

**Jersey Shore Area School District**  
**Board of Education – Regular Meeting**  
(held virtually using video conference calling)  
Minutes of September 14, 2020

**A. Opening**

1. **Call to Order:** Mr. Allen, President, called the meeting to order at 7:06 p.m.

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 T. Ulmer.

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

3. **Pledge of Allegiance**

**B. Presentations**

1. **Communications:** None

2. **President's Report:**

- a. an Executive Session was held at 6:00 pm for personnel and legal issues.
- b. one parent complaint regarding the decision made last week regarding attendance at events, the JSASD board based their decision on not violating the Governor's current order. Mr. Allen attended a virtual meeting with PSBA and 70 other participants and the overwhelming majority chose not to violate the Governor's order.
- c. Two legislative bills, one in the House and one in the Senate, now out of committee to partially fund rural broad band throughout the state.

3. **Intermediate Unit Report:** None

4. **Superintendent's Report:**

Dr. Ulmer announced that the start of the school year has gone extremely well and thanked families and parents for being flexible and encouraging their students to follow the health and safety procedures. Kids are doing what they are being asked to do and that has made the beginning of the school year go much better than it could have. He also thanked everyone involved for the work that has been done to ensure the health and safety of our students. And made a public thank you to Lingle's Market for their support of Jersey Shore athletics and the football boosters.

a. Updated Board Policies:

(Attachments)

Policy 111 - Lesson Plans  
Policy 112 - Guidance Counseling  
Policy 203 - Immunizations and Communicable Diseases  
Policy 209 - Health Examinations-Screenings  
Policy 309.1 - Telework

**C. Courtesy of the Floor on Agenda Items and J. Courtesy of the Floor on Items not on the Agenda:**  
None

**Motion:** A motion was made by David Becker and seconded by Mary Thomas to close Courtesy of the Floor.

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.

#### **D. Personnel Items:**

##### **1. Personnel Items**

**Motion:** A motion was made by Mary Thomas and seconded by Harry Brungard to approve the following Personnel items as listed on the agenda:

- a. appointment of Matt Hartman as Middle School Cross Country coach, effective the 2020-2021 school year, \$2361.00, level 5 of the coaches salary matrix.
- b. appointment of Jonathan Palumbo as Head Swimming coach, effective the 2020-2021 school year, \$5,184.00, level 5 of the coaches salary matrix.
- c. appointment of Amy Saar as Game Staff for the Athletic department, effective the 2020-2021 school year.
- d. appointment of James Lape to an afternoon Crossing Guard position, effective September 15, 2020 at an hourly rate of \$13.19.
- e. a day without pay for employee number 2020-21-03, on Monday, August 31, 2020.
- f. accepting a letter of resignation from Cindy Council, part-time Food Service worker, effective September 4, 2020.
- g. appointment of Ginger Neece to a part time Food Service position at the Middle School, \$10.20 per hour, effective September 15, 2020.
- h. acknowledgement that Katy Verrelli has reached Master's+30 level, salary increase to be effective for the 2020-2021 school year.
- i. Linda Edwards as a bus driver with Susquehanna Transit.
- j. FMLA from September 18, 2020 thru October 16, 2020 (approx.) for employee 2020-21-04.
- k. appointment of Kristen Cowfer to a part time Food Service position at Jersey Shore Area Elementary, \$10.20 per hour, effective September 15, 2020.

A roll call vote was taken as listed below:

David Becker	Yes	Harry Brungard	Yes
Patrice Doeblor	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.

**E. Curriculum and Instruction:** None

**F. Building and Grounds:** None

**G. Finance:**

**1. Finance Items**

**Motion:** A motion was made by Mary Thomas and seconded by Harry Brungard to approve the following Finance items as listed on the agenda:

- a. awarding 2020-2021 Athletic Supplies and Equipment to various vendors in accordance with bid specifications for a total award of \$9,911.70. (Attachment)
- b. awarding 2020-2021 Athletic Trainer Supplies to various vendors in accordance with bid specifications for a total award of \$5,594.93. (Attachment)
- c. the administration to place the attached listings of surplus textbooks for sale on Muncibid.com during the 2020-21 fiscal year, if no bids are received books will be disposed of. (Attachments)

A roll call vote was taken as listed below:

David Becker	Yes	Harry Brungard	Yes
Patrice Doeblor	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.

**H. Miscellaneous**

**1. Miscellaneous Items:**

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

- a. the following policies at first read: (Attachments)

Policy 105 - Curriculum  
Policy 105.1 - Review of Instructional Materials by Parents/Guardians and Students  
Policy 105.2 - Exemption from Instruction  
Policy 106 - Guides for Planned Instruction

Policy 107 - Adoption of Planned Instruction  
Policy 824 - Maintaining Professional Adult-Student Boundaries

b. the following policies at second read: (Attachments)

- Policy 247- Hazing
- Policy 249 - Bullying/Cyberbullying
- Policy 252 - Dating Violence
- Policy 317.1 - Educator Misconduct

c. a donation of school supplies for students (Grades K-12) in need from the Jersey Shore Area Lioness.

d. a donation of PPE supplies from Highmark for staff and students.

e. a Letter of Agreement between the Jersey Shore Area School District and the Lycoming-Clinton Joinder Board for School Based Outreach and Student Assistance Services provided to the District by the Joinder Board for the 2020-2021 school year. (Attachment)

A roll call vote was taken as listed below:

David Becker	Yes	Harry Brungard	Yes
Patrice Doeblor	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.

**I. Old Business:** None

**K. Executive Session:** An Executive Session was held beginning at 7:40 p.m. for legal and personnel matters after which no business was conducted.

The meeting resumed at 7:59 p.m.

**L. Adjournment:**

The September 14, 2020 Regular Board Meeting (held virtually using video conference calling) was adjourned at 8:00 p.m.

Respectfully submitted,

Benjamin J. Enders  
Board Secretary



Book	Board Policy Manual
Section	100 Programs
Title	Lesson Plans
Code	111
Status	
Legal	Pol. 815 - Acceptable Use of Internet, Computers and Network Resources Pol. 814 - Copyright Material Pol. 113 - Special Education <a href="#">1. 24 P.S. 510</a>

### **Authority**

To ensure **consistency and** continuity of instruction, the Board requires professional staff members to develop and maintain daily lesson plans. [\[1\]](#)

### **Delegation of Responsibility**

To facilitate more effective instruction, lesson plans must be prepared in advance. **Lesson plans shall** be inspected and must conform to the guidelines established by the building principal.

Teachers shall make thorough preparation for all daily lessons and shall prepare written plans reflecting such preparation.

Teachers are to provide adequate directions for substitutes, the purpose of which shall be to continue the instructional program or provide a meaningful educational alternative that relates to the subject area.

**Lesson plans must be available for immediate access by assigned substitute teachers.**

### **Guidelines**

Guidelines for implementation of this policy shall include:

1. The format for lesson plans shall be decided at the building level.
2. While teachers are required to be thoroughly prepared for each daily lesson, plans may be prepared for each lesson or on a long-term basis, i.e. unit of work, whichever is most appropriate.

3. Material to be used in a lesson, **such as printed or digital material and audiovisual resources** may serve as an integral part of the plan.
4. **Lesson plans for individualized programs should reflect a general overview and purpose of the instructional program; individual student plans or records may serve as an integral part of the lesson plan.**



Book	Board Policy Manual
Section	100 Programs
Title	Guidance Counseling
Code	112
Status	
Legal	<ul style="list-style-type: none"> <li>1. <a href="#">22 PA Code 4.34</a></li> <li>2. <a href="#">22 PA Code 12.41</a></li> <li>3. <a href="#">22 PA Code 12.16</a></li> <li>4. Pol. 207 - Confidential Communications of Students</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>Pol. 146 - Student Services</li> </ul>

**Purpose**

A guidance counseling program is an integral part of the instructional program of district schools. Such a program can:

1. Assist students in achieving their optimum potential.
2. Enable students to significantly benefit from the offerings of the instructional program.
3. Identify intellectual, emotional, social and physical needs.
4. Aid students in recognizing options and making choices in vocational and academic educational planning. [\[1\]](#)
5. Assist students in identifying career options consistent with their abilities and goals.
6. Help students learn to make their own decisions and to solve problems independently.

**Authority**

The Board directs that students shall be provided a program of guidance and counseling **which** involves the coordinated efforts of all staff members, under the professional leadership of certificated guidance and counseling personnel. [\[1\]](#)[\[2\]](#)

**Delegation of Responsibility**

The Superintendent or designee is directed to implement **and maintain** a guidance program that serves the needs of students.

## **Guidelines**

The district's program of guidance counseling shall:

1. **Be an integral part of the instructional program at all levels of the school district.**
2. Involve staff members at every appropriate level.
3. **Honor the individuality of each student.**
4. Be coordinated with services provided by locally available social and human services agencies. [3]
5. Cooperate with parents/guardians and address their concerns regarding the development of **their child.**
6. Provide means for sharing information among appropriate staff members in the best interests of the student. [4]
7. Be available equally to all students. [5][6]
8. Establish a referral system that utilizes resources offered by the school and community, guards the privacy of the student, and monitors the effectiveness of such referrals.





<b>Book</b>	Board Policy Manual
<b>Section</b>	200 Pupils
<b>Title</b>	Immunizations and Communicable Diseases
<b>Code</b>	203
<b>Status</b>	

## Legal

1. [24 P.S. 1303a](#)
2. [28 PA Code 23.81 et seq](#)
3. [28 PA Code 23.82](#)
4. [22 PA Code 11.20](#)
5. [28 PA Code 23.85](#)
6. [28 PA Code 23.83](#)
7. [28 PA Code 23.84](#)
8. Pol. 200 - Enrollment of Students
9. Pol. 251 - Homeless Students
10. Pol. 255 - Educational Stability for Students in Foster Care
11. [28 PA Code 27.77](#)
12. Pol. 201 - Admission of Students
13. [28 PA Code 23.86](#)
14. [28 PA Code 27.71](#)
15. [28 PA Code 27.72](#)
16. Pol. 204 - Attendance
17. Pol. 209 - Health Examinations/Screenings
18. [28 PA Code 27.2](#)
19. [28 PA Code 27.1](#)
20. [28 PA Code 27.23](#)
21. [22 PA Code 4.29](#)
22. [22 PA Code 4.4](#)
23. Pol. 105.1 - Review of Instructional Materials by Parents/Guardians and Students
24. [24 P.S. 1402](#)
25. [24 P.S. 1409](#)
26. [20 U.S.C. 1232g](#)
27. [34 CFR Part 99](#)
28. Pol. 113.4 - Confidentiality of Special Education Student Information
29. Pol. 216 - Student Records
30. Pol. 805 - Emergency Preparedness
- Pol. 105.2 - Exemption from Instruction

## **Authority**

In order to safeguard the school community from the spread of certain communicable diseases, the Board requires that **guidance and orders from state and local health officials**, established **Board** policy and administrative regulations, **and Board-approved health and safety plans** be followed by students, parents/guardians and district staff.[\[1\]](#)[\[2\]](#)

## **Definitions**

Certificate of Immunization - the official form furnished by the Pennsylvania Department of

Health. The certificate is filled out by the parent/guardian or health care provider and signed by the health care provider, public health official or school nurse or a designee. The certificate is given to the school as proof of full immunization. The school maintains the certificate as the official school immunization record or stores the details of the record in a computer database.[3]

Medical Certificate - the official form furnished by the Pennsylvania Department of Health setting out the immunization plan for a student who is not fully immunized, filled out and signed by a physician, certified registered nurse practitioner or physician assistant, or by a public health official when the immunization is provided by the Department of Health or a local health department, and given to a school as proof that the student is scheduled to complete the required immunizations.[3]

## **Guidelines**

### **Immunization**

All students shall be immunized against specific diseases in accordance with state law and regulations, unless specifically exempt for religious or medical reasons.[1][2][4]

A certificate of immunization shall be maintained as part of the health record for each student, as required by the Pennsylvania Department of Health.[5]

A student shall be exempt from immunization requirements whose parent/guardian objects in writing to such immunization on religious grounds or whose physician certifies that the student's physical condition contraindicates immunization.[1][4][6][7]

A student who has not been immunized in accordance with state regulations shall not be admitted to or permitted to attend district schools, unless exempted for medical or religious reasons, provisionally admitted by the Superintendent or designee after beginning a multiple dose vaccine series and submitting proof of immunization or a medical certificate on or before the fifth school day of attendance, **or in accordance with programs or guidance established by the PA Department of Health.**[1][4][5][6][7]

Homeless students who have not been immunized or are unable to provide immunization records due to being homeless shall be admitted in accordance with the provisions of applicable law and regulations.[5][8][9]

Foster care students and students transferring into a school within the Commonwealth shall be admitted in accordance with law and regulations, and shall have thirty (30) days to provide proof of immunization, a medical certificate detailing the plan to complete a multiple dose vaccine series or to satisfy the requirements for an exemption.[5][10]

Monitoring of immunization requirements shall be the responsibility of the Superintendent or designee and the school nurse. [1]

Students attending child care group settings located in a school, a pre-kindergarten program or an early intervention program operated by the district shall be immunized in accordance with the Advisory Committee on Immunization Practices (ACIP) standards.[6][11]

The Superintendent or designee shall:

1. Ensure that parents/guardians are informed prior to a student's admission to school, or a grade requiring additional immunizations, of the requirements for immunization, the requisite proof of immunization, exemption available for religious or medical reasons, and means by which such exemptions may be claimed.[1][5][6][7][8][12]
2. Designate school personnel to review student medical certificates in accordance with law and regulations to ensure compliance with full immunization requirements.[3][5]

3. Annually review state standards for immunization and direct the responsible district personnel accordingly.
4. Investigate and recommend to the Board district-sponsored programs of immunization that may be warranted to safeguard the health of the school community. Such program shall be subject to Board approval and may be conducted in cooperation with local health agencies.

The Superintendent or designee shall report immunization data electronically to the **PA** Department of Health by December 31 of each year. If the district is unable to complete the report electronically, the Superintendent or designee shall report the immunization data on the required form to the **PA** Department of Health by December 15. [\[13\]](#)

### **Communicable Diseases**

The Board **directs** that students who have been diagnosed by a physician or are suspected of having a disease by the school nurse shall be excluded from school for the period indicated by regulations of the **PA** Department of Health **or guidance from state or local health officials** for specified diseases and infectious conditions. [\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)

**Parents/Guardians shall be notified of this policy at the beginning of the school year, and that during the school year it may be necessary for a student to be excluded from school due to communicable disease. Parents/Guardians of a student needing to be excluded shall be notified and required to come to school or have a designated emergency contact come to school to transport the student home or to an appropriate place of care. Students may return to school when the criteria for readmission following a communicable disease, as set forth in law, regulations or guidance from state or local health officials, have been met.** [\[14\]](#)[\[15\]](#)[\[16\]](#)

**The Board directs school staff to request emergency contact information from parents/guardians of students at the beginning of each school year and request that it be updated as necessary during the school year.**

The school nurse shall report the presence of suspected communicable diseases to the appropriate local health authority, as required by the **PA** Department of Health. [\[18\]](#)[\[19\]](#)[\[20\]](#)

The Superintendent or designee shall direct that health guidelines, **Board-approved health and safety plans**, and universal precautions designed to minimize the transmission of communicable diseases be implemented in district schools.

Instruction regarding prevention of communicable and life-threatening diseases shall be provided by the schools in the educational program for all levels, in accordance with state regulations. [\[21\]](#)

Parents/Guardians shall be informed of and be provided opportunities during school hours to review all curriculum materials used in instruction relative to communicable and life-threatening diseases, **in accordance with Board policy.** [\[21\]](#)[\[22\]](#)[\[23\]](#)

### **Health Records**

A comprehensive health record shall be maintained for each student enrolled in the district. The record shall include the results of required tests, measurements, screenings, regular and special examinations, and medical questionnaires. [\[17\]](#)[\[24\]](#)

All health records shall be confidential, and their contents shall be divulged only when necessary for the health of the student or to a physician at the written request of the parent/guardian. **The district may disclose information from health records to appropriate parties in connection with an emergency when necessary to protect the health or safety of the student or other individuals, in accordance with applicable law and Board policy.** [\[25\]](#)[\[26\]](#)[\[27\]](#)[\[28\]](#)[\[29\]](#)[\[30\]](#)

**NOTES:**

List of required immunizations can be found at 28 PA Code Sec. 23.83.

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Book	Board Policy Manual
Section	200 Pupils
Title	Health Examinations/Screenings
Code	209
Status	
Legal	<ol style="list-style-type: none"><li>1. 24 P.S. 1401</li><li>2. 24 P.S. 1402</li><li>3. 24 P.S. 1403</li><li>4. 22 PA Code 12.41</li><li>5. 24 P.S. 1407</li><li>6. 28 PA Code 23.1 et seq</li><li>7. 24 P.S. 1405</li><li>8. 28 PA Code 23.2</li><li>9. 20 U.S.C. 1232h</li><li>10. 24 P.S. 1419</li><li>11. 28 PA Code 23.45</li><li>12. 24 P.S. 1406</li><li>13. 23 Pa. C.S.A. 6311</li><li>14. Pol. 806 - Child Abuse</li><li>15. Pol. 203 - Immunizations and Communicable Diseases</li><li>16. Pol. 103 - Discrimination/Title IX Sexual Harassment Affecting Students</li><li>17. Pol. 103.1 - Nondiscrimination - Qualified Students with Disabilities</li><li>18. 24 P.S. 1409</li><li>19. Pol. 113.4 - Confidentiality of Special Education Student Information</li><li>20. Pol. 216 - Student Records</li><li>21. 20 U.S.C. 1232g</li><li>22. 34 CFR Part 99</li><li>23. Pol. 805 - Emergency Preparedness</li><li>24. Pol. 800 - Records Management</li><li>24 P.S. 1401-1419</li><li>23 Pa. C.S.A. 6301 et seq</li></ol>

## **Authority**

In compliance with **applicable law and regulations, and Board-approved health and safety plans**, the Board shall require that district students submit to health and dental examinations, **screenings and health monitoring** in order to protect the school community from the spread of communicable disease and to ensure that the student's participation in health, safety and physical education courses meets **the student's** individual needs and that the learning potential of each student is not lessened by a remediable physical disability.[1][2][3][4]

## **Guidelines**

Each student shall receive a comprehensive health examination conducted by the school physician upon original entry, in sixth grade, and in eleventh grade.[2][4][5]

Each student shall receive a comprehensive dental examination conducted by the school dentist upon original entry, in third grade, and in seventh grade.[3][4][5]

A private health and/or dental examination conducted at the parents'/guardians' request and expense shall be accepted in lieu of the school examination. The district shall accept reports of privately conducted physical and dental examinations completed within one (1) year prior to a student's entry into the grade where an exam is required.[5]

The school nurse or medical technician shall administer to each student vision tests, hearing tests, tuberculosis tests, other tests deemed advisable, and height and weight measurements, at intervals established by the district. Height and weight measurements shall be used to calculate the student's weight-for-height ratio.[2][4][6]

Parents/Guardians of students who are to receive physical and dental examinations or screenings shall be notified. The notice shall include the date and location of the examination or screening and notice that the parents/guardians may attend. The notice shall encourage the parent/guardian to have the examination or screening conducted by the student's private physician or dentist at the parent's/guardian's expense to promote continuity of care. Such statement may also include notification that the student may be exempted from such examination or screening if it is contrary to the parent's/guardian's religious beliefs.[7][8][9]

A student who presents a statement signed by the parent/guardian that a **health** examination is contrary to **the student's or parent's/guardian's** religious beliefs shall be examined only when the Secretary of Health determines that facts exist indicating that **certain conditions** would present a substantial menace to the health of others in contact with the student if the student is not examined **for those conditions**. [10][11]

Where it appears to school health officials or teachers that a student deviates from normal growth and development, or where school examinations reveal conditions requiring health or dental care, the parent/guardian shall be notified of the apparent need for a special examination by the student's private physician or dentist. The parent/guardian shall report to the school whether a special examination occurred. If the parent/guardian fails to report whether the examination occurred within a reasonable time after being notified of the apparent need and the abnormal condition persists, appropriate school health personnel shall arrange a special **health** examination for the student.[2][4][12]

In the event that the parent/guardian objects to or refuses to obtain a regular or special **health** or dental examination or refuses to permit the child to be examined as arranged by the school nurse or school physician, the school nurse, in consultation with the school physician, shall determine whether the student appears to have unaddressed health conditions such that under the circumstances the refusal should be reported to the **PA** Department of Health or other appropriate authorities.

Where school health officials or staff have reasonable cause to suspect that a student may be the

victim of child abuse, the school employee shall make a report of suspected child abuse in accordance with law and Board policy.[\[13\]](#)[\[14\]](#)

### **Health Monitoring**

**The Board directs district staff to monitor student health in accordance with applicable Board policy and the Board-approved health and safety plan.[\[15\]](#)**

**A student may request an alternative method of monitoring as a religious accommodation, and designated district staff shall assess and respond to such request in accordance with applicable law, regulations and Board policy. A request for an accommodation that would unreasonably impair safety or cause undue hardship will not be granted.[\[16\]](#)**

**A student with a health condition that may render a monitoring method ineffective should notify designated staff so that alternative or supplemental methods may be considered.[\[16\]](#)[\[17\]](#)**

**Students who may be exhibiting symptoms that indicate health concerns shall be referred to the school nurse or designated staff for further assessment and response, in accordance with Board policy.[\[15\]](#)**

### **Health Records**

The district shall maintain for each student a comprehensive health record which includes a record of immunizations and the results of tests, measurements, regularly scheduled examinations and special examinations.[\[2\]](#)

All health records shall be confidential and shall be disclosed only when necessary for the health of the student or when requested by the parent/guardian, in accordance with law and Board policy.[\[18\]](#)[\[19\]](#)[\[20\]](#)

The district may disclose information from health records to appropriate parties in connection with an emergency when necessary to protect the health or safety of the student or other individuals, in accordance with applicable law and Board policy.[\[15\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)[\[21\]](#)[\[22\]](#)[\[23\]](#)

Designated district staff shall request from the transferring school the health records of students transferring into district schools. Staff shall respond to such requests for the health records of students transferring from district schools to other schools.[\[18\]](#)

The district shall destroy student health records only after the student has not been enrolled in district schools for at least two (2) years.[\[18\]](#)[\[24\]](#)

### **Delegation of Responsibility**

The Superintendent or designee shall instruct all staff members to continually observe students for conditions that indicate health **concerns** or disability and to promptly report such conditions to the school nurse **or designated staff**.[\[2\]](#)

The Superintendent or designee shall ensure that notice is provided to all parents/guardians regarding the existence of and eligibility for the Children's Health Insurance Program (CHIP).[\[12\]](#)

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Book	Board Policy Manual
Section	300 Employees
Title	Telework
Code	309.1
Status	
Legal	<ol style="list-style-type: none"> <li>1. Pol. 805 - Emergency Preparedness</li> <li>2. Pol. 113.4 - Confidentiality of Special Education Student Information</li> <li>3. Pol. 216 - Student Records</li> <li>4. Pol. 324 - Personnel Files</li> <li>5. Pol. 708 - Lending of Equipment and Books</li> <li>6. Pol. 334 - Sick Leave</li> <li>7. Pol. 335 - Family and Medical Leaves</li> <li>8. Pol. 336 - Personal Necessity Leave</li> <li>9. Pol. 339 - Uncompensated Leave</li> <li>10. Pol. 330 - Overtime</li> <li>11. Pol. 332 - Working Periods</li> </ol> <p>Pol. 815 - Acceptable Use of Internet, Computers and Network Resources</p> <p>Pol. 824 - Maintaining Professional Adult/Student Boundaries</p>

### **Purpose**

The Board recognizes that in certain limited circumstances it may be necessary to allow or require district employees to work remotely in order to maintain continuity of district educational programs and operations.[1]

The Board adopts the following policy to establish district rules for employees who telework from a remote work location.

### **Definitions**

**Remote work location** – a worksite other than an employee’s regularly assigned place of work, typically the employee’s residence.

**Telework/Teleworking** – the performance of the assigned essential functions of an employee’s job at a remote work location via electronic means in accordance with the employee’s usual expected standards of performance and other approved or agreed-upon terms.

**Teleworking agreement** – a written agreement that details the terms and conditions to permit an employee to engage in teleworking.

**Teleworking employee** – a district employee who can perform all of their assigned essential job duties at a remote work location. The employee must have a suitable designated workspace at the remote work location and access to any computer and telecommunications equipment necessary for the completion of tasks.

### **Delegation of Responsibility**

The Board directs the Superintendent or designee to develop procedures that outline circumstances under which employees may telework and the expectations for such employees while teleworking.

### **Guidelines**

#### **General Conditions**

Employees whose physical presence at their regularly assigned place of work is essential to the performance of their duties may not be permitted to telework.

An employee may not telework as a replacement for leave.[6][7][8][9]

Attendance at the employee's regularly assigned place of work for onsite meetings, conferences, training sessions, and other school business activities may be required on scheduled telework days.

Nonexempt employees shall not be permitted to work overtime or during non-working hours while teleworking without authorization from the employee's immediate supervisor, in accordance with law and Board policy.[10][11]

All teleworking employees shall be subject to and shall comply with the same Board policies, administrative regulations, and standards of conduct as are expected under normal working conditions.

#### **Emergency Conditions**

In the event that local, state or federal officials, or any similar authority with appropriate jurisdiction, declare an emergency condition that prevents or discourages public gatherings due to a public health or safety concern, or closes school buildings, the Board authorizes individual employees or designated classifications of employees to be permitted to telework in accordance with established procedures or as otherwise directed.[1]

For district employees unable to perform their assigned essential job duties while teleworking, such employees may be required to take any available accrued leave, whether paid or unpaid, in accordance with applicable Board policies or provisions of an administrative compensation plan, individual contract, collective bargaining agreement or Board resolution.[6][7][8][9]

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**JERSEY SHORE AREA SCHOOL DISTRICT**  
175 A&P Drive  
Jersey Shore, PA 17740

**2020-2021 ATHLETIC SUPPLY AND EQUIPMENT BID AWARD**

Authorizing the purchase of 2020-2021 Athletic Supplies and Equipment in accordance with the bid specifications and recommended awards. Awards are based on the lowest bid meeting specifications. Vendor summary of recommended awards is as follows:

Summary of Recommended Awards

DeMANS (the District is waiving the late submission of the bid as a technical defect)	Brookville, PA	\$ 254.85
M-F Athletic	West Warwick, RI	\$ 634.00
BSN Sports	Dallas, TX	\$ 671.43
Triple Crown Sports	Old Bridge, NJ	\$ 1,733.00
Sportsman's	Johnstown, PA	\$ 3,018.42
Riddell/All American	North Ridgeville, OH	\$ 3,600.00
<b>TOTAL RECOMMENDED AWARD</b>		<b><u>\$ 9,911.70</u></b>

**JERSEY SHORE AREA SCHOOL DISTRICT**  
175 A&P Drive  
Jersey Shore, PA 17740

**2020-2021 ATHLETIC TRAINER SUPPLY BID AWARD**

Authorizing the purchase of 2020-2021 Athletic Trainer Supplies in accordance with the bid specifications and recommended awards. Awards are based on the lowest bid meeting specifications. Vendor summary of recommended awards is as follows:

Summary of Recommended Awards

School Health	Rolling Meadows, IL	\$ 195.94
Everything Medical	Las Vegas, NV	\$ 1,071.34
Collins Sports Medicine (the District is waiving the late submission of the bid as a technical defect)	Raynham, MA	\$ 1,510.12
Medco Supply (the District is waiving the late submission of the bid as a technical defect)	Amherst, NY	\$ 2,817.53
<b>TOTAL RECOMMENDED AWARD</b>		<b><u>\$ 5,594.93</u></b>

<u>Title</u>	<u>Copyright Date</u>	<u>ISBN #</u>	<u>Quantity to be Disposed</u>
Everyday Math Grade 6 Teacher Manuals	2015 0-07-603609-X		4 sets
Everyday Math Grade 6 Homelinks	2015 978-0-02-140795-8		189
Everyday Math Grade 6 Student Reference Books	2015 978-0-02-138360-3		179
Student Math Journal Volume 1 - Grade 6	2015 978-0-02-143104-5		6
Student Math Journal Volume 2 - Grade 6	2015 978-0-02-135252-4		121
Triumph Learning - Common Core Coach	2010 978-1-61997-439-5		1
Reading Street Teacher's Manual - Grade 6	2008 978-0-328-32657-0		1
Treasures Teachers' Materials - Grade 6	none listed	various	1 set

<u>Title</u>	<u>Copyright Date</u>	<u>ISBN #</u>	<u>Quantity to be Disposed</u>
Functions, Statistics, and Trigonometry	2010	978-0-07-61769-0-8	37
Functions, Statistics, and Trigonometry, Teacher Manual	2010	978-0-07-62140-7-5	2
Functions, Statistics, and Trigonometry, Assessments	2010	978-0-07-621413-6	2
Functions, Statistics, and Trigonometry, Resources	2010	978-0-07-621411-2	2



Book	Board Policy Manual
Section	100 Programs
Title	Curriculum
Code	105
Status	

**Legal**

1. 22 PA Code 4.4
2. 22 PA Code 4.3
3. 22 PA Code 4.12
4. Pol. 102 - Academic Standards
5. 24 P.S. 1511
6. 24 P.S. 1512
7. Pol. 107 - Adoption of Planned Instruction
8. Pol. 127 - Assessment System
9. Pol. 109 - Resource Materials
10. Pol. 112 - Guidance Counseling
11. Pol. 113 - Special Education
12. 22 PA Code 4.26
13. Pol. 138 - English as a Second Language/Bilingual Education Program
14. Pol. 103 - Discrimination/Title IX Sexual Harassment Affecting Students
15. Pol. 103.1 - Nondiscrimination - Qualified Students with Disabilities
16. Pol. 115 - Career and Technical Education
17. Pol. 114 - Gifted Education
18. Pol. 805 - Emergency Preparedness and Response
19. Pol. 105.1 - Review of Instructional Materials by Parents/Guardian and Students
- 22 PA Code 4.21
- 22 PA Code 4.22
- 22 PA Code 4.23
- 22 PA Code 4.25
- 22 PA Code 4.27
- 22 PA Code 4.29
- 22 PA Code 4.82
- Pol. 100 - Comprehensive Planning
- Pol. 106 - Guides for Planned Instruction
- Pol. 116 - Tutoring
- Pol. 213 - Assessment of Student Progress

**Purpose**

The Board recognizes its responsibility for the development, assessment and improvement of the educational program of the schools. To this end, the curriculum shall be evaluated, developed and modified on a continuing basis and in accordance with a plan for curriculum improvement.[1]

**Definition**

For purposes of this policy, curriculum shall be defined as a series of planned instruction aligned with established academic standards in each subject that is coordinated, articulated and implemented in a manner designed to result in the achievement of academic standards at the



proficient level by all students.[2][3][4]

### **Authority**

The Board shall be responsible for the curriculum of the district's schools. The curriculum shall be designed to provide students the opportunity to achieve the academic standards established by the Board. Attaining the academic standards requires students to demonstrate the acquisition and application of knowledge.[1][3][4]

In order to provide a quality educational program for district students, the Board shall adopt a curriculum plan that includes the requirements for courses to be taught; subjects to be taught in the English language; courses adapted to the age, development and needs of students; and strategies for assisting those students having difficulty attaining the academic standards.[5][6][1][3][7][8]

### **Guidelines**

The district's curriculum shall provide the following:

1. Continuous learning through effective collaboration among the schools of this district.
2. Continuous access for all students to sufficient programs and services of a library/media facility and classroom collection to support the educational program.[9]
3. Guidance and counseling services for all students to assist in career and academic planning.[10]
4. A continuum of educational programs and services for all students with disabilities, pursuant to law and regulation.[11]
5. Limited English Proficiency programs for students whose dominant language is not English, pursuant to law and regulation.[12][13]
6. Compensatory education programs for students, pursuant to law and regulation.
7. Equal educational opportunity for all students, pursuant to law and regulation.[14][15]
8. Career awareness and vocational education, pursuant to law and regulation.[16]
9. Educational opportunities for identified gifted students, pursuant to law and regulation.[17]
10. Regular and continuous instruction in required safety procedures.[18]

### **Movie Guidelines**

Teachers at the middle school and high school level are permitted to show portions of G, PG, and PG13 rated movies to illustrate certain concepts. Elementary teachers are permitted to show G movies. All segments or movies shall be reviewed directly by the teacher showing the film to ensure that there is no excessive inappropriate language and that any sexual content is not of an offensive nature.

Teachers at the middle school will use a more critical eye to reduce inappropriate language or content in PG or PG13 films being used in a classroom setting. Parents/Guardians have the option to request that their children not view films.

### **Delegation of Responsibility**

As the educational leader of the district, the Superintendent shall be responsible to the Board for

the district's curriculum. S/He shall establish procedures for curriculum development, evaluation and modification, which ensure the utilization of available resources, and effective participation of administrators and teaching staff members.[1]

A listing of all curriculum materials shall be made available for the information of parents/guardians, students, staff and Board members.[1][19]

With prior Board approval, the Superintendent may conduct pilot programs as deemed necessary to the continuing improvement of the instructional program. The Superintendent shall report periodically to the Board on the status of each pilot program, along with its objectives, evaluative criteria, and costs.

The Board encourages, where it is feasible and in the best interest of district students, participation in state-initiated pilot programs of educational research.

The Board directs the Superintendent to pursue actively state and federal aid in support of research activities.



Book	Board Policy Manual
Section	100 Programs
Title	Review of Instructional Materials by Parents/Guardians and Students
Code	105.1
Status	
Legal	<ol style="list-style-type: none"> <li>1. 22 PA Code 4.4</li> <li>2. 20 U.S.C. 1232h</li> <li>3. Pol. 102 - Academic Standards</li> <li>4. Pol. 105 - Curriculum</li> <li>5. Pol. 127 - Assessment System</li> </ol> <p>22 PA Code 403.1</p> <p>Pol. 235 - Student Rights and Responsibilities</p>

### **Authority**

The Board adopts this policy to ensure that parents/guardians and students have an opportunity to review instructional materials and have access to information about the curriculum, including academic standards to be achieved, instructional materials and assessment techniques.[1][2]

### **Definition**

Instructional material means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). For purposes of this policy, the term does not include academic tests or academic assessments.[2]

### **Guidelines**

Upon request by a parent/guardian or student, the district will make available existing information about the curriculum, including academic standards to be achieved, instructional materials and assessment techniques.[2][3][4][5]

The following conditions shall apply to any request:

1. To assist the school district in providing the correct records to meet the needs of the requesting party, the request must be in writing, setting forth the specific material being sought for review.
2. The written request will be sent to the building principal.
3. The district will respond to the parent/guardian or student within ten (10) school days by

designating the time and location for the review.

4. The district may take necessary action to protect its materials from loss, damage or alteration and to ensure the integrity of the files, including the provision of a designated employee to monitor the review of the materials.
5. No parent/guardian or student shall be permitted to remove the material provided for review or photocopy the contents of such file. The taking of notes by parents/guardians and students is permitted.
6. No more than one (1) request per semester may be made by any parent/guardian or student for each enrolled child.

Under federal law, the rights provided to parents/guardians to inspect any instructional materials used as part of the student's educational curriculum transfer to the student when the student turns eighteen (18) years old or is an emancipated minor. These rights do not transfer under state law; therefore, parents/guardians retain their rights to access information about the curriculum and to review instructional materials.[1][2]

### **Delegation of Responsibility**

The Superintendent or designee shall notify parents/guardians and students of this policy and its availability. This notification shall be given at least annually, at the beginning of each school year, and within a reasonable time after any substantive changes regarding the contents of this policy.[2]



Book	Board Policy Manual
Section	100 Programs
Title	Exemption From Instruction
Code	105.2
Status	
Legal	<ol style="list-style-type: none"> <li>1. 22 PA Code 4.4</li> <li>2. 22 PA Code 11.7</li> <li>3. Pol. 102 - Academic Standards</li> <li>4. Pol. 217 - Graduation</li> </ol>

### **Authority**

The Board adopts this policy to ensure that parents/guardians have the right to have their children excused from specific instruction that conflicts with their religious beliefs.<sup>[1]</sup><sup>[2]</sup>

### **Guidelines**

The rights granted by this policy are granted to parents/guardians of students enrolled in this district when the students are under the age of eighteen (18) and to the students themselves when the student is eighteen (18) or over.

The district shall excuse any student from specific instruction, subject to the following conditions:

1. To assist the school district in ensuring that the student is excused from the correct specific instruction, the request must be made in writing and must detail the specific instruction from which the student is to be excused.
2. The written request to be excused shall be sent by the parent/guardian or student to the building principal.

One (1) copy of the request shall be retained in the student's permanent school records, one (1) copy kept by the school principal, and one (1) copy submitted to the teacher from whose instruction the student is to be excused.

3. It shall not be the responsibility of the district or any of its employees to ensure that the student exercises his/her right to be excused in accordance with a parental request. It shall be the responsibility of the student to request permission to leave class when the specific instruction objected to is presented. When the student seeks to be excused, the teacher shall excuse the student if the teacher or principal has a copy of the written request and the written request adequately describes the specific instruction.
4. The written request must contain a statement that the specific instruction described conflicts

with the religious beliefs of the student or of the parents/guardians.

5. The parent/guardian and/or student may request suggested replacement educational activities. The only permissible educational activity for this purpose shall be in the nature of replacement instruction that is consistent with the learning objectives set for the course and does not require the provision of any extra resources by the district.
6. The building principal shall determine where the student shall report during the time the student is excused.
7. All students excused from specific instruction shall be required to achieve the academic standards established by the district as necessary for graduation.[3][4]



Book	Board Policy Manual
Section	100 Programs
Title	Guides for Planned Instruction
Code	106
Status	
Legal	<ol style="list-style-type: none"> <li>1. 22 PA Code 4.4</li> <li>2. Pol. 107 - Adoption of Planned Instruction</li> <li>24 P.S. 1511</li> <li>24 P.S. 1512</li> <li>22 PA Code 4.11</li> </ol>

### **Authority**

Guides shall be prepared for all planned instruction adopted by the Board in order to direct and assist the professional staff toward the attainment of academic standards established for a course of study.[1][2]

### **Guidelines**

Each guide may contain, as appropriate to that planned instruction:

1. Objectives of the instruction.
2. Concepts and skills to be taught.
3. Suggested activities designed to achieve the objectives.
4. Suggested methods of instruction.
5. Assessment criteria and methods intended to evaluate the extent to which learning objectives have been achieved.
6. Reading list of supplemental titles for the guidance of teachers.

### **Delegation of Responsibility**

Each guide shall be construed as providing a basic framework for the planned instruction. Within this framework, each teacher shall use the guide in a selective manner best designed to meet the needs of students.

The Superintendent or designee shall be responsible for the preparation of guides, and shall develop administrative regulations for such preparation which include:

1. Participation by appropriate staff members and resource personnel.
2. Continuing research in instructional methods, materials, activities and assessment strategies.
3. Systematic review of all guides to ensure their continuing effectiveness in achieving established academic standards.

A system of administrative review shall be implemented to ensure that guides are being followed by teaching staff members to the degree of conformity required.

Copies of all current guides for planned instruction shall be kept on file in the office of the Superintendent.





Book	Board Policy Manual
Section	100 Programs
Title	Adoption of Planned Instruction
Code	107
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. Pol. 102 - Academic Standards</li> <li>4. Pol. 105 - Curriculum</li> <li>5. Pol. 106 - Guides for Planned Instruction</li> <li>6. 24 P.S. 508</li> <li>7. 24 P.S. 1511</li> <li>8. 24 P.S. 1512</li> <li>9. Pol. 006 - Meetings</li> <li>24 P.S. 1512.1</li> <li>Pol. 100 - Comprehensive Planning</li> </ol>

### **Purpose**

The Board shall provide a comprehensive program of planned instruction to enable district students to achieve educational objectives and attain academic standards required for student achievement. Planned instruction shall consist of at least the following: [1][2][3][4][5]

1. Objectives to be achieved by all students.
2. Content, including materials, activities and instructional time.
3. Relationship between objectives of a planned course and established academic standards.
4. Procedure for measurement of attainment of objectives and academic standards.

### **Authority**

No planned instruction shall be taught in district schools unless it has been adopted by a majority vote of the full Board. The Board reserves the right to determine which units of the instructional program constitute planned instruction and are subject to adoption by the Board. [6][7][8][9]

### **Delegation of Responsibility**

The Superintendent shall be responsible for continuous evaluation of the effectiveness of the district's planned instruction and shall recommend to the Board new and altered planned instruction deemed to be in the best interests of district students.

The Superintendent shall invite the participation of administrative and professional staff members at appropriate levels in the formulation of recommendations.

The Superintendent shall maintain a current list of all planned instruction offered by this district and shall furnish each Board member with a copy.



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. 24 P.S. 510</li> <li>2. Pol. 818 - Contracted Services</li> <li>3. 18 Pa. C.S.A. 3124.2</li> <li>4. 24 P.S. 2070.9f</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. 23 Pa. C.S.A. 6311</li> <li>10. Pol. 806 - Child Abuse</li> <li>11. 24 P.S. 2070.9a</li> <li>12. Pol. 317.1 - Educator Misconduct</li> <li>13. 22 PA Code 10.2</li> <li>14. 22 PA Code 10.21</li> <li>15. 22 PA Code 10.22</li> <li>16. 24 P.S. 1302.1-A</li> <li>17. 24 P.S. 1303-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>24 P.S. 2070.1a et seq</li> <li>22 PA Code 235.1 et seq</li> <li>23 Pa. C.S.A. 6301 et seq</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 and for legitimate educational reasons.

#### *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**



<b>Book</b>	Board Policy Manual
<b>Section</b>	200 Pupils
<b>Title</b>	Hazing
<b>Code</b>	247
<b>Status</b>	
<b>Legal</b>	<ol 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> </ol>



## **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. 24 P.S. 1303.1-A</li> <li>2. Pol. 103 - Discrimination/Title IX Sexual Harassment Affecting Students</li> <li>3. Pol. 103.1 - Nondiscrimination - Qualified Students with Disabilities</li> <li>4. Pol. 218 - Student Discipline</li> <li>5. 22 PA Code 12.3</li> <li>6. 20 U.S.C. 7118</li> <li>7. 24 P.S. 1302-A</li> <li>8. Pol. 236 - Student Assistance Program</li> <li>9. Pol. 233 - Suspension and Expulsion</li> </ol> <p>Pol. 113.1 - Discipline of Students with Disabilities</p>

### **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:<sup>[1]</sup>

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.<sup>[1]</sup>

## **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. 24 P.S. 1553</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. 71 P.S. 611.13</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>22 PA Code 12.12</p> <p>20 U.S.C. 1232g</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]**

**LETTER OF AGREEMENT**

**SCHOOL BASED OUTREACH SERVICES  
STUDENT ASSISTANCE SERVICES**

**Between**

**LYCOMING-CLINTON JOINDER BOARD**

**And**

**JERSEY SHORE AREA SCHOOL DISTRICT**

The purpose of this Agreement is to define the relationship between the programs operated by the **LYCOMING-CLINTON JOINDER BOARD (JOINDER)** and the **JERSEY SHORE AREA SCHOOL DISTRICT (JSASD)** as it relates to joint operation and financing of School Based Outreach Services and Student Assistance Services.

1. The **Joinder** will designate a qualified casework level position to provide information and referral, assessment of needs, prevention and short term intervention for students and families in the **JSASD**.
2. The **Joinder** will assure that the designated position has completed the appropriate level of training and supervision to act in this capacity and attends SAP Sharing Sessions as scheduled.
3. The **Joinder** and **JSASD** will jointly determine the array of services to be provided, including but not limited to, home visits, group, individual and family sessions, mental health assessments, classroom observation, educational presentations and faculty consultation.
4. The **Joinder** will assure that the School Based position will serve as the SAP liaison for mental health assessments and services and provide the appropriate level of training and supervision to act in this capacity.
5. The **Joinder** and **JSASD** will establish truancy protocols for referral, assessment and intervention services and supports to be provided by the School Based position.
6. **JSASD** will have input into the selection of staff assigned to these positions and annual performance evaluations.
7. School Based Outreach Services will be provided forty (40) hours per week on a 12 month basis. Every effort will be made to limit vacation time during the school year. Back up and day to day supervision will be provided by the **Joinder**.

8. JSASD will define an internal system to schedule time in each building and develop a system to make referrals and request activities.
9. The Joinder and JSASD agree to design a system to collect data on services provided for further analysis, program development, grant writing and consumer satisfaction.
10. The Joinder and JSASD agree to jointly fund the annualized cost of these services through a combination of program and grant funding.
11. JSASD agrees to pay \$10,000 towards this position in the FY 2020-2021 school year, to be paid in two equal installments upon invoice by the Joinder in December, 2020 and February, 2021.

This agreement shall be in effect from 7/1/20 to 6/30/21.

**APPROVED AS TO LEGALITY AND FORM**



Charles F. Greevy, III, Esq.  
Lycoming-Clinton Joinder Solicitor

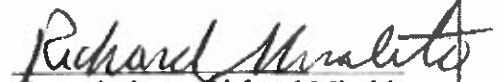
**JERSEY SHORE AREA  
SCHOOL DISTRICT**

\_\_\_\_\_  
Dr. Brian Ulmer, Superintendent

\_\_\_\_\_  
School Board President

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

**LYCOMING-CLINTON  
JOINDER BOARD**



Commissioner Richard Mirabito  
Joinder Board President



Keith Wagner, Exec. Director  
Joinder Board Secretary

Date: 8/19/2020

**Reviewed:**



Lori Kriner  
MH/ID/EI Fiscal Officer

Date: 7/28/2020