health curriculum framework for students in grades nine through twelve. The district shall consult with at least one (1) local domestic violence program or rape crisis program when developing the educational program.[1][5]

A parent/guardian of a student under the age of eighteen (18) shall be permitted to examine the instructional materials for the dating violence education program.[1][6]

At the request of the parent/guardian, the student may be excused from all or part of the dating

violence education program.[\[1\]](#)[7]

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 [252-Attach 1 Report Form.pdf \(161 KB\)](#)

**DISCRIMINATION/SEXUAL HARASSMENT/BULLYING/  
HAZING/DATING VIOLENCE/RETALIATION  
REPORT FORM**

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

Position: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone Number: \_\_\_\_\_

**Retaliation Prohibited**

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

**Confidentiality**

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

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

**I. Information About the Person Making This Report:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

School Building: \_\_\_\_\_

I am a:

- Student     Parent/Guardian     Employee     Volunteer     Visitor  
 Other \_\_\_\_\_ (please explain relationship to the district)

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

Name: \_\_\_\_\_

- The alleged victim is:  Your Child     Another Student     A District Employee  
 Other: \_\_\_\_\_ (please explain relationship to the alleged victim)

**II. Information About the Person(s) You Believe is/are Responsible for the Bullying, Hazing, Harassing or Other Discrimination You are Reporting**

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

Name(s): \_\_\_\_\_

**The reported individual(s) is/are:**

- Student(s)     Employee(s)  
 Other \_\_\_\_\_ (please explain relationship to the district)

### **III. Description of the Conduct You are Reporting**

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

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

Where did the reported conduct take place?

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

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

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

Yes       No

If yes, who did you tell about it?

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

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

\_\_\_\_\_  
Signature of Person Making the Report

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received By

\_\_\_\_\_  
Date

**FOR OFFICIAL USE ONLY**

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

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

*Upon receipt of the report, The Title IX Coordinator shall promptly contact the complainant regarding the report to gather additional information as necessary, and to discuss the availability of supportive measures as described in Policy 103 and Attachment 3. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures.*

**I. Reporter Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

School Building: \_\_\_\_\_

Reporter is a:

- Student     Parent/Guardian     Employee     Volunteer     Visitor  
 Other \_\_\_\_\_ (please explain relationship to the district)

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

Name: \_\_\_\_\_

- The alleged victim is:  Reporter's Child     Another Student     Another Employee  
 Other: \_\_\_\_\_ (please explain relationship to the alleged victim)

## II. Respondent Information

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

Name(s):

**The reported respondent(s) is/are:**

- Student(s)       Employee(s)
- Other \_\_\_\_\_ (please explain relationship to the district)

## III. Level of Report:

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

## IV. Type of Report:

- Title IX Sexual Harassment       Discrimination       Retaliation       Bullying
- Hazing       Dating Violence       Other \_\_\_\_\_

## Nature of the Report (check all that apply):

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

## V. Reported Conduct

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



How often did the conduct occur?

Is it being repeated?       Yes       No

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

No.

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

Date Director of Special Education was contacted: \_\_\_\_\_

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

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

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

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

## **VI. Safety Concerns**

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

No.

Yes, please describe:

## VII. Other Reports

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

No

Yes      Date reported: \_\_\_\_\_ Agency: \_\_\_\_\_

## VIII. Identification of Policies Implicated by Reported Conduct

Check all that apply:

- Policy 103. Discrimination/Title IX Sexual Harassment Affecting Students
- Policy 104. Discrimination/Title IX Sexual Harassment Affecting Staff
- Policy 247. Hazing
- Policy 249. Bullying
- Policy 252. Dating Violence
- Other \_\_\_\_\_

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

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

Yes

No

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

- A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as quid pro quo sexual harassment.
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.
- Sexual assault, dating violence, domestic violence or stalking.

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

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

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

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

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

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

## **IX. Recommended Course of Action**

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

No further action at this time. Reason:

Policy 247. Hazing

Policy 249. Bullying

Policy 252. Dating Violence

Other \_\_\_\_\_

Policy 103 Discrimination/Title IX Sexual Harassment Affecting Students: Attachment 2  
Discrimination Complaint Procedures

- Policy 104 Discrimination/Title IX Sexual Harassment Affecting Staff: Attachment 2  
Discrimination Complaint Procedures
- Policy 103. Discrimination/Title IX Sexual Harassment Affecting Students: Attachment 3 Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints
- Policy 104. Discrimination/Title IX Sexual Harassment Affecting Staff: Attachment 3 Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints

#### **X. Title IX Information to Complainant**

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

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

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

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

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

**XI. Title IX Coordinator Signature**

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

Title IX Coordinator: \_\_\_\_\_

Date: \_\_\_\_\_

**XII. Title IX Formal Complaint Action**

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

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

Yes                                       No

Complainant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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

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

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

Title IX Coordinator's Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Book	Board Policy Manual
Section	300 Employees
Title	Educator Misconduct
Code	317.1
Status	
Legal	<ol style="list-style-type: none"> <li>1. 22 PA Code 235.1 et seq</li> <li>2. 24 P.S. 2070.1a</li> <li>3. 24 P.S. 2070.1b</li> <li>4. 23 Pa. C.S.A. 6303</li> <li>5. 24 P.S. 2070.9a</li> <li>6. Pol. 806 - Child Abuse</li> <li>7. 24 P.S. 111</li> <li>8. Pol. 317 - Conduct/Disciplinary Procedures</li> <li>9. 24 P.S. 2070.9c</li> <li>10. 24 P.S. 2070.11</li> <li>11. 24 P.S. 2070.17b</li> <li>12. 24 P.S. 2070.17a</li> <li>23 Pa. C.S.A. 6301 et seq</li> <li>24 P.S. 2070.1a et seq</li> </ol>

### **Purpose**

**The Board adopts this policy to promote the integrity of the education profession and to create a climate within district schools that fosters ethical conduct and practice.**

### **Authority**

**The Board requires certificated district employees to comply with the Code of Professional Practice and Conduct and the requirements of the Educator Discipline Act.[1][2]**

### **Definitions**

**Educator - shall mean a person who holds a certificate.[3]**

**Certificate - shall mean any Commonwealth of Pennsylvania certificate, commission, letter of eligibility or permit issued under the School Code.[3]**

**Sexual Abuse or Exploitation - shall mean any of the following:[4]**

1. **The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:**
  - a. **Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.**
  - b. **Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.**
  - c. **Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.**
  - d. **Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.**
2. **Any of the following offenses committed against a child: rape; statutory sexual assault; involuntary deviate sexual intercourse; sexual assault; institutional sexual assault; aggravated indecent assault; indecent assault; indecent exposure; incest; prostitution; sexual abuse; unlawful contact with a minor; or sexual exploitation.**

**Sexual Misconduct - any act, including, but not limited to, any verbal, nonverbal, written or electronic communication or physical activity, directed toward or with a child or student that is designed to establish a romantic or sexual relationship with the child or student, such acts include but are not limited to:[3]**

1. **Sexual or romantic invitation.**
2. **Dating or soliciting dates.**
3. **Engaging in sexualized or romantic dialog.**
4. **Making sexually suggestive comments.**
5. **Self-disclosure or physical disclosure of a sexual or erotic nature.**
6. **Any sexual, indecent, romantic or erotic contact with a child or student.**

**Delegation of Responsibility****Duty to Report**

**The Superintendent or designee shall report to the Pennsylvania Department of Education on the required form, within fifteen (15) days of receipt of notice from an educator or discovery of the incident, any educator:[5]**

1. **Who has been provided with notice of intent to dismiss or remove for cause, notice of removal from eligibility lists for cause, or notice of intent not to reemploy for cause;**
2. **Who has been arrested or convicted of any crime that is graded a misdemeanor or felony;**
3. **Against whom there are any allegations of sexual misconduct or sexual abuse or exploitation involving a child or student;**

4. **Where there is reasonable cause to suspect that s/he has caused physical injury to a child or student as the result of negligence or malice;**
5. **Who has resigned or retired or otherwise separated from employment after a school entity has received information of alleged misconduct under the Educator Discipline Act;**
6. **Who is the subject of a report filed by the school entity under 23 Pa. C.S. Ch. 63 (relating to child protective services); and**<sup>[6]</sup>
7. **Who the school entity knows to have been named as a perpetrator of an indicated or founded report under 23 Pa. C.S. Ch. 63.**

**An educator who knows of any action, inaction or conduct which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act shall report such misconduct to the Pennsylvania Department of Education on the required form, and shall report such misconduct to the Superintendent and his/her immediate supervisor, within fifteen (15) days of discovery of such misconduct.**<sup>[5]</sup>

**All reports submitted to the Pennsylvania Department of Education shall include an inventory of all information, including: documentary and physical evidence in possession or control of the school relating to the misconduct resulting in the report.**<sup>[5]</sup>

**An educator who is arrested or convicted of a crime shall report the arrest or conviction to the Superintendent or designee, within seventy-two (72) hours of the occurrence, in the manner prescribed in Board policy.**<sup>[5][7][8]</sup>

**Failure to comply with the reporting requirements may result in professional disciplinary action.**<sup>[9]</sup>

### **Guidelines**

#### **Investigation**

**School officials shall cooperate with the Pennsylvania Department of Education during its review, investigation, or prosecution, and shall promptly provide the Pennsylvania Department of Education with any relevant information and documentary and physical evidence upon request.**<sup>[10]</sup>

**Upon receipt of notification in writing from the Pennsylvania Department of Education, the Superintendent or designee shall investigate the allegations of misconduct as directed by the Department and may pursue its own disciplinary procedure as established by law or by collective bargaining agreement.**<sup>[10]</sup>

**Within ninety (90) days of receipt of notification from the Pennsylvania Department of Education directing the school district to conduct an investigation (extensions may be requested), the Superintendent or designee shall report to Department the outcome of its investigation and whether it will pursue local employment action. The Superintendent or designee may make a recommendation to the Department concerning discipline. If the district makes a recommendation concerning discipline, it shall notify the educator of such recommendation.**<sup>[10]</sup>

#### **Confidentiality Agreements**

**The district shall not enter into confidentiality or other agreements that interfere with the mandatory reporting requirement.**<sup>[10]</sup>

#### **Confidentiality**



**Except as otherwise provided in the Educator Discipline Act, all information related to any complaint, any complainant, or any proceeding related to discipline shall remain confidential unless or until public discipline is imposed.**[\[11\]](#)

### **Immunity**

**Any person who, in good faith, files a complaint or report, or who provides information or cooperates with the Pennsylvania Department of Education or Professional Standards and Practices Commission in an investigation or proceeding shall be immune from civil liability. The district also is immune from civil liability for the disclosure of information about the professional conduct of a former or current employee to a prospective employer of that employee.**[\[12\]](#)



Book	Board Policy Manual
Section	800 Operations
Title	Maintaining Professional Adult/Student Boundaries
Code	824
Status	
Legal	<ol style="list-style-type: none"><li>1. <a href="#">24 P.S. 510</a></li><li>2. Pol. 818 - Contracted Services</li><li>3. <a href="#">18 Pa. C.S.A. 3124.2</a></li><li>4. <a href="#">24 P.S. 2070.9f</a></li><li>5. Pol. 103 - Discrimination/Title IX Sexual Harassment Affecting Students</li><li>6. Pol. 103.1 - Nondiscrimination - Qualified Students with Disabilities</li><li>7. Pol. 815 - Acceptable Use of Internet, Computers and Network Resources</li><li>8. Pol. 104 - Discrimination/Title IX Sexual Harassment Affecting Students</li><li>9. <a href="#">23 Pa. C.S.A. 6311</a></li><li>10. Pol. 806 - Child Abuse</li><li>11. <a href="#">24 P.S. 2070.9a</a></li><li>12. Pol. 317.1 - Educator Misconduct</li><li>13. <a href="#">22 PA Code 10.2</a></li><li>14. <a href="#">22 PA Code 10.21</a></li><li>15. <a href="#">22 PA Code 10.22</a></li><li>16. <a href="#">24 P.S. 1302.1-A</a></li><li>17. <a href="#">24 P.S. 1303-A</a></li><li>18. Pol. 805.1 - Relations with Law Enforcement Agencies</li><li>19. Pol. 317 - Conduct/Disciplinary Procedures</li><li>20. Pol. 113.1 - Discipline of Students with Disabilities</li><li>21. Pol. 218 - Student Discipline</li><li>22. Pol. 233 - Suspension and Expulsion</li><li><a href="#">24 P.S. 2070.1a et seq</a></li><li><a href="#">22 PA Code 235.1 et seq</a></li><li><a href="#">23 Pa. C.S.A. 6301 et seq</a></li></ol>

### **Authority**

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

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

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

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

### **Definition**

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

### **Delegation of Responsibility**

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

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

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

### **Guidelines**

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

#### **Prohibited Conduct**

##### *Romantic or Sexual Relationships -*

Adults shall be prohibited from dating, courting, or entering into or attempting to form a romantic or sexual relationship with any student enrolled in the district, regardless of the student's age. Students of any age are not legally capable of consenting to romantic or sexual interactions with adults.[3][4]

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

1. Sexual physical contact.

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

#### *Social Interactions -*

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

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

1. Disclosing personal, sexual, family, employment concerns or other private matters to one or more students.
2. Exchanging notes, emails or other communications of a personal nature with a student.
3. Giving personal gifts, cards or letters to a student without written approval from the building principal.
4. Touching students without a legitimate educational reason. (Reasons could include the need for assistance when injured, a kindergartner having a toileting accident and requiring assistance, appropriate coaching instruction, or appropriate music instruction).
5. Singling out a particular student or students for personal attention or friendship beyond the ordinary professional adult-student relationship.
6. Taking a student out of class without a legitimate educational reason.
7. Being alone with a student behind closed doors without a legitimate educational reason.
8. Initiating or extending contact with a student beyond the school day or outside of class times without a legitimate educational reason.
9. Sending or accompanying a student on personal errands.
10. Inviting a student to the adult's home.
11. Going to a student's home without a legitimate educational reason.
12. Taking a student on outings without prior notification to and approval from both the parent/guardian and the building principal.
13. Giving a student a ride alone in a vehicle in a nonemergency situation without prior

notification to and approval from both the parent/guardian and the building principal.

14. Addressing students or permitting students to address adults with personalized terms of endearment, pet names, or otherwise in an overly familiar manner.
15. Telling a student personal secrets or sharing personal secrets with a student.
16. For adults who are not guidance/counseling staff, psychologists, social workers or other adults with designated responsibilities to counsel students, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, the student should be referred to the appropriate school resource.
17. Furnishing alcohol, drugs or tobacco to a student or being present where any student is consuming these substances.
18. Engaging in harassing or discriminatory conduct prohibited by other district policies or by state or federal law and regulations.[5][6]

#### *Electronic Communications -*

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

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

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

When available, district-provided email or other district-provided communication devices **or platforms** shall be used when communicating electronically with students. The use of district-provided email or other district-provided communication devices **or platforms** shall be in accordance with district policies and procedures.[7]

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

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

#### Exceptions

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

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

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

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

### Reporting Inappropriate or Suspicious Conduct

Any person, including a student, who has concerns about or is uncomfortable with a relationship or interaction between an adult and a student, shall **promptly** notify the **building principal or Title IX Coordinator. Reports may be made using the Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form or by making a general report verbally or in writing. Upon receipt of a report, school staff shall promptly notify the building principal.**[5][8]

All district employees, independent contractors and volunteers who have reasonable cause to suspect that a child is the victim of child abuse, shall immediately report the suspected abuse, in accordance with applicable law, regulations and Board policy.[9][10]

An educator who knows of any action, inaction or conduct which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act shall report such misconduct to the Pennsylvania Department of Education on the required form, and shall report such misconduct to the Superintendent, **Title IX Coordinator** and his/her immediate supervisor, **promptly, but not later than** fifteen (15) days **following** discovery of such misconduct.[5][8][11][12]

If the Superintendent or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Child Protective Services Law, the Educator Discipline Act or the Safe Schools Act, the Superintendent or designee shall make a report, in accordance with applicable law, regulations and Board policy.[9][10][11][12][13][14][15][16][17][18]

It is a violation of **Board** policy to retaliate against any person for reporting any action pursuant to this policy or for participating as a witness in any related investigation or hearing.[5][8]

### Investigation

**The Title IX Coordinator shall promptly assess and address** allegations of inappropriate conduct in accordance with the procedures for **reports of discrimination or Title IX sexual harassment.**[5][8]

It is understood that some reports made pursuant to this policy will be based on rumors or misunderstandings; the mere fact that the reported adult is cleared of any wrongdoing shall not result in disciplinary action against the **person making the report** or any witnesses. If as the result of an investigation any individual, including the reported adult, the **person making the report**, or a witness is found to have **knowingly** provided false information in making the report or during the investigation or hearings related to the report, or if any individual intentionally obstructs the investigation or hearings, this may be addressed as a violation of this policy and other applicable laws, regulations and **Board** policies. **Obstruction** includes, but is not limited to, violation of "no contact" orders given to the reported adult, attempting to alter or influence witness testimony, and destruction of or hiding evidence.[5][8][12][19][20][21][22]

### Disciplinary Action

A district employee who violates this policy may be subject to disciplinary action, up to and including termination, in accordance with all applicable district disciplinary policies and procedures. **[8][12][19]**

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

### Training

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

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

**PSBA Revision 7/20 © 2020 PSBA**

**2020-21 JSASD PA Pre-K Counts  
Partnership Agreement  
All Things Bright and Beautiful Day Care**

**A. Background**

Lead Agencies are responsible for fiscal and administrative oversight, program leadership and decision-making authority relative to PA Pre-K Counts. It is the entity that responds to the Office of Child Development & Early Learning (OCDEL) requests and submits documents to OCDEL (such as the Waiver Requests and Continuous Quality Improvement Plans (CQIP)) on behalf of the Partners. The Lead Agency holds the responsibility for the Partners' compliance with PA Pre-K Counts requirements. The Lead Agency is responsible for working with its Partner(s) to develop a mutually agreed upon partnership agreement/contract.

Partner Agencies receive funding from the Lead Agency to provide pre-kindergarten programming to PA Pre-K Counts children. The partners are responsible for carrying out the requirements identified in a Partnership Agreement in a satisfactory and proper manner. The Partner(s) communicates directly with the Lead Agency.

**B. Elements of the Partnership Agreement:**

**1. Start and End Date of Partnership Agreement and Identification of Legal Partners –**

This Partnership Agreement is made as of July 1, 2020 by and between Jersey Shore Area School District located at 175 A & P Drive, Jersey Shore, PA and All Things Bright and Beautiful Day Care, located at P.O. Box 180, Avis, PA 17721

Jersey Shore Area School District contracts with All Things Bright and Beautiful Day Care to provide all services and program activities as described by the Program Requirements contained within this Partnership Agreement to up to 18 full time children and agrees to pay All Things Bright and Beautiful Day Care \$119,500.00 for the provision of tuition-free pre-kindergarten opportunities for eligible children from August 24, 2020 until June 1, 2021, or after, if snow make-up days need to be used, for agreed upon services listed in this agreement.

- a. **Length of Day and Program Year** – This will be a program for a minimum of 5.5 hours per day, for a minimum of 180 days per year. Thirty (30) minutes of the day is for lunch. Student days are on attached calendar.
- b. **Standards-Based Curriculum** – The curriculum used in the Pre-K Counts classroom must be aligned with the Early Learning Standards established by the Pennsylvania Department of Education.
- c. **Class Size and Student/Teacher Ratios**- PA Pre-K Counts programs must have a student/teacher ratio of no more than 20 students for one teacher and one teacher aide in a classroom, that is, 2 adults in a classroom for every 20 students. If the classroom has 10 or fewer 3 and 4 year olds, it must have one highly qualified teacher and a secondary person available in the facility. The secondary person must meet the requirements for a PA Pre-K Counts teacher's aide.



- d. Staffing Qualifications** – The lead teacher in each PA Pre-K Counts classroom must possess a Pennsylvania early childhood education certification.

Teacher Aide qualifications for all providers must meet one of the following criteria:

- Completion of at least 2 years postsecondary study, or
- Possession of an associate's degree or higher, or
- Child Development Associate (CDA), or
- Ability to meet rigorous standards of quality and demonstration of knowledge in and the ability to assist a teacher in instructing reading, writing and mathematics.

- e. On-Going Professional Development** – PA Pre-K Counts providers are encouraged to create and implement plans for professional development that are specific to pre-kindergarten. The Lead Agency and Partner(s) should work together to develop a professional development plan that meets, at a minimum, the requirements outlined in ACT 48. Act 48 requires all professional educators to acquire 6 credits/180 hours /a combination of PD hours/credits equivalent to 180 hours every 5 years to maintain an active certificate.

Teacher Aides must have at least 24 hours of continuing professional development each year.

- f. Meals and Snacks** – PA Pre-K Counts requires a meal for a half day program and a snack and one or more meals for a full-day program.

- g. Transitioning Activities** - Transition of students into the PA Pre-K Counts Program and from PA Pre-K Counts into Kindergarten must include specific and mindful activities.

- h. Parental Involvement** – Requirements for the plan for Parent Involvement and shall include at a minimum: joint staff & parent planning process, establishment of policies that support parental involvement, role for parents in evaluating program success, system for reporting child's progress, recognition of parents' critical role and parent education activities.

- i. Develop and Implement a Comprehensive Emergency Response Plan.** All PA Pre-K Counts providers must develop their plan in cooperation with the local Emergency Management Agency and be consistent with the guidelines developed by the Pennsylvania Emergency Management agency and other pertinent state requirements. The plan must be reviewed annually and modified as necessary.

- j. Immunization Requirements** – All providers of PA Pre-K Counts funded programs must meet the immunization requirements, but are not limited to the following:

1. Within 60 days of a child's first day of attendance in the program, the provider shall obtain a record establishing that the child has received the vaccinations recommended by the American Committee on Immunization Practices (ICIP); or
2. Receipt from a parent or guardian of a child of a written objection to the child being vaccinated on religious grounds or a physician verified medical reason of a temporary or permanent nature explaining why the child is not to be vaccinated.
3. Providers must exclude children from group activities for an additional 30 days who are not vaccinated due to a temporary medical condition, unless they have received written

confirmation from a physician or state or local health department of vaccination or continuation of the medical condition. A new verification is required every 30 days or the child may not be readmitted to the setting until the requirements are met.

- k. **Screenings** – All providers of PA Pre-K Counts funded programs must provide or obtain hearing, vision, dental, and health (including mental health) screenings on all children within 60 calendar days of their first day in the classroom setting.
  - l. **Waivers** – A Partner Agency is to work through the Lead Agency and the Preschool Program Specialist for advance approval of waivers. Waivers must be submitted by the Lead Agency on behalf of the Partner Agency and facilitated by the Preschool Program Specialist.
  - m. **Eligibility of Children**— Eligible children must be three or four years old before September 1<sup>st</sup>. Five year olds who are eligible for kindergarten may not receive PA Pre-K Counts funding. They may be included in a PA Pre-K Counts classroom only if alternate funding is being used to support these children. This includes five-year olds participating in Early Intervention with developmental delays or disabilities who are eligible for Kindergarten.
  - n. **Serve At-Risk children**– All PA Pre-K Counts providers are expected to target their PA Pre-K Counts services to children considered at-risk. An individual assessment of each child’s at-risk status prior to enrolling the child in the program is not required but OCDEL does collect regular information about the at-risk status of the children enrolled.
  - o. **Participate in Development and Implementation of Enrollment Plans.** All slots allotted to the Partner Agency by the Lead Agency must be filled prior to the opening day of class and all classrooms must open no later than September 30. Full enrollment must be maintained at all times by the Partner Agency and the Partner is responsible for filling the slot with another child within 20 program days of the original child’s departure from the program. Partners must also assure Lead agencies that they will have strategies in place to maintain at least 85% attendance rate in their PA Pre-K Counts classrooms.
4. **Coordination and Collaboration Requirements** - The PA Pre-K Counts program requires the participating providers to work in a coordinated and collaborative manner with other PA Pre-K Counts programs as well as the early childhood community and OCDEL. Lead Agencies and their Partner(s) are expected to engage in coordination and collaboration partnerships organized for the purpose of community education and outreach on early childhood education, assessing needs and resources and coordinating and developing strategies to address these issues. The PA Pre-K Counts program expectations of working with the following can be addressed:
- a. **Early Intervention Programs and Services** –The coordination with the Infant and Toddlers and the Preschool Early Intervention (EI) programs to ensure a smooth transition for children coming into PA Pre-K Counts from the Infant and Toddler program and who may be receiving Preschool EI services.
  - b. **Child Care Works** – All participants must confirm in the partnership agreement/contract that they will work collaboratively with their CCIS regarding building enrollment and child participation verification.
  - c. **Community Engagement Groups** – PA Pre-K Counts Partnerships are strongly encouraged to

meet with the local Community Engagement Group Coordinators in order to connect with other early childhood education efforts in the community and become actively engaged in the Transitioning activities of the CEG.

- d. **“Wrap-around” Child Care services** –It is recommended that Lead and Partner Agencies work together to coordinate with programs that are providing before and after school wrap-around services in their service area for any of their enrollees.
5. **Monitoring, Program Reporting Requirements and Assurances** - Listing of program reporting requirements, identified in the Pennsylvania Pre-K Counts e-Grant Application – Program Assurances section and PA Pre-K Counts Guidance which must be adhered to by the Partner Agency. It is the Lead Agency’s responsibility to develop procedures for ongoing monitoring of Partners’ compliance with PA Pre-K Counts requirements. Lead Agencies and their Partners should meet a minimum of 4 times a year to review program operation and the Partnership Agreement.

The following areas should be addressed in this section:

- a. **Comply with all PA Pre-K Counts Monitoring Requirements** – Lead Agencies and their Partners should work cooperatively in preparation for monitoring and site visits by their assigned Preschool Program Specialist. Preschool Program Specialists will evaluate an individual program’s capacity to offer high quality Prekindergarten programs through PA Pre-K Counts by using the Program Review Instrument and supporting documents.
- b. **Develop and Submit a Continuous Quality Improvement Plan (CQIP)**- Each PA Pre-K Counts provider is responsible for developing and maintaining a CQIP for their program. Preschool Program Specialists are available to assist each program in creating their Continuous Quality Improvement Plans.
- c. **Assess the Early Learning Environment** - The Department has identified the Early Childhood Environment Rating Scale – Revised (ECERS-R) as the tool that will be used to assess the learning environment in PA Pre-K Counts classrooms. Partners must agree to allow all their PA Pre-K Counts lead teachers to participate in the ERS Foundations and ECERS-R workshops which will be offered through the Regional Keys. Partner programs must confirm that they will conduct a self assessment prior to the formal assessment from the ERS Assessor. All PA Pre-K Counts classrooms are expected to earn an average score of 5.50. Partner classrooms, where the averages score are lower than 5.50, are required to develop and implement an individual improvement plan for each sub-scale below 5.50.
- d. **Assess Student Progress may be accomplished through an approved child outcomes assessment tool.** - The Office of Child Development and Early Learning requires the use of an approved child outcomes assessment tool for the statewide measurement of child progress for PA Pre-K Counts. The Agreement must indicate that the partners will cooperate with this requirement, including training and timely data entry. The specific approved measurement tool must be identified in PELICAN.
- e. **Comply with Reporting Requirements** – Lead Agencies must be very specific in this section of the agreement/contract and spell out in detail the requirements relative to the submission of data required by OCDEL. The Partner and Lead Agency must work together to develop a process that clearly identifies who is collecting and verifying the data, who is submitting data

for each data requirement to the correct data depository, when the various data reports are to be submitted and how the information is finally submitted to OCDEL. Timely reporting is a critical issue and the parameters for collection and submission must be clearly understood and agreed upon by the Partner agencies.

The reporting requirements include:

- **Child assessment outcomes reporting** – Methods for how child outcomes data will be reported should be determined at the local level by Lead Agencies and Partner Agencies. This data is collected 3 times per year. PA Pre-K Counts Grantees will report child outcomes on or before October 15, 2020 and May 15, 2021.
  - **Enrollment reports/attendance data reports** – PELICAN System - Partners are required to submit monthly electronic enrollment/attendance reports to the Lead Agency in the required format using the PELICAN reporting system. Reports will be due by the 10th of each month, following the service month.
  - **Financial reports** – FAI System– Supporting budgetary information, including QER information, is required from the Partner(s) in order for the Lead Agency to complete mandatory, quarterly financial reporting to OCDEL. The financial information requested by the Lead Agency should be determined on the local level within the partnership with mandatory timelines for submission of data by the Partner to the Lead Agency.
  - In addition to the data requirements listed above Partner Agencies must also agree to provide the Lead Agency any data or information that is requested by OCDEL during the course of the grant.
- f. **Attend all PA Pre-K Counts Regional Meetings** – All Lead Agencies and their partner sites are required to attend PA Pre-K Counts State or Regional Meetings – Partners must agree to attend all Regional Meetings hosted by the OCDEL. Details can be found in the Pennsylvania Pre-K Counts Guidance. Required attendee is the Director, Ms. Angela Johnson.
- g. **Fees** – Lead Agencies and their partners must agree not to charge any fee to parents for PA Pre-K Counts services - It must be clearly stated in the agreement that families that enroll their children in a PA Pre-K Counts program may not be charged for any portion of the service.
- h. **Agree to Maintain Required Provider Status** - For the duration of the grant all Lead Agencies and their partners must agree to maintain their provider status. A Partner Agency that is a Child Care Center or Group Child Care Home the agreement should state that they must be at a STAR 3 level or higher beginning in July 2011 and maintain this STAR designation throughout the life of their program. The STAR level of all PA Pre-K Counts programs will be verified during the application. If a Partner loses its STAR designation it should contact the lead Agency immediately and work with the Preschool Program Specialist to remediate this situation.
- i. **Background Checks** – All Lead Agencies and their partner sites must abide by the legal requirements for staff background checks that regulate that type of provider. The Lead Agency and Partner Agency should identify the process to assure that all staff has appropriate background checks.
- j. **Classroom Content** – All Lead Agencies must assure that the content, activities and materials used in the Partner’s PA Pre-K Counts classroom is secular in nature.

- k. **Agree not to supplant funds** – Lead Agencies and their partners must agree not to supplant funds but to supplement public funds received from another source. Partners may not substitute PA Pre-K Counts dollars for public resources currently expended to provide pre-kindergarten that meet the standards of the PA Pre-K Counts program. It should be stated that Partners will avoid the use of PA Pre-K Counts funds in a way that replaces services that are currently being provided by Head Start grantees. The Agreement should specifically state that the Partner Agency will not displace existing high quality programs that are in place and serving children, such as Head Start.
  - l. **Appropriate Use of Funds** – Lead Agencies must assure that PA Pre-K Counts funds will only be used for the Partner’s PA Pre-K Counts program and classrooms. Lead agencies should identify allowable “uses” for Partner Agencies to avoid funding disallowances.
6. **Oversight and Termination** – The lead agency facilitates partnership activities and delivery of services. Technical assistance and guidance are available through the PA Pre-K Counts Coordinator, Kenneth J. Dady, Jr., Ph.D. Failure to comply with deadlines for OCDEL mandates and amendments and misuse of funds are reasons for termination. The process for termination is as follows:
- a. Inform the PA Pre-K Counts Specialist of the situation with the partner and discuss steps to rectify.
  - b. Meet with the partner and discuss prevailing situation.
  - c. Confirm with a letter outlining the steps to correct the infractions and provide deadline to correct.
  - d. Inform PA Pre-K Counts Specialist of corrections with copy of letter sent to partner.
  - e. If partner has not made corrections within the deadline, a termination letter will be sent to the partner with a copy to the PA Pre-K Counts Specialist.
7. **Financial Reporting Requirements**—Budget and financial reporting responsibilities and expectations of the Lead Agency and Partner(s). Some critical areas are:
- a. **Pass through budgets** – Partner detailed “pass through” budget are required to be provided to OCDEL through the Lead Agency. Lead Agencies are expected to share the budget guidance document, found through links in e-Grants, which explains what is expected in each budget line. Partners are expected to sign and date their pass through budgets.
  - b. **Participation in pre-determined level of financial data reporting** - Lead Agency must determine and inform the Partner Agency as to the date and information required to complete mandatory financial reporting.
  - c. **Payment & compensation requirements- PDE endorses an advance payment process mirroring that between the Commonwealth and the Lead Agency.** However, if the Lead and Partner agree to cost reimbursement, this should include frequent payments (weekly or biweekly) so that partners receive sufficient cash flow. Factors to consider in clarifying this section of the agreement:

- Lead Agency and Partner must discuss and agree upon per child funding budgeted at the Pre-K Counts classroom level.
  - Details regarding the payment schedule for agreed upon services should be described in this section.
  - The Lead Agency retains the right to withhold payments if reports are not filed accurately and/or on time.
  - A clear understanding of the enrollment expectation and potential impact on payment must be clearly stated.
  - A clear understanding of the salary guidelines for teaching staff as presented in the PA Pre-K Counts Guidance.
- d. Invoices/billing for services provided by partner to Lead Agency** - Invoices for services provided by partner to Lead Agency must include dates of service, invoice date, invoice amount, invoice number, reference to Partnership Agreement/Contract and number of contracted slots.
- e. Accountability for expenditures** –The partner should agree to work with the lead agency to develop a process to account for program related expenditures. Partners are expected to maintain books, records, documents, and other evidence in sufficient detail to support all claims against the PA Pre-K Counts funding in the event of an audit. Grantees must also maintain an inventory list of equipment with a purchase price exceeding \$1,000. All documentation for the PA Pre-K Counts program must be maintained for 7 years.
- 8. Areas of Potential Collaboration in Program Delivery** –Both the Lead Agency and Partner(s) should identify individual responsibilities pertaining to potential areas of collaboration. This is not an exhaustive list.
- a. Provision of Technical Assistance by Lead Agency** - The Lead Agency and Partner Agency should work together to identify the professional development needs of all the staff members relative to the staffing qualifications required and identified in the Pennsylvania Pre-K Counts Guidance. This section would address the role of the Lead Agency, if any, in providing professional development, technical assistance and other services to the Partner.
- b. Transportation agreements** – If there is an opportunity to better serve the needs of parents through collaborative transportation agreements between the Lead and Partner agencies they should work together to identify these arrangements and the costs, and operational responsibilities should be clearly stated in the Agreement/Contract.
- c. Joint purchasing agreements to maximize cost savings** – Opportunities to save costs through joint purchasing arrangements should be analyzed and if appropriate clearly stated in the partnership agreement.
- 9. The Partner Agency agrees to participate in activities related to the professional induction plan as related to lead teacher certification.** The Partner Agency agrees to budget for the mentor expenses related to the induction plan along with follow through on providing opportunities for the lead teacher to fully participate in the scheduled meetings.
- 10. The following signatures signify an agreement to the work identified in this Partnership Agreement/contract.**

IN WITNESS WHEREOF, the parties hereto, have caused this partnership agreement/contract to be executed by their duly authorized officials:

**Jersey Shore Area School District**

**All Things Bright and Beautiful Day Care**

By: \_\_\_\_\_  
(Authorized Signature)

By: \_\_\_\_\_  
(Authorized Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Date)

**2020-2021 Proposed payment schedule after JSASD Board approval on or about the dates listed below:**

August 25, 2020	\$16,000.00
September 29, 2020	\$16,000.00
October 27, 2020	\$16,000.00
November 24, 2020	\$11,500.00
December 31, 2020	\$11,500.00
January 26, 2021	\$11,500.00
February 23, 2021	\$11,000.00
March 23, 2021	\$11,000.00
April 27, 2021	\$ 5,000.00
May 25, 2021	\$ 5,000.00
June 30, 2021	\$ 5,000.00

Payment schedule is dependent upon Jersey Shore Area School District receipt of invoice from All Things Bright and Beautiful Day Care for PA Pre-K Counts program on or before the 1<sup>st</sup> of each month.

**JSASD Partnership meetings to take place at the Jersey Shore Area Administration Building or other mutually agreed upon location at 1:30 PM on the following dates, unless circumstances necessitate postponement/cancellation:**

November 2, 2020  
March 1, 2021  
May 3, 2021

**ATBB will bring an updated fiscal report to these meetings that will be reviewed by the lead agency.**



**2020-21 JSASD PA Pre-K Counts  
Partnership Agreement  
Your Guardian Angel Preschool and Childcare**

**A. Background**

Lead Agencies are responsible for fiscal and administrative oversight, program leadership and decision-making authority relative to PA Pre-K Counts. It is the entity that responds to the Office of Child Development & Early Learning (OCDEL) requests and submits documents to OCDEL (such as the Waiver Requests and Continuous Quality Improvement Plans (CQIP)) on behalf of the Partners. The Lead Agency holds the responsibility for the Partners' compliance with PA Pre-K Counts requirements. The Lead Agency is responsible for working with its Partner(s) to develop a mutually agreed upon partnership agreement/contract.

Partner Agencies receive funding from the Lead Agency to provide pre-kindergarten programming to PA Pre-K Counts children. The partners are responsible for carrying out the requirements identified in a Partnership Agreement in a satisfactory and proper manner. The Partner(s) communicates directly with the Lead Agency.

**B. Elements of the Partnership Agreement:**

**1. Start and End Date of Partnership Agreement and Identification of Legal Partners –**

This Partnership Agreement is made as of July 1, 2020 by and between Jersey Shore Area School District located at 175 A & P Drive, Jersey Shore, PA and Your Guardian Angel Preschool and Childcare, located at 701 Allegheny St., Jersey Shore, PA 17740.

Jersey Shore Area School District contracts with Your Guardian Angel Preschool and Childcare to provide all services and program activities as described by the Program Requirements contained within this Partnership Agreement to up to 18 full time children and agrees to pay Your Guardian Angel Preschool and Childcare \$119,500.00 for the provision of tuition-free pre-kindergarten opportunities for eligible children from August 24, 2020 until June 1, 2021, or after, if snow make-up days need to be used, for agreed upon services listed in this agreement.

- a. Length of Day and Program Year** – This will be a program for a minimum of 5.5 hours per day, for a minimum of 180 days per year. Thirty (30) minutes of the day is for lunch. Student days are on attached calendar.
- b. Standards-Based Curriculum** – The curriculum used in the Pre-K Counts classroom must be aligned with the Early Learning Standards established by the Pennsylvania Department of Education.
- c. Class Size and Student/Teacher Ratios**- PA Pre-K Counts programs must have a student/teacher ratio of no more than 20 students for one teacher and one teacher aide in a classroom, that is, 2 adults in a classroom for every 20 students. If the classroom has 10 or fewer 3 and 4 year olds, it must have one highly qualified teacher and a secondary person available in the facility. The secondary person must meet the requirements for a PA Pre-K Counts teacher's aide.

- d. Staffing Qualifications** – The lead teacher in each PA Pre-K Counts classroom must possess a Pennsylvania early childhood education certification.

Teacher Aide qualifications for all providers must meet one of the following criteria:

- Completion of at least 2 years postsecondary study, or
- Possession of an associate’s degree or higher, or
- Child Development Associate (CDA), or
- Ability to meet rigorous standards of quality and demonstration of knowledge in and the ability to assist a teacher in instructing reading, writing and mathematics.

- e. On-Going Professional Development** – PA Pre-K Counts providers are encouraged to create and implement plans for professional development that are specific to pre-kindergarten. The Lead Agency and Partner(s) should work together to develop a professional development plan that meets, at a minimum, the requirements outlined in ACT 48. Act 48 requires all professional educators to acquire 6 credits/180 hours /a combination of PD hours/credits equivalent to 180 hours every 5 years to maintain an active certificate.

Teacher Aides must have at least 24 hours of continuing professional development each year.

- f. Meals and Snacks** – PA Pre-K Counts requires a meal for a half day program and a snack and one or more meals for a full-day program.

- g. Transitioning Activities** - Transition of students into the PA Pre-K Counts Program and from PA Pre-K Counts into Kindergarten must include specific and mindful activities.

- h. Parental Involvement** – Requirements for the plan for Parent Involvement and shall include at a minimum: joint staff & parent planning process, establishment of policies that support parental involvement, role for parents in evaluating program success, system for reporting child’s progress, recognition of parents’ critical role and parent education activities.

- i. Develop and Implement a Comprehensive Emergency Response Plan.** All PA Pre-K Counts providers must develop their plan in cooperation with the local Emergency Management Agency and be consistent with the guidelines developed by the Pennsylvania Emergency Management agency and other pertinent state requirements. The plan must be reviewed annually and modified as necessary.

- j. Immunization Requirements** – All providers of PA Pre-K Counts funded programs must meet the immunization requirements, but are not limited to the following:

1. Within 60 days of a child’s first day of attendance in the program, the provider shall obtain a record establishing that the child has received the vaccinations recommended by the American Committee on Immunization Practices (ICIP); or
2. Receipt from a parent or guardian of a child of a written objection to the child being vaccinated on religious grounds or a physician verified medical reason of a temporary or permanent nature explaining why the child is not to be vaccinated.
3. Providers must exclude children from group activities for an additional 30 days who are not vaccinated due to a temporary medical condition, unless they have received written

confirmation from a physician or state or local health department of vaccination or continuation of the medical condition. A new verification is required every 30 days or the child may not be readmitted to the setting until the requirements are met.

- k. **Screenings** – All providers of PA Pre-K Counts funded programs must provide or obtain hearing, vision, dental, and health (including mental health) screenings on all children within 60 calendar days of their first day in the classroom setting.
  - l. **Waivers** – A Partner Agency is to work through the Lead Agency and the Preschool Program Specialist for advance approval of waivers. Waivers must be submitted by the Lead Agency on behalf of the Partner Agency and facilitated by the Preschool Program Specialist.
  - m. **Eligibility of Children**— Eligible children must be three or four years old before September 1<sup>st</sup>. Five year olds who are eligible for kindergarten may not receive PA Pre-K Counts funding. They may be included in a PA Pre-K Counts classroom only if alternate funding is being used to support these children. This includes five-year olds participating in Early Intervention with developmental delays or disabilities who are eligible for Kindergarten.
  - n. **Serve At-Risk children**— All PA Pre-K Counts providers are expected to target their PA Pre-K Counts services to children considered at-risk. An individual assessment of each child’s at-risk status prior to enrolling the child in the program is not required but OCDEL does collect regular information about the at-risk status of the children enrolled.
  - o. **Participate in Development and Implementation of Enrollment Plans.** All slots allotted to the Partner Agency by the Lead Agency must be filled prior to the opening day of class and all classrooms must open no later than September 30. Full enrollment must be maintained at all times by the Partner Agency and the Partner is responsible for filling the slot with another child within 20 program days of the original child’s departure from the program. Partners must also assure Lead agencies that they will have strategies in place to maintain at least 85% attendance rate in their PA Pre-K Counts classrooms.
4. **Coordination and Collaboration Requirements** - The PA Pre-K Counts program requires the participating providers to work in a coordinated and collaborative manner with other PA Pre-K Counts programs as well as the early childhood community and OCDEL. Lead Agencies and their Partner(s) are expected to engage in coordination and collaboration partnerships organized for the purpose of community education and outreach on early childhood education, assessing needs and resources and coordinating and developing strategies to address these issues. The PA Pre-K Counts program expectations of working with the following can be addressed:
- a. **Early Intervention Programs and Services** –The coordination with the Infant and Toddlers and the Preschool Early Intervention (EI) programs to ensure a smooth transition for children coming into PA Pre-K Counts from the Infant and Toddler program and who may be receiving Preschool EI services.
  - b. **Child Care Works** – All participants must confirm in the partnership agreement/contract that they will work collaboratively with their CCIS regarding building enrollment and child participation verification.
  - c. **Community Engagement Groups** – PA Pre-K Counts Partnerships are strongly encouraged to

meet with the local Community Engagement Group Coordinators in order to connect with other early childhood education efforts in the community and become actively engaged in the Transitioning activities of the CEG.

- d. **“Wrap-around” Child Care services** –It is recommended that Lead and Partner Agencies work together to coordinate with programs that are providing before and after school wrap-around services in their service area for any of their enrollees.
5. **Monitoring, Program Reporting Requirements and Assurances** - Listing of program reporting requirements, identified in the Pennsylvania Pre-K Counts e-Grant Application – Program Assurances section and PA Pre-K Counts Guidance which must be adhered to by the Partner Agency. It is the Lead Agency’s responsibility to develop procedures for ongoing monitoring of Partners’ compliance with PA Pre-K Counts requirements. Lead Agencies and their Partners should meet a minimum of 4 times a year to review program operation and the Partnership Agreement.

The following areas should be addressed in this section:

- a. **Comply with all PA Pre-K Counts Monitoring Requirements** – Lead Agencies and their Partners should work cooperatively in preparation for monitoring and site visits by their assigned Preschool Program Specialist. Preschool Program Specialists will evaluate an individual program’s capacity to offer high quality Prekindergarten programs through PA Pre-K Counts by using the Program Review Instrument and supporting documents.
- b. **Develop and Submit a Continuous Quality Improvement Plan (CQIP)**- Each PA Pre-K Counts provider is responsible for developing and maintaining a CQIP for their program. Preschool Program Specialists are available to assist each program in creating their Continuous Quality Improvement Plans.
- c. **Assess the Early Learning Environment** - The Department has identified the Early Childhood Environment Rating Scale – Revised (ECERS-R) as the tool that will be used to assess the learning environment in PA Pre-K Counts classrooms. Partners must agree to allow all their PA Pre-K Counts lead teachers to participate in the ERS Foundations and ECERS-R workshops which will be offered through the Regional Keys. Partner programs must confirm that they will conduct a self assessment prior to the formal assessment from the ERS Assessor. All PA Pre-K Counts classrooms are expected to earn an average score of 5.50. Partner classrooms, where the averages score are lower than 5.50, are required to develop and implement an individual improvement plan for each sub-scale below 5.50.
- d. **Assess Student Progress may be accomplished through an approved child outcomes assessment tool.** - The Office of Child Development and Early Learning requires the use of an approved child outcomes assessment tool for the statewide measurement of child progress for PA Pre-K Counts. The Agreement must indicate that the partners will cooperate with this requirement, including training and timely data entry. The specific approved measurement tool must be identified in PELICAN.
- e. **Comply with Reporting Requirements** – Lead Agencies must be very specific in this section of the agreement/contract and spell out in detail the requirements relative to the submission of data required by OCDEL. The Partner and Lead Agency must work together to develop a process that clearly identifies who is collecting and verifying the data, who is submitting data

for each data requirement to the correct data depository, when the various data reports are to be submitted and how the information is finally submitted to OCDEL. Timely reporting is a critical issue and the parameters for collection and submission must be clearly understood and agreed upon by the Partner agencies.

The reporting requirements include:

- **Child assessment outcomes reporting** – Methods for how child outcomes data will be reported should be determined at the local level by Lead Agencies and Partner Agencies. This data is collected 3 times per year. PA Pre-K Counts Grantees will report child outcomes on or before October 15, 2020 and May 15, 2021.
  - **Enrollment reports/attendance data reports** – PELICAN System - Partners are required to submit monthly electronic enrollment/attendance reports to the Lead Agency in the required format using the PELICAN reporting system. Reports will be due by the 10th of each month, following the service month.
  - **Financial reports** – FAI System– Supporting budgetary information, including QER information, is required from the Partner(s) in order for the Lead Agency to complete mandatory, quarterly financial reporting to OCDEL. The financial information requested by the Lead Agency should be determined on the local level within the partnership with mandatory timelines for submission of data by the Partner to the Lead Agency.
  - In addition to the data requirements listed above Partner Agencies must also agree to provide the Lead Agency any data or information that is requested by OCDEL during the course of the grant.
- f. **Attend all PA Pre-K Counts Regional Meetings** – All Lead Agencies and their partner sites are required to attend PA Pre-K Counts State or Regional Meetings – Partners must agree to attend all Regional Meetings hosted by the OCDEL. Details can be found in the Pennsylvania Pre-K Counts Guidance. Required attendee is one of the Directors, Mr. Chris Bibay or Mrs. Nichol Bilbay.
- g. **Fees** – Lead Agencies and their partners must agree not to charge any fee to parents for PA Pre-K Counts services - It must be clearly stated in the agreement that families that enroll their children in a PA Pre-K Counts program may not be charged for any portion of the service.
- h. **Agree to Maintain Required Provider Status** - For the duration of the grant all Lead Agencies and their partners must agree to maintain their provider status. A Partner Agency that is a Child Care Center or Group Child Care Home the agreement should state that they must be at a STAR 3 level or higher beginning in July 2011 and maintain this STAR designation throughout the life of their program. The STAR level of all PA Pre-K Counts programs will be verified during the application. If a Partner loses its STAR designation it should contact the lead Agency immediately and work with the Preschool Program Specialist to remediate this situation.
- i. **Background Checks** – All Lead Agencies and their partner sites must abide by the legal requirements for staff background checks that regulate that type of provider. The Lead Agency and Partner Agency should identify the process to assure that all staff has appropriate background checks.
- j. **Classroom Content** – All Lead Agencies must assure that the content, activities and materials

used in the Partner's PA Pre-K Counts classroom is secular in nature.

- k. **Agree not to supplant funds** – Lead Agencies and their partners must agree not to supplant funds but to supplement public funds received from another source. Partners may not substitute PA Pre-K Counts dollars for public resources currently expended to provide pre-kindergarten that meet the standards of the PA Pre-K Counts program. It should be stated that Partners will avoid the use of PA Pre-K Counts funds in a way that replaces services that are currently being provided by Head Start grantees. The Agreement should specifically state that the Partner Agency will not displace existing high quality programs that are in place and serving children, such as Head Start.
  - l. **Appropriate Use of Funds** – Lead Agencies must assure that PA Pre-K Counts funds will only be used for the Partner's PA Pre-K Counts program and classrooms. Lead agencies should identify allowable "uses" for Partner Agencies to avoid funding disallowances.
6. **Oversight and Termination** – The lead agency facilitates partnership activities and delivery of services. Technical assistance and guidance are available through the PA Pre-K Counts Coordinator, Kenneth J. Dady, Jr., Ph.D. Failure to comply with deadlines for OCDEL mandates and amendments and misuse of funds are reasons for termination. The process for termination is as follows:
- a. Inform the PA Pre-K Counts Specialist of the situation with the partner and discuss steps to rectify.
  - b. Meet with the partner and discuss prevailing situation.
  - c. Confirm with a letter outlining the steps to correct the infractions and provide deadline to correct.
  - d. Inform PA Pre-K Counts Specialist of corrections with copy of letter sent to partner.
  - e. If partner has not made corrections within the deadline, a termination letter will be sent to the partner with a copy to the PA Pre-K Counts Specialist.
7. **Financial Reporting Requirements**—Budget and financial reporting responsibilities and expectations of the Lead Agency and Partner(s). Some critical areas are:
- a. **Pass through budgets** – Partner detailed "pass through" budget are required to be provided to OCDEL through the Lead Agency. Lead Agencies are expected to share the budget guidance document, found through links in e-Grants, which explains what is expected in each budget line. Partners are expected to sign and date their pass through budgets.
  - b. **Participation in pre-determined level of financial data reporting** - Lead Agency must determine and inform the Partner Agency as to the date and information required to complete mandatory financial reporting.
  - c. **Payment & compensation requirements- PDE endorses an advance payment process mirroring that between the Commonwealth and the Lead Agency.** However, if the Lead and Partner agree to cost reimbursement, this should include frequent payments (weekly or biweekly) so that partners receive sufficient cash flow. Factors to consider in clarifying this section of the agreement:

- Lead Agency and Partner must discuss and agree upon per child funding budgeted at the Pre-K Counts classroom level.
  - Details regarding the payment schedule for agreed upon services should be described in this section.
  - The Lead Agency retains the right to withhold payments if reports are not filed accurately and/or on time.
  - A clear understanding of the enrollment expectation and potential impact on payment must be clearly stated.
  - A clear understanding of the salary guidelines for teaching staff as presented in the PA Pre-K Counts Guidance.
- d. **Invoices/billing for services provided by partner to Lead Agency** - Invoices for services provided by partner to Lead Agency must include dates of service, invoice date, invoice amount, invoice number, reference to Partnership Agreement/Contract and number of contracted slots.
- e. **Accountability for expenditures** –The partner should agree to work with the lead agency to develop a process to account for program related expenditures. Partners are expected to maintain books, records, documents, and other evidence in sufficient detail to support all claims against the PA Pre-K Counts funding in the event of an audit. Grantees must also maintain an inventory list of equipment with a purchase price exceeding \$1,000. All documentation for the PA Pre-K Counts program must be maintained for 7 years.
8. **Areas of Potential Collaboration in Program Delivery** –Both the Lead Agency and Partner(s) should identify individual responsibilities pertaining to potential areas of collaboration. This is not an exhaustive list.
- a. **Provision of Technical Assistance by Lead Agency** - The Lead Agency and Partner Agency should work together to identify the professional development needs of all the staff members relative to the staffing qualifications required and identified in the Pennsylvania Pre-K Counts Guidance. This section would address the role of the Lead Agency, if any, in providing professional development, technical assistance and other services to the Partner.
- b. **Transportation agreements** – If there is an opportunity to better serve the needs of parents through collaborative transportation agreements between the Lead and Partner agencies they should work together to identify these arrangements and the costs, and operational responsibilities should be clearly stated in the Agreement/Contract.
- c. **Joint purchasing agreements to maximize cost savings** – Opportunities to save costs through joint purchasing arrangements should be analyzed and if appropriate clearly stated in the partnership agreement.
9. **The Partner Agency agrees to participate in activities related to the professional induction plan as related to lead teacher certification.** The Partner Agency agrees to budget for the mentor expenses related to the induction plan along with follow through on providing opportunities for the lead teacher to fully participate in the scheduled meetings.
10. **The following signatures signify an agreement to the work identified in this Partnership Agreement/contract.**

IN WITNESS WHEREOF, the parties hereto, have caused this partnership agreement/contract to be executed by their duly authorized officials:

**Jersey Shore Area School District**

By: \_\_\_\_\_  
(Authorized Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)

**Your Guardian Angel Preschool and Childcare**

By: \_\_\_\_\_  
(Authorized Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)



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Book	Board Policy Manual
Section	100 Programs
Title	Jersey Shore Online Learning
Code	124.1
Status	
Cross References	5. Policy 217 - Graduation 4. Policy 137.1 - Extracurricular Participation by Home Education Students 3. Policy 122 - Extracurricular Activities 2. Policy 212 - Reporting Student Progress
Adopted	February 10, 2014
Last Revised	January 28, 2019

### **Purpose**

The Jersey Shore Area School District, in conjunction with BLaST Intermediate Unit 17, offers district students the opportunity to enroll in the program of online courses as a means of fulfilling their educational requirements. Jersey Shore Online Learning students are full-time Jersey Shore Area School District students who may participate in academic, co-curricular, athletic, and social activities available to all District students. A student's progress and achievement will be monitored and assessed throughout his/her enrollment in the program.

Jersey Shore Online Learning may also be utilized as an educational program for alternative or disciplinary educational placements.

### **Definitions**

Jersey Shore Online Learning, an online learning program service through BLaST Intermediate Unit 17 and ~~Northeast Intermediate Unit 19~~ **Capital Area Intermediate Unit 15** designed to assist local school districts in providing and managing an online learning curriculum.

### **Delegation of Responsibility**

The Superintendent and/or designee(s) shall develop administrative regulations that implement the requirements of this policy, including enrollment procedures, grading guidelines, attendance guidelines, and termination procedures.

### **Guidelines**

Parents/Guardians desiring to enroll their student in Jersey Shore Online Learning as the major source of course work must meet with the Superintendent or designee(s) (Administration and/or Guidance Counselor) to discuss the program requirements and begin the enrollment process prior to enrolling into Jersey Shore Online Learning.

The following eligibility and procedures will be followed by the student and/or parent/guardian:

1. The student must be a Jersey Shore Area School District resident in grades K7-12.
2. Parents/Guardians must follow District enrollment procedures, District policies, and School-district guidelines.
3. Parents/Guardians and student must meet with Jersey Shore Area School District designated personnel to determine a course of study.

The student's progress shall be monitored by the student's Guidance Counselor **and program teacher**. At any time, a student may be required to return to school for lack of course work completed or unsatisfactory grades. [2]

A student may elect, with parental permission, to take part of his/her course requirements through Jersey Shore Online Learning and attend on-site classes for the remaining courses.

As a Jersey Shore Area School District student, a Jersey Shore Online Learning student is eligible to participate in interscholastic athletics and any other extracurricular activities, providing eligibility requirements are met. Jersey Shore Online Learning participants who are placed in the program for disciplinary reasons will generally not be eligible for participation in interscholastic athletics or other extra-curricular activities. [3,4]

Students enrolled in Jersey Shore Online Learning must meet the graduation requirements established by the district. The student shall receive a Jersey Shore Area High School diploma and shall be eligible to participate in graduation activities. [5]



Book	Board Policy Manual
Section	100 Programs
Title	Comprehensive Planning
Code	100
Status	
Legal	<ol style="list-style-type: none"> <li>1. 22 PA Code 4.13</li> <li>2. 24 P.S. 1205.1</li> <li>3. 22 PA Code 49.17</li> <li>4. Pol. 333 - Professional Development</li> <li>5. 22 PA Code 49.16</li> <li>6. 22 PA Code 12.41</li> <li>7. Pol. 146 - Student Services</li> <li>8. 22 PA Code 14.104</li> <li>9. Pol. 113 - Special Education</li> <li>10. 22 PA Code 16.4</li> <li>11. Pol. 114 - Gifted Education</li> </ol> <p>22 PA Code 4.4</p> <p>Pol. 002 - Authority and Powers</p> <p>Pol. 004 - Membership</p> <p>Pol. 101 - Mission Statement/Vision Statement/Shared Value</p> <p>Pol. 105 - Curriculum</p> <p>Pol. 107 - Adoption of Planned Instruction</p> <p>Pol. 109 - Resource Materials</p> <p>Pol. 701 - Facilities Planning</p>

### **Purpose**

The Board recognizes the importance of comprehensive planning in developing and guiding the district's goals, and the educational programs and operation of the schools. Participation by educational stakeholders is a critical element of such planning.

### **Authority**

The Board shall provide guidance in the district's comprehensive planning process, and shall ensure active participation by Board members, administrators, teachers, other district personnel,

students, parents/guardians and representatives from local businesses and the community.

As part of the comprehensive planning process, the Board directs that the district develop and implement individual plans and components as required by law, regulations, and funding and program requirements.[1]

The Board directs that the goals and action plans developed through comprehensive planning shall be continuously monitored and reviewed to ensure students are achieving at high levels.

### **Professional Education**

The district shall develop and submit a professional education plan to the Secretary of Education for approval every three (3) years, as required by law and regulations. Prior to approval by the Board and submission to the Secretary of Education, the professional education plan shall be made available for public inspection and comment in the district's administrative offices and the school district's publicly accessible internet website for a minimum of twenty-eight (28) days.[1][2][3][4]

### **Induction**

The district shall develop and submit an induction plan to the Department of Education for approval every six (6) years, as required by law and regulations. Prior to approval by the Board and submission to the Department of Education, the induction plan shall be made available for public inspection and comment in the district's administrative offices and the school district's publicly accessible internet website for a minimum of twenty-eight (28) days.[1][4][5]

### **Student Services**

The district shall develop and implement a written plan every six (6) years for providing a comprehensive and integrated K-12 program of student services, as required by law and regulations. Prior to approval by the Board, the student services plan shall be made available for public inspection and comment in the district's administrative offices and the school district's publicly accessible internet website for a minimum of twenty-eight (28) days.[1][6][7]

### **Special Education**

The district shall develop and submit a special education plan to the Department of Education for approval every three (3) years, and shall implement such plan as required by law and regulations. Prior to approval by the Board and submission to the Department of Education, the special education plan shall be made available for public inspection and comment in the district's administrative offices and the school district's publicly accessible internet website for a minimum of twenty-eight (28) days.[1][8][9]

### **Gifted Education**

The district shall develop and implement a gifted education plan every six (6) years, as required by law and regulations. Prior to approval by the Board, the gifted education plan shall be made available for public inspection and comment in the district's administrative offices and the school district's publicly accessible internet website for a minimum of twenty-eight (28) days.[10][11][1]

### **Delegation of Responsibility**

The Superintendent shall be responsible for organizing the comprehensive planning process, ensuring participation in accordance with Board policy and submitting the required plans to the Department of Education.

The Superintendent or designee shall be responsible for implementing the goals and action plans

developed through comprehensive planning and providing written quarterly progress reports to the Board.



Book	Board Policy Manual
Section	100 Programs
Title	Mission Statement/Vision Statement/Shared Values
Code	101
Status	
Legal	Pol. 100 - Comprehensive Planning

### District Mission Statement

The Jersey Shore Area School District will provide a supportive environment where staff uses effective data-based instruction to help every student meet academic and social success.

### **District Vision Statement**

The Jersey Shore Area School District will prepare students for the next step in their life's plan.  
OUR GRADUATES WILL:

- *Be college and/or career ready.*
- *Be able to apply what they have learned effectively to face a wide range of challenges.*
- *Be a good communicator.*
- *Be both discipline and creative.*
- *Be an effective leader and good team member.*
- *Be able to monitor their behavior and change it when necessary.*
- *Be of high moral character and willing to serve others.*
- *Be able to set a goal, develop a plan, and work toward achievement.*
- *Be willing to persevere for the achievement of long-term goals.*
- *Be innovative and proactive.*
- *Be able to accelerate the learning they have achieved.*
- *Be a lifelong learner.*
- *Be reflective, tolerant, and inclusive while being contributing members of society.*

### **District Motto:**

Learning | Growing | Succeeding



Book	Board Policy Manual
Section	100 Programs
Title	Academic Standards
Code	102
Status	
Legal	<ol style="list-style-type: none"> <li>1. 22 PA Code 4.11</li> <li>2. 22 PA Code 4.12</li> <li>3. 22 PA Code 4.3</li> <li>4. Pol. 105 - Curriculum</li> <li>5. Pol. 107 - Adoption of Planned Instruction</li> <li>6. Pol. 127 - Assessment System</li> <li>7. Pol. 113 - Special Education</li> </ol> <p>22 PA Code 4.4</p>

### **Purpose**

The Board recognizes the importance of developing, assessing and expanding academic standards to challenge students to achieve at their highest level possible. To this end, the district shall establish rigorous academic standards in accordance with, and may expand upon, those adopted by the State Board of Education.[1][2]

### **Definition**

Academic standards - shall be defined as what a student should know and be able to do at a specified grade level. For purposes of Board policy, the term academic standards shall be deemed to encompass Pennsylvania Core Standards, state academic standards and local academic standards.[3]

### **Authority**

The Board shall approve academic standards for district students to attain, in the following content areas:[2]

1. English Language Arts.
2. Mathematics.
3. Science and Technology - to include reading in science and technology, and writing for science and technology.



4. Environment and Ecology.
5. Social Studies (history, geography, civics and government, economics) - to include reading in history and social studies, and writing for history and social studies.
6. Arts and Humanities.
7. Career Education and Work.
8. Health, Safety and Physical Education.
9. Family and Consumer Science.
10. Reading, Writing, Speaking and Listening.
11. World Languages.

### **Guidelines**

The district's curriculum shall be designed to provide students with the planned instruction needed to attain established academic standards.[2][4][5]

The district shall assess individual student attainment of established academic standards and provide assistance for students having difficulty attaining academic standards.[2][6][7]

Students with disabilities may attain academic standards by completion of their Individualized Education Programs in accordance with law, regulations and Board policy.[2][8]



Book	Board Policy Manual
Section	100 Programs
Title	Discrimination/Title IX Sexual Harassment Affecting Students
Code	103
Status	

## Legal

1. 22 PA Code 12.1
2. 22 PA Code 12.4
3. 22 PA Code 15.1 et seq
4. 22 PA Code 4.4
5. 24 P.S. 1301
6. 24 P.S. 1310
7. 24 P.S. 1601-C et seq
8. 24 P.S. 5004
9. 43 P.S. 951 et seq
10. 20 U.S.C. 1681 et seq
11. 34 CFR Part 106
12. 29 U.S.C. 794
13. 42 U.S.C. 12101 et seq
14. 42 U.S.C. 1981 et seq
15. 42 U.S.C. 2000d et seq
16. U.S. Const. Amend. XIV, Equal Protection Clause
17. Pol. 103.1 - Nondiscrimination - Qualified Students with Disabilities
18. Pol. 113.1 - Discipline of Students with Disabilities
19. Pol. 218 - Student Discipline
20. Pol. 233 - Suspension and Expulsion
21. Pol. 317 - Conduct/Disciplinary Procedures
22. Pol. 806 - Child Abuse
23. Pol. 113.2- Behavior Support
24. Pol. 113.3 - Screening and Evaluations for Students with Disabilities
25. 20 U.S.C. 1232g
26. 34 CFR 106.44
27. 34 CFR 106.45
28. 34 CFR 106.71
29. 34 CFR Part 99
30. 34 CFR 106.30
31. Pol. 113 - Special Education
32. 34 U.S.C. 12291
33. 20 U.S.C. 1092
34. 34 CFR 106.8
35. Pol. 150
36. Pol. 317.1 - Educator Misconduct
- 18 Pa. C.S.A. 2709
- 20 U.S.C. 1400 et seq
- 28 CFR Part 41
- 28 CFR Part 35

### **Authority**

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

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

The district is committed to the maintenance of a safe, positive learning environment for all students that is free from discrimination by providing all students course offerings, counseling, assistance, services, employment, athletics and extracurricular activities without any form of discrimination, including Title IX sexual harassment. Discrimination is inconsistent with the rights of students and the educational and programmatic goals of the district and is prohibited at or, in the course of, district-sponsored programs or activities, including transportation to or from school or school-sponsored activities.

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

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

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

### **Reports of Title IX Sexual Harassment and Other Discrimination and Retaliation**

The Board encourages students and third parties who believe they or others have been subject to Title IX sexual harassment, other discrimination or retaliation to promptly report such incidents to the building principal, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances. A person who is not an intended victim or target of discrimination but is adversely affected by the offensive conduct may file a report of discrimination.

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

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

If the building principal is the subject of a complaint, the student, third party or a reporting

employee shall report the incident directly to the Title IX Coordinator.

The complainant or the individual making the report may use the Discrimination/Sexual Harassment/Bullying/Hazing/Dating Violence/Retaliation Report Form attached to this policy for purposes of reporting an incident or incidents in writing; however, verbal reports of an incident or incidents shall be accepted, documented and the procedures of this policy and the relevant attachments followed.

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

The Title IX Coordinator shall conduct an assessment to determine whether the reported circumstances are most appropriately addressed through the Discrimination Complaint Procedures prescribed in Attachment 2 to this policy, or if the reported circumstances meet the definition of Title IX sexual harassment and are most appropriately addressed through the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3, or other Board policies.

### **Disciplinary Procedures When Reports Allege Title IX Sexual Harassment**

When a report alleges Title IX sexual harassment, disciplinary sanctions may not be imposed until the completion of the grievance process for formal complaints outlined in Attachment 3. The district shall presume that the respondent is not responsible for the alleged conduct until a determination has been made at the completion of the grievance process for formal complaints. [18][20][23][24]

**When an emergency removal, as described in Attachment 3, is warranted to address an immediate threat to the physical health or safety of an individual, and it is not feasible to continue educational services remotely or in an alternative setting, the normal procedures for suspension and expulsion shall be conducted to accomplish the removal, including specific provisions to address a student with a disability where applicable. [18][19][20][23]**

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

### **Confidentiality**

Confidentiality of all parties, witnesses, the allegations, the filing of a report and the investigation related to any form of discrimination or retaliation, including Title IX sexual harassment, shall be handled in accordance with applicable law, regulations, this policy, the attachments and the district's legal and investigative obligations. [25][26][27][28][29]

### **Retaliation**

The Board prohibits retaliation by the district or any other person against any person for: [28]

1. Reporting or making a formal complaint of any form of discrimination or retaliation, including Title IX sexual harassment.
2. Testifying, assisting, participating or refusing to participate in a related investigation, process or other proceeding or hearing.

3. Acting in opposition to practices the person reasonably believes to be discriminatory.

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

### **Definitions**

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

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

### **Discrimination**

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

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

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

### **Definitions Related to Title IX Sexual Harassment**

Formal complaint shall mean a document filed by a complainant or signed by the Title IX Coordinator alleging Title IX sexual harassment and requesting that the district investigate the allegation under the grievance process for formal complaints. The authority for the Title IX Coordinator to sign a formal complaint does not make the Title IX Coordinator a party in the grievance process for formal complaints. The phrase "document filed by a complainant" refers to a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.[27][30]

Supportive measures shall mean nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed.[30]

Supportive measures shall be designed to restore or preserve equal access to the educational program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or to deter sexual harassment. Supportive measures may include, but are not limited to:[30]

1. Counseling.
2. Extensions of deadlines or other course-related adjustments.
3. Modifications of work or class schedules.
4. Campus escort services.

5. Mutual restrictions on contact between the parties.
6. Changes in work or housing locations.
7. Leaves of absence.
8. Increased security.
9. Monitoring of certain areas of the campus.
10. Assistance from domestic violence or rape crisis programs.
11. Assistance from community health resources including counseling resources.

Supportive measures may also include assessments or evaluations to determine eligibility for special education or related services, or the need to review an Individualized Education Program (IEP) or Section 504 Service Agreement based on a student's behavior. This could include, but is not limited to, a manifestation determination or functional behavioral assessment (FBA), in accordance with applicable law, regulations or Board policy.[17][18][23][24][31]

Title IX sexual harassment means conduct on the basis of sex that satisfies one or more of the following:[30]

1. A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as *quid pro quo sexual harassment*.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education program or activity.
3. Sexual assault, dating violence, domestic violence or stalking.
  - a. *Dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors:[32]
    - i. Length of relationship.
    - ii. Type of relationship.
    - iii. Frequency of interaction between the persons involved in the relationship.
  - b. *Domestic violence* includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.[32]
  - c. *Sexual assault* means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.[33]
  - d. *Stalking*, under Title IX means stalking on the basis of sex, for example when the

stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either: [32]

- i. Fear for their safety or the safety of others.
- ii. Suffer substantial emotional distress.

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An education program or activity includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus. [26][27][30]

### **Delegation of Responsibility**

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the [34]

**Director of Pupil Services as the district's Compliance Officer and Human Resources and Athletic Director as the district's Title IX Coordinator.**

**The Compliance Officer can be contacted at:**

**Address: 175 A & P Drive, Jersey Shore, PA 17740**

**Email: mleedy@jsasd.org**

**Phone Number: 570-398-5250**

**The Title IX Coordinator can be contacted at:**

**Address: 175 A & P Drive, Jersey Shore PA**

**Email: iklose@jsasd.org or shenry@jsasd.org**

**Phone Number: 570-398-5054 or 570-979-6526**

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

1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.
2. Training - Provide training for students and staff to prevent, identify and alleviate problems of discrimination.
3. Resources - Maintain and provide information to staff on resources available to complainants in addition to the school complaint procedure or Title IX procedures, such as making reports to the police, and available supportive measures such as assistance from domestic violence or rape crisis programs and community health resources including counseling resources.
4. Student Access - Review of programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
5. District Support - Assure that like aspects of the school programs and activities receive like support as to staffing and compensation, facilities, equipment, and related areas. [35]



6. Student Evaluation - Review of assessments, procedures, and guidance and counseling materials for stereotyping and discrimination.
7. Reports/Formal Complaints - Monitor and provide technical assistance to individuals involved in managing informal reports and formal complaints.

## **Guidelines**

### **Title IX Sexual Harassment Training Requirements**

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

1. Definition of sexual harassment.
2. Scope of the district's education program or activity, as it pertains to what is subject to Title IX regulations.
3. How to conduct an investigation and grievance process for formal complaints, including examination of evidence, drafting written determinations, handling appeals and informal resolution processes, as applicable.
4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias.
5. Use of relevant technology.
6. Issues of relevance including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.
7. Issues of relevance, weight of evidence and application of standard of proof and drafting investigative reports that fairly summarize relevant evidence.
8. How to address complaints when the alleged conduct does not qualify as Title IX sexual harassment but could be addressed under another complaint process or Board policy.

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

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

### **Disciplinary Consequences**

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

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

#### 7. Referral to law enforcement officials.

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.[21][36]

#### **Reports of Discrimination**


Any reports of discrimination that are reviewed by the Title IX Coordinator and do not meet the definition of Title IX sexual harassment but are based on race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability shall follow the Discrimination Complaint Procedures in Attachment 2 to this policy.

#### **Reports of Title IX Sexual Harassment**

Any reports deemed by the Title IX Coordinator to meet the definition of sexual harassment under Title IX shall follow the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3 to this policy.

#### **PSBA Revision 7/20 © 2020 PSBA**

 103-Attach 1 Report Form.pdf (161 KB)

 103-Attach 2 Discrimination.docx (40 KB)

 103-Attach 3 Title IX.docx (77 KB)

 103-Attach 4 ConfidentialityTemplateLetter.docx (21 KB)



Book	Board Policy Manual
Section	100 Programs
Title	Nondiscrimination - Qualified Students with Disabilities
Code	103.1
Status	

**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 - Nondiscrimination/Discriminatory Harassment - School and Classroom Practices
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 - Special Education
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 - Guidance Counseling
25. Pol. 122 - Extracurricular Activities
26. Pol. 123 - Interscholastic Athletics
27. Pol. 810 - Transportation
28. 22 PA Code 15.8
29. 22 PA Code 15.9
30. Pol. 216 - Student Records
31. 20 U.S.C. 1232g
32. 34 CFR Part 99
33. Pol. 218 - Student Discipline
34. Pol. 233 - Suspension and Expulsion
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

### **Authority**

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. 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]

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). 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.

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.

The Board directs that complaints of discrimination or harassment shall be investigated promptly, and corrective or preventative action be taken for substantiated allegations.

### **Confidentiality**

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.

### **Retaliation**

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.

### **Definitions**

**Qualified student with a disability** - 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]

**Section 504 Team** - 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]

**Section 504 Service Agreement (Service Agreement)** - 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]

**Disability harassment** - 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]

### **Delegation of Responsibility**

In order to maintain a program of nondiscrimination practices that is in compliance with applicable law and regulations, the Board designates the Director of Pupil Services

as the district's Section 504 Coordinator.[14]

In addition, each school within the district shall have a Section 504 building administrator.

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. The district shall notify parents/guardians of students residing in the district of the district's responsibilities under applicable law and regulations, and that the district does not discriminate against qualified individuals with disabilities.[15][16]

## **Guidelines**

### **Identification and Evaluation**

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. The district may combine this search with the district's IDEA child find efforts, in order to not duplicate efforts.[16][17]

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]

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]

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]

The district shall establish procedures for evaluation and placement that assure tests and other evaluation materials:

1. Have been validated and are administered by trained personnel.
2. Are tailored to assess educational need and are not based solely on IQ scores.
3. 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).

### **Service Agreement**

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]

The district shall not implement a Service Agreement until the written agreement is executed by a representative of the district and a parent/guardian.[13]

The district shall not modify or terminate a student's current Service Agreement without the parent's/guardian's written consent.[18]

### **Educational Programs/Nonacademic Services/Extracurricular Activities**

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. 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. 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]

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]

### **Parental Involvement**

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]

### **Confidentiality of Student Records**

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]

### **Discipline**

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

### **Referral to Law Enforcement and Reporting Requirements**

For reporting purposes, the term incident shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.[35][36][37]

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a 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][38][39][40][41][42][43][44][45][46][47][48]

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 designee shall use the same criteria used for students who do not have a disability.[10][39][48][49]

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]

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 providing transportation to or from a school or school-sponsored activity.[36][48]

### **PROCEDURAL SAFEGUARDS**

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][50]

A student or parent/guardian filing a claim of discrimination need not exhaust these procedures prior to initiating court action under Section 504.[19]

#### **Parental Request for Assistance**

Parents/Guardians may file a written request for assistance with the Pennsylvania Department of Education (PDE) if one (1) or both of the following apply:[28]

1. The district is not providing the related aids, services and accommodations specified in the student's Service Agreement.
2. The district has failed to comply with the procedures and state regulations.

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. The response to the parents'/guardians' request shall be in the parents'/guardians' native language or mode of communication.[28]

#### **Informal Conference**

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. Within ten (10) school days of receipt of the request, the district shall convene an informal conference. At the conference, every effort shall be made to reach an amicable agreement.[28]

#### **Formal Due Process Hearing**

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. The hearing shall be held before an impartial hearing officer and shall be conducted in accordance with state regulations.[28][51]

#### **Judicial Appeals**

The decision of the impartial hearing officer may be appealed to a court of competent jurisdiction.[28]

### **COMPLAINT PROCEDURE**

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

#### **Step 1 – Reporting**



A student or parent/guardian who believes s/he has 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. Any person with knowledge of conduct that may violate this policy, is encouraged to immediately report the matter to the Section 504 building administrator.

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.[52]

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.

The complainant or reporting employee may be encouraged to use the district's report form, available from the Section 504 building administrator or Section 504 Coordinator, or to put the complaint in writing; however, oral complaints shall be accepted, documented and the procedures of this policy implemented. 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. 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.

## **Step 2 – Investigation**

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.

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.

The investigator shall conduct an adequate, reliable and impartial investigation. The complainant and the accused may suggest additional witnesses and provide other evidence during the course of the investigation. 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.

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. 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. 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.

If the investigation reveals that the conduct being investigated may involve a violation of criminal law, the investigator shall promptly notify the Section 504 Coordinator, who shall promptly inform law enforcement authorities about the allegations.[10][52][53][54]

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. 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.

### **Step 3 – Investigative Report**

The investigator shall prepare and submit a written report to the Section 504 Coordinator within twenty (20) 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 Section 504 Coordinator to establish a different due date. 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.

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, 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. 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.

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]**

### **Step 4 – District Action**

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 that no retaliation occurs. 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. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant. The Section 504 Coordinator shall follow up by assessing the effectiveness of the corrective action at reasonable intervals.

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.

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


### **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, s/he 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 twenty (20) days. Copies of the response shall be provided to the complainant, the accused and the investigator who conducted the initial investigation.

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 103\_1Attach-ReportFormComplaints.doc (30 KB)

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

 103\_1Attach-Parent\_GuardianRequest-PermissionToEvaluate.doc (56 KB)

 103\_1Attach-ProceduralSafeguards.doc (35 KB)



Book	Board Policy Manual
Section	100 Programs
Title	Discrimination/Title IX Sexual Harassment Affecting Staff
Code	104
Status	

**Legal**

1. 43 P.S. 336.3
  2. 43 P.S. 951 et seq
  3. 34 CFR Part 106
  4. 20 U.S.C. 1681 et seq
  5. 29 U.S.C. 206
  6. 29 U.S.C. 621 et seq
  7. 29 U.S.C. 794
  8. 42 U.S.C. 1981 et seq
  9. 42 U.S.C. 2000e et seq
  10. 42 U.S.C. 2000ff et seq
  11. 42 U.S.C. 12101 et seq
  12. U.S. Const. Amend. XIV, Equal Protection Clause
  13. 20 U.S.C. 1232g
  14. 34 CFR 106.44
  15. 34 CFR 106.45
  16. 34 CFR 106.71
  17. 34 CFR Part 99
  18. 34 CFR 106.30
  19. 34 U.S.C. 12291
  20. 20 U.S.C. 1092
  21. 34 CFR 106.8
  22. Pol. 317 - Conduct Disciplinary Procedures
  23. Pol. 317.1 - Educator Misconduct
  24. Pol. 806 - Child Abuse
  25. Pol. 824 - Maintaining Professional Adult/Student Boundaries
- 16 PA Code 44.1 et seq
- 18 Pa. C.S.A. 2709
- 28 CFR 35.140
- 28 CFR Part 41
- 29 CFR Parts 1600-1691
- EEOC Enforcement Guidance on Harris v. Forklift Sys., Inc., November 9, 1993
- EEOC Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 18, 1999
- EEOC Policy Guidance on Current Issues of Sexual Harassment, March 19, 1990
- Burlington Industries, Inc. v. Ellerth, 524 U.S. 742 (1998)**
- Faragher v. City of Boca Raton, 524 U.S. 775 (1998)**
- Pol. 320 - Freedom of Speech in Non School Settings**
- Pol. 815 - Acceptable Use of Internet, Computers and Network Resources**
- Pol. 832**

### **Authority**

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, sex, sexual orientation, ancestry, national origin, marital status, genetic information, pregnancy or handicap/disability. 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][11][12]

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

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

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

### **Reports of Title IX Sexual Harassment and Other Discrimination and Retaliation**

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

If the building principal or building administrator is the subject of a complaint, the complainant or the individual making the report shall direct the report of the incident to the Title IX Coordinator.

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

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

The Title IX Coordinator shall conduct an assessment to determine whether the reported circumstances are most appropriately addressed through the Discrimination Complaint Procedures prescribed in Attachment 2 to this policy, or if the reported circumstances meet the definition of Title IX sexual harassment and are most appropriately addressed through the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3, or other Board policies.

### **Disciplinary Procedures when Reports Allege Title IX Sexual Harassment**

When a report alleges Title IX sexual harassment, disciplinary sanctions may not be imposed until

the completion of the grievance process for formal complaints outlined in Attachment 3. The district shall presume that the respondent is not responsible for the alleged conduct until a determination has been made at the completion of the grievance process for formal complaints.

#### *Administrative Leave –*

When an employee, based on an individualized safety and risk analysis, poses an immediate threat to the health or safety of any student or other individual, the employee may be removed on an emergency basis.

An accused, nonstudent district employee may be placed on administrative leave during the pendency of the grievance process for formal complaints, consistent with all rights under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, and in accordance with state law and regulations, Board policy and an applicable collective bargaining agreement or individual contract.

#### Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a report, and the investigation related to any form of discrimination or retaliation, including Title IX sexual harassment, shall be handled in accordance with applicable law, regulations, this policy, the attachments and the district's legal and investigative obligations. **[13][14][15][16][17]**

#### Retaliation

The Board prohibits retaliation by the district or any other person against any person for: **[16]**

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

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

#### Definitions

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

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

#### Discrimination

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

Harassment is a form of discrimination based on the protected classifications listed in this policy consisting of unwelcome conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related work performance, including when: **[9]**

1. Submission to such conduct is made explicitly or implicitly a term or condition of an employee's status; or

2. Submission to or rejection of such conduct is used as the basis for employment-related decisions affecting an employee; or
3. 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 at work or otherwise creates an intimidating, hostile, or offensive working environment such that it alters the complainant's working conditions.

### **Definitions Related to Title IX Sexual Harassment**

Formal complaint shall mean a document filed by a complainant or signed by the Title IX Coordinator alleging Title IX sexual harassment and requesting that the district investigate the allegation under the grievance process for formal complaints. The authority for the Title IX Coordinator to sign a formal complaint does not make the Title IX Coordinator a party in the grievance process for formal complaints. The phrase "document filed by a complainant" refers to a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.[15][18]

Supportive measures shall mean nondisciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed.[18]

Supportive measures shall be designed to restore or preserve equal access to the educational program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or to deter sexual harassment. Supportive measures may include, but are not limited to:[18]

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

Title IX sexual harassment means conduct on the basis of sex that satisfies one or more of the following:[18]

1. A district employee conditioning the provision of an aid, benefit, or district service on an individual's participation in unwelcome sexual conduct, commonly referred to as *quid pro quo sexual harassment*.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a district education



program or activity.

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

a. *Dating violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship is determined by the following factors: [19]

i. Length of relationship.

ii. Type of relationship.

iii. Frequency of interaction between the persons involved in the relationship.

b. *Domestic violence* includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving federal funding, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. [19]

c. *Sexual assault* means a sexual offense under state or federal law that is classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. [20]

d. *Stalking*, under Title IX means stalking on the basis of sex, for example when the stalker desires to date a victim. Stalking means to engage in a course of conduct directed at a specific person that would cause a reasonable person to either: [19]

i. Fear for their safety or the safety of others.

ii. Suffer substantial emotional distress.

Such conduct must have taken place during a district education program or activity and against a person in the United States to qualify as sexual harassment under Title IX. An education program or activity includes the locations, events or circumstances over which the district exercises substantial control over both the respondent and the context in which the harassment occurs. Title IX applies to all of a district's education programs or activities, whether such programs or activities occur on-campus or off-campus. [14][15][18]

### **Delegation of Responsibility**

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the [21]

**Director of Pupil Services as the district's Compliance Officer and Human Resources and Athletic Director as the district's Title IX Coordinator.**

**The Compliance Officer can be contacted at:**

**Address: 175 A & P Drive, Jersey Shore, PA 17740**

**Email: mleedy@jsasd.org**

**Phone Number: 570-398-5250**

**The Title IX Coordinator can be contacted at:****Address: 175 A & P Drive, Jersey Shore PA****Email: [lklose@jsasd.org](mailto:lklose@jsasd.org) or [shenry@jsasd.org](mailto:shenry@jsasd.org)****Phone Number: 570-398-5054 or 570-979-6526**

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

1. Review - Review of personnel practices and actions for discriminatory bias and compliance with laws against discrimination to include monitoring and recommending corrective measures when appropriate to written position qualifications, job descriptions and essential job functions; recruitment materials and practices; procedures for screening applicants; application and interviewing practices for hiring and promotions; district designed performance evaluations; review of planned employee demotions, non-renewal of contracts, and proposed employee disciplinary actions up to and including termination.
2. Training - Provide training for supervisors and staff to prevent, identify and alleviate problems of employment discrimination.
3. Resources - Maintain and provide information to staff on resources available to alleged victims in addition to the school complaint procedure or Title IX procedures, such as making reports to the police, and available supportive measures such as assistance from domestic violence or rape crisis programs, and community health resources including counseling resources.
4. Reports/Formal Complaints - Monitor and provide technical assistance to individuals involved in managing informal reports and formal complaints.

**Guidelines****Title IX Sexual Harassment Training Requirements**

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

1. Definition of sexual harassment.
2. Scope of the district's education program or activity, as it pertains to what is subject to Title IX regulations.
3. How to conduct an investigation and grievance process for formal complaints, including examination of evidence, drafting written determinations, handling appeals and informal resolution processes, as applicable.
4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest and bias.
5. Use of relevant technology.
6. Issues of relevance including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.
7. Issues of relevance, weight of evidence and application of standard of proof and drafting investigative reports that fairly summarize relevant evidence.

8. How to address complaints when the alleged conduct does not qualify as Title IX sexual harassment but could be addressed under another complaint process or Board policy.

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

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

### **Disciplinary Consequences**

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement and individual contract, up to and including dismissal and/or referral to law enforcement officials.[22][23][24][25]

### **Reports of Discrimination**


Any reports of discrimination that are reviewed by the Title IX Coordinator and do not meet the definition of Title IX sexual harassment but are based on race, color, age, creed, religion, sex, sexual orientation, ancestry, genetic information, national origin, marital status, pregnancy or handicap/disability shall follow the Discrimination Complaint Procedures in Attachment 2 to this policy.

### **Reports of Title IX Sexual Harassment**

Any reports deemed by the Title IX Coordinator to meet the definition of sexual harassment under Title IX shall follow the Title IX Sexual Harassment Procedures and Grievance Process for Formal Complaints in Attachment 3 to this policy.

**PSBA Revision 7/20 © 2020 PSBA**

 104-Attach 1 Report Form.pdf (170 KB)

 104-Attach 2 Discrimination.docx (40 KB)

 104-Attach 3 Title IX.docx (76 KB)



**pennsylvania**  
DEPARTMENT OF EDUCATION

## **Phased School Reopening Health and Safety Plan Template**

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Each school entity must create a Health and Safety Plan which will serve as the local guidelines for all instructional and non- instructional school reopening activities. As with all emergency plans, the Health and Safety Plan developed for each school entity should be tailored to the unique needs of each school and should be created in consultation with local health agencies. Given the dynamic nature of the pandemic, each plan should incorporate enough flexibility to adapt to changing conditions. The templates provided in this toolkit can be used to document a school entity's Health and Safety Plan, with a focus on professional learning and communications, to ensure all stakeholders are fully informed and prepared for a local phased reopening of school facilities. A school entity's Health and Safety Plan must be approved by its governing body and posted on the school entity's publicly available website prior to the reopening of school. School entities should also consider whether the adoption of a new policy or the modification of an existing policy is necessary to effectively implement the Health and Safety Plan.

Each school entity should continue to monitor its Health and Safety Plan throughout the year and update as needed. All revisions should be reviewed and approved by the governing body prior to posting on the school entity's public website.

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*This resource draws on a resource created by the Council of Chief State School Officers (CCSSO) that is based on official guidance from multiple sources to include: the Centers for Disease Control and Prevention, the White House, American Academy of Pediatrics, Learning Policy Institute, American Enterprise Institute, Rutgers Graduate School of Education, the World Health Organization, the Office of the Prime Minister of Norway as well as the departments of education/health and/or offices of the governor for Idaho, Montana, New York, Texas and Washington, DC.*

August 5, 2020

## Health and Safety Plan: Jersey Shore Area School District

This plan is a working draft document. The district will comply with all state orders in effect and notify staff and families of any necessary changes while operating schools. For a complete list of orders and guidance in place, please visit the State of Pennsylvania website on "Reopening Pre-K to 12 Schools in Pennsylvania here - <https://www.education.pa.gov/Schools/safeschools/emergencyp planning/COVID-19/SchoolReopeningGuidance/ReopeningPreKto12/Pages/default.aspx>

All district-sponsored academics programs will follow this policy. Extracurricular activities follow the board approved Extra-Curricular Plan.

All decision-makers should be mindful that as long as there are cases of COVID-19 in the community, there are no strategies that can completely eliminate transmission risk within a school population. The goal is to keep transmission as low as possible to safely continue school activities. All school activities must be informed by [Governor Wolf's Process to Reopen Pennsylvania](#). The administration has categorized reopening into three broad phases: red, yellow, or green. These designations signal how counties and/or regions may begin easing some restrictions on school, work, congregate settings, and social interactions:

- The Red Phase: Schools remain closed for in-person instruction and all instruction must be provided via remote learning, whether using digital or non-digital platforms. Provisions for student services such as school meal programs should continue. Large gatherings are prohibited.
- The Yellow Phase and Green Phase: Schools may provide in-person instruction after developing a written Health and Safety Plan, to be approved by the local governing body (e.g. board of directors/trustees) and posted on the school entity's publicly available website.

Based on your county's current designation (i.e., red, yellow, green) and the best interests of your local community, indicate which type of reopening your LEA has selected by checking the appropriate box in row three of the table below. Use the remainder of the template to document your LEA's plan to bring back students and staff, how you will communicate the type of reopening with stakeholders in your community, and the process for continued monitoring of local health data to assess implications for school operations and potential adjustments throughout the school year.

Depending upon the public health conditions in any county within the Commonwealth, there could be additional actions, orders, or guidance provided by the Pennsylvania Department of Education (PDE) and/or the Pennsylvania Department of Health (DOH) designating the county as being in the red, yellow, or green phase. Some counties may not experience a straight path from a red designation, to a yellow, and then a green designation. Instead, cycling back and forth between less restrictive to more restrictive designations may occur as public health indicators improve or worsen. This means that your school entity should account for changing conditions in your local Health and Safety Plan to ensure fluid transition from more to less restrictive conditions in each of the phase requirements as needed.

August 5, 2020

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## Type of Reopening

### Key Questions

- How do you plan to bring students and staff back to physical school buildings, particularly if you still need social distancing in place?
- How did you engage stakeholders in the type of re-opening your school entity selected?
- How will you communicate your plan to your local community?
- Once you reopen, what will the decision-making process look like to prompt a school closure or other significant modification to operations?

### Based on your county's current designation and local community needs, which type of reopening has your school entity selected?

- Total reopen for all students and staff (but some students/families opt for distance learning out of safety/health concern).
- Scaffolded reopening: Some students are engaged in in-person learning, while others are distance learning (i.e., some grade levels in-person, other grade levels remote learning).
- Blended reopening that balances in-person learning and remote learning for all students (i.e., alternating days or weeks).
- Total remote learning for all students. (Plan should reflect future action steps to be implemented and conditions that would prompt the decision as to when schools will re-open for in-person learning).

### Anticipated launch date for in-person learning (i.e., start of blended, scaffolded, or total reopening):

August 27, 2020



**Pandemic Coordinator/Team**

Each school entity is required to identify a pandemic coordinator and/or pandemic team with defined roles and responsibilities for health and safety preparedness and response planning during the phased reopening of schools. The pandemic coordinator and team will be responsible for facilitating the local planning process, monitoring implementation of your local Health and Safety Plan, and continued monitoring of local health data to assess implications for school operations and potential adjustments to the Health and Safety Plan throughout the school year. To ensure a comprehensive plan that reflects the considerations and needs of every stakeholder in the local education community, LEAs are encouraged to establish a pandemic team to support the pandemic coordinator. Inclusion of a diverse group of stakeholders is critical to the success of planning and implementation. LEAs are highly encouraged to make extra effort to engage representatives from every stakeholder group (i.e., administrators, teachers, support staff, students, families, community health official or other partners), with a special focus on ensuring that the voices of underrepresented and historically marginalized stakeholder groups are prioritized. In the table below, identify the individual who will serve as the pandemic coordinator and the stakeholder group they represent in the row marked "Pandemic Coordinator". For each additional pandemic team member, enter the individual's name, stakeholder group they represent, and the specific role they will play in planning and implementation of your local Health and Safety Plan by entering one of the following under "Pandemic Team Roles and Responsibilities":

- **Health and Safety Plan Development:** Individual will play a role in drafting the enclosed Health and Safety Plan;
- **Pandemic Crisis Response Team:** Individual will play a role in within-year decision making regarding response efforts in the event of a confirmed positive case or exposure among staff and students; or
- **Both (Plan Development and Response Team):** Individual will play a role in drafting the plan and within-year decision making regarding response efforts in the event of confirmed positive case.

Individual(s)	Stakeholder Group Represented	Pandemic Team Roles and Responsibilities (Options Above)
Dr. Brian Ulmer	Administration	Both, Superintendent
Dr. Ken Dady, Jr.	Administration	Both, Pandemic Coordinator, Safe Schools Coordinator
Craig Allen	Board	Plan Development
Mary Thomas	Board	Plan Development
Michelle Stemler	Board	Plan Development
Adrienne Johnston	Administration	Both

August 5, 2020

<b>Alison Confer</b>	Teacher	Plan Development
<b>Jodi Wolesslagle</b>	Teacher	Plan Development
<b>Laurette Robinson</b>	Teacher	Plan Development
<b>Michele Persun</b>	Teacher	Plan Development
<b>Dr. Cindy Allen</b>	Lycoming County Health Coalition JSASD Community	Plan Development
<b>Alexandra Mahaffey</b>	Administration	Both
<b>Joanne Knepp</b>	Staff	Plan Development
<b>Margaret Leedy</b>	Administration	Both
<b>Mark Wall</b>	Administration	Both
<b>Melissa Corlew</b>	Parent	Plan Development
<b>Andrea Decker</b>	Parent/Staff	Plan Development
<b>Tiffany Kilpatrick</b>	Parent	Plan Development
<b>Chrissy Heaton</b>	Parent	Plan Development
<b>Donnica Confair</b>	Staff	Plan Development
<b>Judy Morlock</b>	Nurse	Both
<b>Lisa Taylor</b>	Teacher	Plan Development
<b>Jon Jean</b>	Administration	Both
<b>Keith Veldhuis</b>	Administration	Both
<b>Megan Kodish</b>	Teacher	Plan Development

August 5, 2020

Serena Henry	Administration	Both
Steven Keen	Administration	Both
Ruth LeVan	Teacher	Plan Development
Kimberly Myers	Staff	Both
Stephanie Windecker	Transportation	Both

### Key Strategies, Policies, and Procedures

Once your LEA has determined the type of reopening that is best for your local community and established a pandemic coordinator and/or pandemic team, use the action plan templates on the following pages to create a thorough plan for each of the requirements outlined in the Pennsylvania Department of Education’s Preliminary Guidance for Phased Reopening of PreK-12 Schools.

For each domain of the Health and Safety Plan, draft a detailed summary describing the key strategies, policies, and procedures your LEA will employ to satisfy the requirements of the domain. The domain summary will serve as the public-facing description of the efforts your LEA will take to ensure health and safety of every stakeholder in your local education community. Thus, the summary should be focused on the key information that staff, students, and families will require to clearly understand your local plan for the phased reopening of schools. You can use the key questions to guide your domain summary.

For each requirement within each domain, document the following:

- **Action Steps under Yellow Phase:** Identify the discrete action steps required to prepare for and implement the requirement under the guidelines outlined for counties in yellow. List the discrete action steps for each requirement in sequential order.
- **Action Steps under Green Phase:** Identify the specific adjustments the LEA or school will make to the requirement during the time period the county is designated as green. If implementation of the requirement will be the same regardless of county designation, then type “same as Yellow” in this cell.
- **Lead Individual and Position:** List the person(s) responsible for ensuring the action steps are fully planned and the system is prepared for effective implementation.
- **Materials, Resources, and/or Supports Needed:** List any materials, resources, or support required to implement the requirement.
- **Professional Development (PD) Required:** In order to implement this requirement effectively, will staff, students, families, or other stakeholders require professional development?

August 5, 2020

In the following tables, an asterisk (\*) denotes a mandatory element of the plan. All other requirements are highly encouraged to the extent possible.

**Cleaning, Sanitizing, Disinfecting and Ventilation**

**Key Questions**

- How will you ensure the building is cleaned and ready to safely welcome staff and students?
- How often will you implement cleaning, sanitation, disinfecting, and ventilation protocols/procedures to maintain staff and student safety?
- What protocols will you put in place to clean and disinfect throughout an individual school day?
- Which stakeholders will be trained on cleaning, sanitizing, disinfecting, and ventilation protocols? When and how will the training be provided? How will preparedness to implement as a result of the training be measured?

**Summary of Responses to Key Questions:**

Cleaning protocols are in place. High touch areas will be a focus throughout the day. Custodial staff are trained and will be reminded of cleaning protocols. The district is working on replacing water fountains with bottle filling stations and moving to touch less fixtures.

Requirements	Action Steps under Yellow Phase	Action Steps under Green Phase	Lead Individual and Position	Materials, Resources, and or Supports Needed	PD Required (Y/N)
* <b>Cleaning, sanitizing, disinfecting, and ventilating learning spaces, surfaces, and any other areas used by students (i.e., restrooms, drinking fountains, hallways, and transportation)</b>	<p>The custodial department will focus on high touch areas such as doorknobs, door pushes, railings, toilet handles.</p> <p>Sanitizing sprayers will be used daily.</p> <p>Daily sanitization on transportation</p> <p>Teachers will be instructed to keep classroom doors locked but open to promote safety and increased ventilation</p>	<p>The custodial department will focus on high touch areas such as doorknobs, door pushes, railings, toilet handles.</p> <p>Sanitizing sprayers will be used on a rotating basis to sanitize all spaces.</p> <p>Daily sanitization on transportation</p> <p>Teachers will be instructed to keep classroom doors locked but open to promote safety and increased ventilation</p>	Mark Wall and Ken Dady	Additional wipes, sanitizing supplies	Y

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Requirements	Action Steps under Yellow Phase	Action Steps under Green Phase	Lead Individual and Position	Materials, Resources, and or Supports Needed	PD Required (Y/N)
Other cleaning, sanitizing, disinfecting, and ventilation practices	Elementary students will not use cleaning wipes.	Elementary students will not use cleaning wipes.			

**Social Distancing and Other Safety Protocols**

**Key Questions**

- How will classrooms/learning spaces be organized to mitigate spread?
- How will you group students with staff to limit the number of individuals who come into contact with each other throughout the school day?
- What policies and procedures will govern use of other communal spaces within the school building?
- How will you utilize outdoor space to help meet social distancing needs?
- What hygiene routines will be implemented throughout the school day?
- How will you adjust student transportation to meet social distancing requirements?
- What visitor and volunteer policies will you implement to mitigate spread?
- Will any of these social distancing and other safety protocols differ based on age and/or grade ranges?
- Which stakeholders will be trained on social distancing and other safety protocols? When and how will the training be provided? How will preparedness to implement as a result of the training be measured?

**Summary of Responses to Key Questions:**

Students will be spread out in classrooms and all spaces to the maximum extent feasible. Signs and reminders will be used to encourage students and staff to practice social distancing and good hygiene practices. Visitors and volunteers are addressed in the plan below. Staff will be trained on the elements of this plan before students return. Student reminders will be scripted for uniformity.

1. Outside group buildings use – No outside groups will be permitted to use building space from the start of school until October 13, 2020. The board will reconsider this at their October 12 meeting. This excludes childcare for our own students.
2. Visitors will need to call in to the building first or have an appointment to come in.
3. Parent Meetings –
  - a. In a green phase – parents will be offered virtual meetings. In person meetings will only occur in offices.
  - b. In a yellow phase – parents will be offered virtual meetings. In person meetings will only occur in the district office.

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4. Open House –
  - a. Due to the PA DOH restriction on indoor gatherings of no more than 25 people applying to school events outside of academic instruction. Open Houses will be virtual events.  
<https://www.health.pa.gov/topics/disease/coronavirus/Pages/Guidance/Targeted-Mitigation-FAQ.aspx>
  - b. Virtual teacher meetings will be used for Open House.
  - c. New students since March 13, 2020 will be offered building tours prior to the start of school.
5. Field Trips – No field trips will not occur from the start of school until October 13, 2020. The board will reconsider this at their October 12 meeting. This does not include extracurriculars as governed by the Extracurricular Plan.

Requirements	Action Steps under Yellow Phase	Action Steps under Green Phase	Lead Individual and Position	Materials, Resources, and or Supports Needed	PD Required (Y/N)
* Classroom/ learning space occupancy that allows for 6 feet of separation among students and staff throughout the day, to the maximum extent feasible	The district will optimize space and consider hiring substitutes to lower the number of students in large classes.	Student desks will be placed in classrooms so that all students are facing in the same direction.  Items may need to be removed from classrooms to create additional space.	Building Principals	N/A	N
* Restricting the use of cafeterias and other congregate settings, and serving meals in alternate settings such as classrooms	Cafeterias will be closed and students will retrieve lunch and eat in classrooms.  Large group settings will be reduced and the district will use all staff available to split students into smaller settings.	Cafeterias will be in use and students will be spread out to the maximum extent feasible. Principals will devise plan to lower numbers and assign seats to reduce contact.  Students in large group areas will be spread out to remove high contact among students.  All food will be served to students.	Building Principals/Director of Food Service	Potential for human resource impact	N

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Requirements	Action Steps under Yellow Phase	Action Steps under Green Phase	Lead Individual and Position	Materials, Resources, and or Supports Needed	PD Required (Y/N)
<p><b>* Hygiene practices for students and staff including the manner and frequency of hand-washing and other best practices</b></p>	<p>Students will be reminded daily on morning announcements of the expectations of hygiene practices.</p> <p>Teachers will remind students at the beginning of each class period of the hygiene expectations. This includes washing hands and practicing social distancing.</p> <p>Parents and students will be educated on the importance of washing personal belongings.</p> <p>Teachers will develop routines for small groups of students retrieving personal belongings from cubbies and lockers.</p>	<p>Students will be reminded daily on morning announcements of the expectations of hygiene practices.</p> <p>Parents and students will be educated on the importance of washing personal belongings (bookbags, coats, etc.).</p> <p>Teachers will develop routines for small groups of students retrieving personal belongings from cubbies and lockers.</p>	<p>Building Principals</p>	<p>N/A</p>	<p>Y</p>
<p><b>* Posting signs, in highly visible locations, that promote everyday protective measures, and how to stop the spread of germs</b></p>	<p>Signs will be posted throughout the building (bathrooms, classrooms, hallways, etc.) that remind students of best practices.</p> <p>Each teacher will receive 3 signs to post in their classroom</p>	<p>Signs will be posted throughout the building (bathrooms, classrooms, hallways, etc.) that remind students of best practices.</p> <p>Each teacher will receive 3 signs to post in their classroom.</p>	<p>Mark Wall/Joanne Knepp</p>	<p>Signs</p>	<p>N</p>



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Requirements	Action Steps under Yellow Phase	Action Steps under Green Phase	Lead Individual and Position	Materials, Resources, and/or Supports Needed	PD Required (Y/N)
<b>* Identifying and restricting non-essential visitors and volunteers</b>	<p>Visitors will not be permitted in school buildings.</p> <p>Volunteers will not be permitted.</p>	<p>Visitors will be limited to the building office and contact with students will be reduced. Visitors will need to call in to the building first or have an appointment to come in.</p> <p>Parents dropping off items will be required to leave them in the vestibule for staff to retrieve.</p> <p>Volunteers who serve essential functions will be permitted but reduced contact with students will be maintained to the extent possible.</p>	Building Principals	Posting on website and signs on building doors	N
<b>* Handling sporting activities for recess and physical education classes consistent with the CDC Considerations for Youth Sports</b>	<p>Students will sanitize hands before engaging in activity.</p> <p>Use activities that allow for social distancing (including outside activities as much as possible).</p> <p>No activities that require shared equipment.</p> <p>Recess, Playground and Physical Education equipment will be cleaned daily or more frequently if feasible.</p> <p>Reduce number of students in locker rooms at one time</p>	<p>Students will sanitize hands before engaging in activity.</p> <p>Use activities that allow for social distancing (including outside activities as much as possible).</p> <p>Use equipment that can be sanitized between classes.</p> <p>Recess, Playground and Physical Education equipment will be cleaned daily or more frequently if feasible.</p> <p>Reduce number of students in locker rooms at one time.</p>	Building Principals	N/A	Y
<b>Limiting the sharing of materials among students</b>	No student materials will be shared.	Student materials will be sanitized between uses.	Building Principals	Wipes	N

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Requirements	Action Steps under Yellow Phase	Action Steps under Green Phase	Lead Individual and Position	Materials, Resources, and or Supports Needed	PD Required (Y/N)
<b>Staggering the use of communal spaces and hallways</b>	Hallways will be designated in one direction as possible.  Students will not be permitted to congregate in communal spaces.	Students will not be permitted to congregate in communal spaces	Building Principals	Directional Signs	N
<b>Adjusting transportation schedules and practices to create social distance between students</b>	Students will be encouraged to spread out on buses to the greatest extent possible.  Students will be assigned seats on buses and families will be seated together as possible.  Masks will be made available to students riding buses and they will be required	Students will be encouraged to spread out on buses to the greatest extent possible.  Students will be assigned seats on buses and families will be seated together as possible.  Masks will be made available to students riding buses and they will be required	Dr. Ken Dady	N/A	N
<b>Limiting the number of individuals in classrooms and other learning spaces, and interactions between groups of students</b>	See above regarding visitors and volunteers.  Teachers and students who move classrooms and buildings will wash hands/Sanitize prior to or upon entering each classroom.	See above regarding visitors and volunteers.  Teachers who move classrooms and buildings will sanitize prior to entering each classroom.	Building Principals	Hand sanitizer	N
<b>Coordinating with local childcare regarding on site care, transportation protocol changes and, when possible, revised hours of operation or modified school-year calendars</b>	These agencies will be added to our One Call system to receive up to date notifications.  Information will be posted on the school district website.	These agencies will be added to our One Call system to receive up to date notifications.  Information will be posted on the school district website.	Dr. Ken Dady	One Call, website	N

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Requirements	Action Steps under Yellow Phase	Action Steps under Green Phase	Lead Individual and Position	Materials, Resources, and or Supports Needed	PD Required (Y/N)
Other social distancing and safety practices					

**Monitoring Student and Staff Health**

**Key Questions**

- How will you monitor students, staff and others who interact with each other to ensure they are healthy and not exhibiting signs of illness?
- Where will the monitoring take place?
- When and how frequently will the monitoring take place?
- What is the policy for quarantine or isolation if a staff, student, or other member of the school community becomes ill or has been exposed to an individual confirmed positive for COVID-19? What conditions will a staff or student confirmed to have COVID-19 need to meet to safely return to school? Which staff will be responsible for making decisions regarding quarantine or isolation requirements of staff or students?
- When and how will families be notified of confirmed staff or student illness or exposure and resulting changes to the local Health and Safety Plan?
- Which stakeholders will be trained on protocols for monitoring student and staff health? When and how will the training be provided? How will preparedness to implement as a result of the training be measured?

**Summary of Responses to Key Questions:**

Students and staff that show signs or symptoms, or have been exposed will be isolated and asked to quarantine. Parents need to screen their children for symptoms prior to sending them to school. School health personnel will consult with families and administration to determine return to school. Notifications will occur according to our established notification systems for other health issues, taking care to protect the rights of the person. Staff training will occur to assist students who are responding to trauma. Student climate checks will be added to our SRSS screeners in place as a positive approach to supporting students in responding to this situation. Visitors and Volunteers will be handled according to this plan. For the purposes of continuing education, student teachers and university student observers will not be treated as visitors per policy.

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Contract tracing and notification will be handled by the PA Department of Health – <https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/SchoolReopeningGuidance/ReopeningPreKto12/PublicHealthGuidance/Pages/default.aspx>

Requirements	Action Steps under Yellow Phase	Action Steps under Green Phase	Lead Individual and Position	Materials, Resources, and or Supports Needed	PD Required (Y/N)
<b>* Monitoring students and staff for symptoms and history of exposure</b>	Student and staff temperatures will be screened upon entering the building. This will be done by an individual face scanner as students walk by. If the temperature is above 100.4*, the person will be taken aside, asked the screener questions and the temperature will be taken with a second device. If the temperature remains above 100.4*, the person will not be permitted to continue into the building, asked to call the Covid hotline (570)284-3657 and will need a note or negative test to return to work or school.	Student and staff temperatures will be screened upon entering the building. This will be done by an individual face scanner as students walk by. If the temperature is above 100.4*, the person will be taken aside, asked the screener questions and the temperature will be taken with a second device. If the temperature remains above 100.4*, the person will not be permitted to continue into the building, asked to call the Covid hotline (570)284-3657 and will need a note or negative test to return to work or school.	Building Principal	Temperature scanners (large group and handheld).	Y
<b>* Isolating or quarantining students, staff, or visitors if they become sick or demonstrate a history of exposure</b>	Any person showing symptoms will be sent home, told to call the Covid Hotline (570)284-3657 and will provide a note to return to work or school.  No one who is sick or has been exposed should report to work or school.	Any person showing symptoms will be sent home, told to call the Covid Hotline (570)284-3657 and will provide a note to return to work or school.  No one who is sick or has been exposed should report to work or school.	Dr. Ken Dady	Notification	N

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Requirements	Action Steps under Yellow Phase	Action Steps under Green Phase	Lead Individual and Position	Materials, Resources, and or Supports Needed	PD Required (Y/N)
* Returning isolated or quarantined staff, students, or visitors to school	Staff will use established protocols and interventions to catch up with students who missed school.	Staff will use established protocols and interventions to catch up with students who missed school.	Building Principals	N/A	N
	A cleared physician's note or negative test will be required to return.	A cleared physician's note or negative test will be required to return.	Pat McCormick	Technology	Y
	The school nurse will screen students and staff when they return if they had to be sent home  Technology for remote learning will be used to provide resources to students who are not able to be present.	The school nurse will screen students and staff when they return if they had to be sent home.  Technology for remote learning will be used to provide resources to students who are not able to be present.			
Notifying staff, families, and the public of school closures and within-school-year changes in safety protocols	One call notifications.	One call notifications.	Dr Ken Dady	One Call	N
	Information will be posted on the school district website.	Information will be posted on the school district website.		Website	
Other monitoring and screening practices					

**Other Considerations for Students and Staff**

**Key Questions**

- How will you determine which staff are willing/able to return? How will you accommodate staff who are unable or uncomfortable to return?
- How will you determine which students are willing/able to return? How will you accommodate students who are unable or uncomfortable to return?
- What is the local policy/procedure regarding face coverings for staff? What is the policy/procedure for students?
- What special protocols will you implement to protect students and staff at higher risk for severe illness?
- How will you address staff who are ill, or who have family members who have become ill?
- How will you ensure enough substitute teachers are prepared in the event of staff illness?
- How will the LEA strategically deploy instructional and non-instructional staff to ensure all students have access to quality learning opportunities, as well as supports for social emotional wellness at school and at home?

**Summary of Responses to Key Questions:**

Families and staff will receive a copy of the plan draft and a survey that will ask about their comfort level of returning. Local policies are outlined in the plan below. The district contracts for substitute teachers. Teachers will receive training in best instructional practices that are remote and hybrid. The district will utilize existing and expand technology to support family choice in remote and hybrid options.

Requirements	Action Steps under Yellow Phase	Action Steps under Green Phase	Lead Individual and Position	Materials, Resources, and or Supports Needed	PD Required (Y/N)
* Protecting students and staff at higher risk for severe illness	Families will be permitted to choose the hybrid or JSOL learning option.  Staff will be informed of the Families First Coronavirus Response Act (FFCRA or Act).  The district will market its ability to provide remote or hybrid instruction and develop a process for parents to choose those options	Families will be permitted to choose the hybrid or JSOL learning option.  Staff will be informed of the Families First Coronavirus Response Act (FFCRA or Act).  The district will market its ability to provide remote or hybrid instruction and develop a process for parents to choose those options.	Dr. Ken Dady	Masks, face shields	N

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Requirements	Action Steps under Yellow Phase	Action Steps under Green Phase	Lead Individual and Position	Materials, Resources, and or Supports Needed	PD Required (Y/N)
* Use of face coverings (masks or face shields) by all staff	Masks are required by the Governor's order  <a href="https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/Waivers/MaskWearing/Pages/default.aspx">https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/Waivers/MaskWearing/Pages/default.aspx</a>	Masks are required by the Governor's order  <a href="https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/Waivers/MaskWearing/Pages/default.aspx">https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/Waivers/MaskWearing/Pages/default.aspx</a>	Dr. Ken Dady	Masks, face shields	N
* Use of face coverings (masks or face shields) by older students (as appropriate)	Masks are required by the Governor's order  <a href="https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/Waivers/MaskWearing/Pages/default.aspx">https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/Waivers/MaskWearing/Pages/default.aspx</a>	Masks are required by the Governor's order  <a href="https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/Waivers/MaskWearing/Pages/default.aspx">https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/Waivers/MaskWearing/Pages/default.aspx</a>	Dr. Ken Dady	Masks, face shields	N
Unique safety protocols for students with complex needs or other vulnerable individuals	Staff will be educated regarding students with complex needs.  Families will be permitted to choose the hybrid or remote learning option.  Attendance waivers pursuant to board policy for students who qualify.	Staff will be educated regarding students with complex needs.  Families will be permitted to choose the hybrid or remote learning option.  Attendance waivers pursuant to board policy for students who qualify.	Peg Leedy  Dr. Ken Dady	Remote Learning Option	Y

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Requirements	Action Steps under Yellow Phase	Action Steps under Green Phase	Lead Individual and Position	Materials, Resources, and or Supports Needed	PD Required (Y/N)
<b>Strategic deployment of staff</b>	Students who choose remote learning will have regular access to teachers and supports. Expectations for students and staff engaging in remote learning will be clear.  Guidance counselors and/or teachers will conduct social-emotional check ins with students.	Students who choose remote learning will have regular access to teachers and supports. Expectations for students and staff engaging in remote learning will be clear.  Guidance counselors and/or teachers will conduct social-emotional check ins with students.	Dr Ken Dady	Microsoft Teams	N



### Health and Safety Plan Professional Development

The success of your plan for a healthy and safe reopening requires all stakeholders to be prepared with the necessary knowledge and skills to implement the plan as intended. For each item that requires professional development, document the following components of your professional learning plan.

- **Topic:** List the content on which the professional development will focus.
- **Audience:** List the stakeholder group(s) who will participate in the professional learning activity.
- **Lead Person and Position:** List the person or organization that will provide the professional learning.
- **Session Format:** List the strategy/format that will be utilized to facilitate participant learning.
- **Materials, Resources, and or Supports Needed:** List any materials, resources, or support required to implement the requirement.
- **Start Date:** Enter the date on which the first professional learning activity for the topic will be offered.
- **Completion Date:** Enter the date on which the last professional learning activity for the topic will be offered.

Topic	Audience	Lead Person and Position	Session Format	Materials, Resources, and or Supports Needed	Start Date	Completion Date
Training Custodial Staff	Custodial Staff	Mark Wall	In person	Cleaning Supplies	July 28, 2020	
Hygiene Practices	All Staff	Building Principals	In person	Signs and scripts	After August 15, 2020	
Sanitizing Expectations	All Staff	Building Principals	In person	Signs and scripts	After August 15, 2020	
Remote Learning	Faculty	Pat McCormick	Virtual	Schoology, devices	After August 15, 2020	
Students with Complex Needs	Faculty	Peg Leedy	Remote	Handouts	After August 15, 2020	
Mental Health and Trauma	Faculty	Brian Ulmer	In person	Trainings	After August 15, 2020	

August 5, 2020

**Health and Safety Plan Communications**

Timely and effective family and caregiver communication about health and safety protocols and schedules will be critical. Schools should be particularly mindful that frequent communications are accessible in non-English languages and to all caregivers (this is particularly important for children residing with grandparents or other kin or foster caregivers). Additionally, LEAs should establish and maintain ongoing communication with local and state authorities to determine current mitigation levels in your community.

Topic	Audience	Lead Person and Position	Mode of Communications	Start Date	Completion Date
<b>Community Letter</b>	All Stakeholders	Dr. Ulmer	Email, Call, Text, Website	6/1/20	6/4/20
<b>Board Meeting Announcement regarding Health and Safety Plan</b>	All Stakeholders	Dr. Ulmer	Livestream	6/8/20	6/8/20
<b>Community Letter</b>	All Stakeholders	Dr. Ulmer	Email, Text, Website	6/19/20	6/19/20
<b>Survey with Draft Plan</b>	All Stakeholders	Dr. Ulmer	Email, Call, Text, Website	6/29/20	7/2/20
<b>Board Approval</b>	Board	Dr. Ulmer	Livestream	7/27/20	
<b>Community Letter</b>	All Stakeholders	Dr. Ulmer	Email, Call, Text, Website	7/28/20	

## Health and Safety Plan Summary: Jersey Shore Area School District

**Anticipated Launch Date:** July 28, 2020

Use these summary tables to provide your local education community with a detailed overview of your Health and Safety Plan. LEAs are required to post this summary on their website. To complete the summary, copy and paste the domain summaries from the Health and Safety Plan tables above.

### Facilities Cleaning, Sanitizing, Disinfecting and Ventilation

Requirement(s)	Strategies, Policies and Procedures
* <b>Cleaning, sanitizing, disinfecting, and ventilating learning spaces, surfaces, and any other areas used by students (i.e., restrooms, drinking fountains, hallways, and transportation)</b>	<p>The custodial department will focus on high touch areas such as doorknobs, door pushes, railings, toilet handles.</p> <p>Sanitizing sprayers will be used daily.</p> <p>Transportation will be sanitized daily.</p>

### Social Distancing and Other Safety Protocols

Requirement(s)	Strategies, Policies and Procedures
* <b>Classroom/learning space occupancy that allows for 6 feet of separation among students and staff throughout the day, to the maximum extent feasible</b>	<p>The district will optimize space and consider hiring substitutes to lower the number of students in large classes</p> <p>Items may need to be removed from classrooms to create space.</p>
* <b>Restricting the use of cafeterias and other congregate settings, and serving meals in alternate settings such as classrooms</b>	<p>Cafeterias will be in use and students will be spread out. Principals will devise plans to lower numbers and assign seats/areas to reduce contact.</p>
* <b>Hygiene practices for students and staff including the manner and frequency of hand-washing and other best practices</b>	<p>Large group settings will be reduced and the district will use all staff available to split students into smaller settings.</p>

Requirement(s)	Strategies, Policies and Procedures
<p><b>* Posting signs, in highly visible locations, that promote everyday protective measures, and how to stop the spread of germs</b></p> <p><b>* Handling sporting activities consistent with the <u>CDC Considerations for Youth Sports</u> for recess and physical education classes</b></p> <p><b>Limiting the sharing of materials among students</b></p> <p><b>Staggering the use of communal spaces and hallways</b></p> <p><b>Adjusting transportation schedules and practices to create social distance between students</b></p> <p><b>Limiting the number of individuals in classrooms and other learning spaces, and interactions between groups of students</b></p> <p><b>Coordinating with local childcare regarding on site care, transportation protocol changes and, when possible, revised hours of operation or modified school-year calendars</b></p> <p><b>Other social distancing and safety practices</b></p>	<p>Students will be reminded daily on morning announcements of the expectations of hygiene practices.</p> <p>Teachers will remind students at the beginning of each class period of the hygiene expectations. This includes washing hands and practicing social distancing</p> <p>Parents and students will be educated on the need to clean personal belongings on a regular basis.</p> <p>Signs will be posted throughout the building (bathrooms, classrooms, hallways, etc.) that remind students of best practices.</p> <p>Students will sanitize hands before engaging in activity.</p> <p>Use activities that allow for social distancing (including outside activities as much as possible).</p> <p>Recess, Playground and Physical Education equipment will be cleaned daily or more frequently if feasible.</p> <p>Reduce number of students in locker rooms at one time.</p>

**Monitoring Student and Staff Health**

Requirement(s)	Strategies, Policies and Procedures
<p><b>* Monitoring students and staff for symptoms and history of exposure</b></p>	<p>Student and staff temperatures will be screened upon entering the building. This will be done by an individual face scanner as students walk by. If the temperature is above 100.4*, the person will be taken aside, asked the screener questions and the</p>

Requirement(s)	Strategies, Policies and Procedures
<p><b>* Isolating or quarantining students, staff, or visitors if they become sick or demonstrate a history of exposure</b></p> <p><b>* Returning isolated or quarantined staff, students, or visitors to school</b></p> <p><b>Notifying staff, families, and the public of school closures and within-school- year changes in safety protocols</b></p>	<p>temperature will be taken with a second device. If the temperature remains above 100.4*, the person will not be permitted to continue into the building. asked to call the Covid hotline(570)284-3657 and will need a note or negative test to return to work or school.</p> <p>Any one showing symptoms will be sent home. asked to call the Covid hotline (570)284-3657 and will provide a cleared doctor's note or negative test to return to work or school.</p> <p>No one who is sick or has been exposed should report to work or school.</p> <p>Staff will use established protocols and interventions to catch up with students who missed school.</p> <p>Technology for remote learning will be used to provide resources to students who are not able to be present. One call notifications.</p> <p>Information will be posted on the school district website.</p>

**Other Considerations for Students and Staff**

Requirement(s)	Strategies, Policies and Procedures
<p><b>* Protecting students and staff at higher risk for severe illness</b></p> <p><b>* Use of face coverings (masks or face shields) by all staff</b></p>	<p>Masks are required by the Governor's order</p> <p><a href="https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/Waivers/MaskWearing/Pages/default.aspx">https://www.education.pa.gov/Schools/safeschools/emergencyplanning/COVID-19/Waivers/MaskWearing/Pages/default.aspx</a></p> <p>Staff will be educated regarding students with complex needs.</p>

Requirement(s)	Strategies, Policies and Procedures
<p><b>* Use of face coverings (masks or face shields) by older students (as appropriate)</b></p> <p><b>Unique safety protocols for students with complex needs or other vulnerable individuals</b></p> <p><b>Strategic deployment of staff</b></p>	<p>Families will be permitted to choose the hybrid or remote learning option.</p> <p>Attendance waivers will be used in accordance with board policy for qualifying students.</p> <p>Students who choose remote learning will have regular access to teachers and supports. Expectations for students and staff engaging in remote learning will be clear.</p> <p>Guidance counselors and/or teachers will conduct social-emotional check ins with students.</p> <p>Staff training in supporting students dealing with trauma.</p>

August 5, 2020

### **Health and Safety Plan Governing Body Affirmation Statement**

The Board of Directors/Trustees for **The Jersey Shore Area School District** reviewed and approved the Phased School Reopening Health and Safety Plan on **July 27, 2020**.

The plan was approved by a vote of:

**Yes**  
 **No**

Affirmed on: **July 27, 2020**

By:

\_\_\_\_\_  
*(Signature of Board President)*

\_\_\_\_\_  
*(Print Name of Board President)*



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# JERSEY SHORE AREA SCHOOL DISTRICT

LEARNING | GROWING | SUCCEEDING

## 1. Adopt an Interim Motion:

Motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_ that:

1. Effective August 11, 2020, and until the School Board adopts a comprehensive Policy, the Jersey Shore Area School District shall comply with and implement all requirements to the Title IX regulations;

2. Any existing policies or practices that are inconsistent with or in violation of any of the requirements, terms or conditions of the Title IX regulations are hereby superseded effective August 11, 2020;

3. The Superintendent hereby has the following power and authority regarding Title IX:

- a. To designate one or more Title IX Coordinators;
- b. To designate one or more investigators under Title IX;
- c. To designate an initial decisionmaker(s) and an appeal decisionmaker(s) under Title IX;
- d. To designate a facilitator;
- e. To establish supportive measures as required by Title IX;
- f. To make arrangements for and provide required training;
- g. To amend the Student Code of Conduct as required by Title IX;
- h. To adopt and/or amend the Employee Code of Conduct as required by Title IX;
- i. To ensure that all notices are provided;
- j. To ensure that all postings to the website are posted; and
- k. To adopt Administrative Regulations that will ensure compliance with Title IX.