

Elementary Faculty Policy and Procedure Manual



2025-2026

Students strive for learning excellence in a community that takes pride in our schools.

**Moshannon Valley Elementary School
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Board Approved: June 16, 2025

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**2025-2026
MOSHANNON VALLEY
SCHOOL DISTRICT CALENDAR**

August 18, 19, and 20, 2025.....Teacher In-Service
August 21, 2025.....First Student Day
September 01, 2025.....Labor Day
October 13, 2025..... Teacher In-Service
October 20, 2025.....Act 80 Half Day
October 29, 2025Act 80 Half Day
November 07, 2025 Teacher In-Service Day
November 27 and 28, 2025Thanksgiving Break
December 01 and 02, 2025Deer Season
December 24, 2025-January 02, 2026.....Winter Vacation
January 16, 2026..... Act 80 Half Day
January 19, 2026.....Winter Break
February 13, 2026..... Act 80 Half Day
February 16, 2026.....Winter Break
April 02-07, 2026..... Spring Vacation
April 06, 2026..... Teacher In-Service
May 25, 2026.....Memorial Day
May 29, 2026.....Last Student Day

Days missed due to inclement weather will be made up on the following dates in the following order:
April 02, April 07, and June as needed.

BACK TO SCHOOL and PARENT~TEACHER CONFERENCE NIGHTS

August 19, 2025.....Open House..... 5:00 to 6:45 PM
October 20, 2025 Parent~Teacher Conference3:30 to 8:00 PM
October 29, 2025Parent~Teacher Conference3:30 to 8:00 PM

PSSA TESTING WINDOW

April 20-22 Language Arts Testing
April 27-28 Math Testing
April 29-30 Science Testing
May 01-08 PSSA Make-Up Window

EARLY DISMISSALS

Early Dismissals will occur one hour early the last student day of school prior to Thanksgiving, Winter Vacation, and Memorial Day.

Last Student Day.....May 29th at 1:00 pm

(Appendix O: School Calendar)

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**ELEMENTARY SCHOOL
TEACHER ASSIGNMENTS
2025-2026**

KINDERGARTEN

Justine Washic
Gina Webb-Hockey
Lynn Williams

FIRST GRADE

Debra Houtz
Rebecca Maltais
Kallista Regan

SECOND GRADE

Cindy Baney
Carolyn Davidson
Daleen Matia

THIRD GRADE

Autumn Adams-Neff
Kristen Hewitt
Rachel LaBorde

FOURTH GRADE

Janet Hook
Amber MacNamara
Lila Tekely

FIFTH GRADE

Cassidy Huntsman
Heather Ivory
Taylor Trenger-Dumm

SIXTH GRADE

Kristi Bakaysa
Ben Murawski
Joshua Wyant

ELL

Melissa Elensky

TITLE I

Carol DelPonte
Amanda Harpster

SPECIAL EDUCATION

Ashley Folmar
Rachel Mital
Faith Patton
Airel Stone
Erin Weist
Grace Wilson

ART

Jillian Kane-Degma

GUIDANCE

Korinn Clarkson

LIBRARIAN and GIFTED

Laura Mihalko

MUSIC and BAND

Jason Stanko

PSYCHOLOGIST

Sierra Sperling

PHYSICAL EDUCATION

Van Cornish

SCHOOL NURSE

Jessica Canner, BSN
Tonya Lewis, LPN

SOCIAL STUDIES

Brittany Frisco

SOCIAL WORKER

Katrina Mock-Peters

SPEECH

Karlie Fachetti

TECH EDUCATION and GIFTED

Melissa Elensky

PARAPROFESSIONALS

Ashley Brown
Kimberly Clarkson
Robyn Daniel
Laura Davis
Sherry Dixon
Tonya Flango
Adria Hockenburry
Katy Smith
Theresa Vogel

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**ELEMENTARY SCHOOL
MORNING FACULTY ASSIGNMENTS**

Faculty & Staff

Clarkson, Kim
Clarkson, Korinn
Stanko, Jason
Cornish, Van
Daniel, Robyn
DelPonte, Carol
Dixon, Sherry
Elensky, Melissa
Flango, Tonya
Frisco, Brittany
Harpster, Amanda
Kane-Degma, Jillian
Mihalko, Laura
Mital, Rachel
Stone, Airel
Vogel, Theresa
Wilson, Grace

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ELEMENTARY SCHOOL AFTERNOON FACULTY ASSIGNMENTS

PM Duty will begin at 2:55 with student dismissal.

2:55 PM

Primary Students riding the **initial bus run** will be dismissed to awaiting busses in school parking lot.

2:55 PM

Intermediate Students riding the **initial bus run** will be dismissed to awaiting busses in school parking lot.

3:00 PM

Faculty and Staff assigned to PM **private transportation** will report to designated areas. *Students* riding **private transportation** will be called and report to private transportation door.

3:05 PM

Primary and Intermediate Students riding the **‘late’ bus run** will be dismissed to awaiting busses in school parking lot.

PM Duties will be the responsibility of ALL Faculty and Staff Members on a preassigned rotating basis during the hours of 3:05 PM through 3:30 PM.

Faculty and Staff Members electing to use an Early Out may do so beginning at 3:05 once all initial bus run, private transportation vehicles have left the parking lot, and all ‘late’ bus run students have left classrooms.

Staff members with early out time credited to them will be permitted to take an early out only when all work has been completed. Such work includes, but is not limited to, parent conferences, faculty, department, grade level or committee meetings, lesson planning, student conferences, test correcting, curriculum and school improvement development, and/or **assigned PM duties**.

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ADMINISTRATIVE STAFF

Superintendent-TBD

Director of Special Education-Mrs. Wendy Payne

Elementary Principal-Dr. Tracie Tomasko

High School Principal-Mr. Kristopher Albright

High School Dean of Students-Mr. Thomas Webb

NON-DISCRIMINATION POLICY

The Moshannon Valley School District does not discriminate against individuals or groups because of race, color, national origin, religion, age, sex, marital status, or non-related handicaps or disabilities.

CONFLICT OF INTEREST

As stated by the Moshannon Valley School Board "No conflict of interest will be permitted by staff members such as conducting personal business on school time to the extent that it interferes with the teacher's obligation to the district."

ABSENCE

Teachers should use the ESS system to record absences. **Every effort should be made to enter a daily absence prior to 6:00 AM that morning.** Teachers desiring personal days should request them as far in advance as possible.

Be sure that adequate lesson plans have been left for your substitute along with seating charts and other necessary information. Please place these items in your classroom folder on the top of your desk. At least three (3) days lesson plans must be available at all times (See Lesson Plans).

ACCIDENTS AND SICKNESS

All accidents resulting in injury to students on school property or at school-sponsored activities are to be reported on the "Student Accident Report". Copies may be obtained from the elementary office, school nurse's office, or S Drive. This form must be completed by the teacher or sponsor in charge of the activity.

Employees should complete an Employee Accident Report as soon as possible after an incident/accident occurs, even if the employee did not seek medical attention. Copies may be obtained from the elementary office.

In the event of an accident, staff members are to exercise their best judgment and contact the school nurse or the office. Do not practice first aid, unless you are certain of what you are doing. Teachers are not to give medication to students.

The school nurse is responsible for the health services for the school. Health problems of pupils should be referred to the nurse for further study or action.

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ACT 48

Act 48 of 1999 requires all Pennsylvania educators holding Pennsylvania public school certifications to earn 180 hours of approved in-service time or six collegiate level credits. All hours or collegiate study must be in a field relevant to the participant’s area(s) of certification. Teachers are responsible for completing the necessary paperwork and submitting it to the Principal.

ANNOUNCEMENTS

Announcements should be brief, legible, and signed by a teacher, advisor, or coach. Announcements **will not** be read over the Announcement System without the approval of the Principal. Whenever possible, announcements should be received by the Principal at least one (1) day prior to the desired announcement date.

ATTENDANCE

Homeroom teachers will take daily attendance during the homeroom period and then submit (via computer) to the main office **AT 8:30 AM.** PLEASE RECORD THE NAMES OF ALL STUDENTS WHO ARE ABSENT UNTIL YOU ARE NOTIFIED THEY HAVE OFFICIALLY WITHDRAWN. Students are not to take attendance.

When a student returns from an absence he/she must bring a note from home that includes the student’s name, date of absence, the reason for his/her absence or tardiness and signature of the parent/guardian. Excuse blanks should be provided to students who do not have a note from home on the day of their return. Students should take these notes to the homeroom teacher *within three (3) days upon their return to school*. Excuses turned in after three days will be recorded as illegal absences.

BULLYING

All students, staff, and guests should report any suspicious or unusual activities to administration.

(Appendix B: Board Policy #249, BULLYING/CYBERBULLYING.)

CAFETERIA

The cafeteria operates a computerized system that includes a database of all student and staff ID numbers and pictures. The ID numbers remain the same year to year and the pictures are used as a safeguard against using another’s ID.

Students and staff members are encouraged to pay for their lunches in advance by utilizing the cafeteria envelopes available in the cafeteria and main office. Completed envelopes are to be dropped off in the cafeteria or main office, in the appropriate slot, **prior to lunchtime. No cash or checks will be accepted in line.**

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Everyone is encouraged to keep a positive balance in his/her lunch account. When an account becomes low or reaches a negative balance, the student will be notified by the cafeteria cashier and receive a notice from his/her homeroom teacher and is expected to make a deposit into his/her account as soon as possible. Within a few days of the close of the school, parents/guardians of any student with a positive balance will have two options: to carry over the monies to next school year or to have a refund mailed to them.

Students are not permitted to take food, candy or drink out of the cafeteria.

Prices:	First Student Breakfast	FREE per day
	Additional Student Breakfast	\$2.95 per day
	First Student Lunch	FREE per day
	Additional Student Lunch	\$4.85 per day
	Adult Lunches	\$4.85 per day
	Adult Breakfast	\$2.95 per day
	Milk/Extra Drink (except water)	\$0.65 per day
	Water	\$1.00 per day

CAREER AND COLLEGE READINESS

Annually the District MUST report on the number of 5th grade students who have completed six (6) Career and College Readiness artifacts during the K-5 grade span. All grade level instructors are responsible for reporting to administration Career and College Readiness activities that will be completed during school year, archiving artifacts in Data Folder, and indicating student completion on supplied Google Document. Grade six instructors will record activities completed in Career Cruising management system. At no time should prior artifacts be removed from data folders.

CELL PHONE POLICY

Students are permitted to possess cell phones on site. All phones must be turned off and stored in the student’s locker throughout the day. Instructors are not responsible for lost, stolen, or damaged devices. The possession of all other electronic devices such as pagers, laser pointer, etc. is prohibited

CHILD STUDY

Child Study is a team approach process that is available to help students who need assistance in the areas of academic and/or behavioral difficulties. Its purpose is to work together to identify a child’s learning strengths and needs and recommend educational interventions. Teachers or parents may make referrals to Child Study. Referral forms are located via hard copy in the elementary office. The referral forms should be updated at least quarterly.

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CLASSES OUTSIDE THE BUILDING

Classes may leave the building with their teachers for environmentally related projects only. **If a class is taken to another classroom or area for any reason, the office must be notified.**

CLASSROOM FOLDER

Every classroom teacher must keep a classroom folder. This classroom folder must contain copies of your current seating charts, current lesson plans, and all information you would want a substitute or someone covering your classes to have. This folder should be kept on top of your homeroom desk or, if you do not have a homeroom, in the desk of your first class. A substitute will know to look for the folder.

CLASSROOM SUPERVISION

Teachers are not to leave their classrooms unattended unless it is for reasons of an emergency nature in which case they should advise a faculty member in the immediate vicinity. Teachers are to report to their classes promptly and direct any students milling about in the hallways, who belong in their classes, to enter the rooms. Students should not be permitted to leave the room during class except for special reasons.

Teachers should be at their assigned duty on time. A.M. assigned duty **begins at 8:05 AM** and homeroom teacher duty **begins at 8:05 AM.** Afternoon duty **begins at 2:55 PM** and ends when the students have exited the building.

CODE OF PROFESSIONAL PRACTICE AND CONDUCT

See Code of Conduct from PA Professional Standards and Practices Commission in the **Appendix C.**

CONFERENCES

All requests for conferences must be made on the District's Conference Request forms for obtaining permission to attend conferences and workshops. All requests must be submitted through the Principal's office and must be completed anytime a conference, workshop, meeting, etc. would involve district expense and teacher absence from assigned duties. Please be sure to attach any registration emails or paperwork.

(Please see the attached example in the **Appendix D.**)

CURRICULUM GUIDELINES

Every course taught must follow the guidelines established as a comprehensive “Course Modules” as approved by the Administration and the School Board.

All instructional materials, such as textbooks, paperbacks, films, videos, or workbooks used, must be approved through the established channels. All Courses Modules must be adhered to as closely as possible since they reflect the requirements established by the State Department of Education and the District.

When any of the above are used to enhance a lesson, its purpose and how it is aligned to the Pennsylvania State Core Standards needs to be indicated in the lesson plans.

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DATA FOLDERS

Each student is required to have a data folder. Data Folders are stored in the student’s homeroom and are to be managed by classroom instructors. It is the responsibility of the homeroom instructor to obtain a data folder for any individual student moving into the District after the start of the school year. Data Folders should be maintained and updated by instructors throughout the school year; students should not be permitted to update or manage data folders. Unless directed by administration, no materials should be removed from data folders.

DISCIPLINE

Discipline in the classroom is the responsibility of the teacher. Teachers are expected to handle routine disciplinary problems within their own classrooms and to refer the more difficult problems to the administration. As soon as possible, after an incident has occurred, the teacher should complete Student Behavior Referral form on Skyward system. Students should not be put in the hall as a disciplinary measure where they are unsupervised. If a student must be removed from the classroom, he/she should be sent to the office. The teacher should first notify the office and then follow up on this to be certain the student did arrive at the office and was seen by office personnel. **When completing any discipline referral form, do not include other students’ names or information that would incriminate a teacher and/or the District.**

Discipline in the halls or in any area of the school outside of the classroom is EVERYONE’S responsibility. A breach of conduct on the first floor hall can and does impinge on the general building tone and over-all discipline. Just your presence in plain view of the students has a positive influence on them. All teachers should monitor the restrooms near their classrooms as often as possible. Observe any damages, student problems, etc. and report any concerns to the office immediately.

Conduct that interferes with maintaining a favorable school atmosphere will not be tolerated. Behavior on the part of student couples that is considered inappropriate by members of the professional staff will be referred to the main office (on regular referral form). The parents and guardians of those students, in turn, will be notified via a phone call/letter.

Pupils are encouraged to be ladies and gentlemen and at all times practice the principles of good citizenship.

The use of profanity or obscene gestures by a student will not be tolerated and may result in a suspension being issued. The possession of electronic devices (with the exception of cell phones), such as pagers, laser pointer etc. is prohibited. Please refer to page 7 for Elementary Cell Phone Policy.

CODE OF CONDUCT

BOARD APPROVED POLICIES 218 and 113.1: See Appendix E

Moshannon Valley can operate effectively only when students and staff, parents and the community work together in an environment of cooperation and helpfulness. We believe that each student has the right to be able to learn and work in an atmosphere free of disruption. Therefore, students have the **responsibility to respect the rights of others** and to **maintain a high degree of self-discipline.**

The purpose of this **Code of Conduct** is to provide the student with a set of guidelines that exemplify the type of behavior expected of students at Moshannon Valley Elementary School. The code is non-inclusive and provides a basis for student conduct.

The student and parent should realize that the maintenance of discipline in an elementary school is a multi-faceted task. It is composed of necessary rules and corresponding consequences for those who break the rules. In order for a **Code of Conduct** to be effective, cooperation must exist among the administration, faculty, students, and parents. Most pupils do not want others to interfere with their right to learn and their teachers’ right to teach. Disruptions to these rights, or disrespect to others, will not be tolerated.

It is the student’s responsibility to learn the behaviors expected at Moshannon Valley School District. Behavioral expectations at school may be different from those at home or in the community. If they are, students are expected to conform to school expectations while in school. We firmly endorse our Positive School Climate

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Plan including the Second Step Program. The few pupils who cannot or will not adapt to the behavioral expectations set forth by the school will be disciplined swiftly and fairly.

The following behavioral expectations are listed by “Tier.” The range of disciplinary measures, any of which may be applied for an infraction, are also spelled out. The school district’s behavioral expectations and corresponding disciplinary measures are categorized into Four Tiers, or levels, of increasing seriousness. Tier One misbehavior is not as serious as Tier Two; Tier Two is less serious than Tier Three, etc.

It must be remembered, however, that although discipline is tiered, some steps may be bypassed in accordance with the severity of the infraction and that some infractions carry minimum penalties. Discipline is handled on an individual basis, but the penalty, if not mandated, is at the discretion of the administrator.

The State Board of Education has set forth regulations governing student rights and responsibilities in the Pennsylvania Code. The assistant principal, principal, or dean of students may choose one or more of the consequences for an offense. The principal will inform the teacher in writing of the action taken. During a crisis or emergency situation, students are expected to comply with all school staff and/or emergency personnel instructions without delay.

DISCIPLINE SANCTION CHART

The philosophy of the Moshannon Valley Elementary School is to:

Educate all students

Provide a safe and orderly environment for all students

Protect the health, safety, and welfare of all students

**Note: The charts below detail guidelines for discipline based on listed offenses. Discipline given to students may be increased or decreased by the administrator based on the specific infraction(s). Other infractions not included in the following guidelines will be addressed by the administrator on an individual basis, and all ranges of punishment are reserved, at the discretion of the administrator, to address the infraction. Severe incidents may result in police involvement.*

Tier 1

Tier 1 behaviors are those behaviors that are insubordinate or cause minor disruptions to the academic environment but do not involve damage to school property or harm to self or others. **Tier 1 behaviors result in classroom-level disciplinary responses** that may be elevated to administrative response if they are not successfully abated by the teacher or the appropriate school-level committee.

Behavior	Disciplinary Response(s)
<ul style="list-style-type: none"> <input type="checkbox"/> Attending class without required class materials or assigned work <input type="checkbox"/> Behaviors that disrupt or interfere with classroom teaching and learning <input type="checkbox"/> Communication with staff and peers that is not polite, courteous, or respectful <input type="checkbox"/> Engaging in profanity or obscene/offensive gestures to students <input type="checkbox"/> Excessive noise in the classroom, hall, or building <input type="checkbox"/> Inappropriate displays of affection <input type="checkbox"/> Cafeteria Rules Violations <input type="checkbox"/> Off-task behaviors that demonstrate disengagement from classroom learning <input type="checkbox"/> Dress code violation <input type="checkbox"/> Refusal to comply with reasonable staff instructions or classroom of school rules <input type="checkbox"/> Running in the classroom, hall, or building <input type="checkbox"/> Unassigned area without permission/misuse of hall pass <input type="checkbox"/> Any behavior or other minor disruption to the academic environment but does not involve damage to school property or harm to self or others 	<ul style="list-style-type: none"> <input type="checkbox"/> Verbal redirection or reprimand <input type="checkbox"/> Temporary change in cafeteria seating <input type="checkbox"/> Revocation of privileges <input type="checkbox"/> Teacher/student conference <input type="checkbox"/> Change of attire <input type="checkbox"/> Parental contact in writing or by phone <input type="checkbox"/> Teacher/Parent conference <input type="checkbox"/> Temporary Removal of Student from Classroom <input type="checkbox"/> In-School Disciplinary Action <input type="checkbox"/> After School Detention <input type="checkbox"/> Behavior contract <input type="checkbox"/> MESAP Referral <input type="checkbox"/> Other school-based consequences as approved by the administrator

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Tier 2

Tier 2 behaviors are those behaviors not specifically enumerated in any other tier that cause disruption to the academic environment, involve damage to school property, or may cause minor harm to self or others. Tier 2 behaviors result in school-based and administrative disciplinary responses.

Behavior	Disciplinary Response(s)
<ul style="list-style-type: none"> <input type="checkbox"/> Directing profanity or obscene/offensive gestures toward staff <input type="checkbox"/> Inappropriate or disruptive physical contact between students <input type="checkbox"/> Cheating on tests/assignments <input type="checkbox"/> Leaving classroom without permission <input type="checkbox"/> Throwing objects that may cause injury or damage property <input type="checkbox"/> Skipping/cutting class <input type="checkbox"/> Computer and/or internet use violations <input type="checkbox"/> Unexcused absence from school <input type="checkbox"/> Using computer/office equipment without permission <input type="checkbox"/> Any behavior or other disruption to the academic environment, involves damage to school property, or may cause minor harm to self or others <input type="checkbox"/> Documented pattern of persistent Tier 1 behavior(s) 	<ul style="list-style-type: none"> <input type="checkbox"/> Verbal redirection/reprimand <input type="checkbox"/> MESAP Referral <input type="checkbox"/> Teacher/student conference or Administrator/student conference <input type="checkbox"/> Loss of credit on test/assignment (for cheating) <input type="checkbox"/> Revocation of privileges <input type="checkbox"/> Parental contact in writing or by phone <input type="checkbox"/> Administrator/parent conference <input type="checkbox"/> Temporary Removal of Student from Classroom <input type="checkbox"/> In-School Disciplinary Action <input type="checkbox"/> After School Detention <input type="checkbox"/> Saturday Detention <input type="checkbox"/> Behavior contract <input type="checkbox"/> Other school-based consequences as approved by an administrator

Tier 3

Tier 3 behaviors are those behaviors not specifically enumerated in any other tier that cause significant disruption to the academic environment or cause harm to self or others. In addition to lesser consequences, Tier 3 behaviors may result in either on-site or offsite Suspension.

Behavior	Disciplinary Response(s)
<ul style="list-style-type: none"> <input type="checkbox"/> Plagiarism <input type="checkbox"/> Bullying, or using repeatedly humiliating or intimidating language or behavior, including Internet bullying and hazing. <input type="checkbox"/> Causing disruption on school properties or at any MVSD sponsored or supervised activity <input type="checkbox"/> Communicating slurs based on, but not limited to, actual or perceived race, color, religion, sex, personal appearance, sexual orientation, gender identity or expression, including derogatory sexual language <input type="checkbox"/> Threatening or coercive behavior to students or staff <input type="checkbox"/> Engaging in reckless behavior that may cause harm to self or others <input type="checkbox"/> Fighting <input type="checkbox"/> Inappropriate use of MVSD computer or network (restricted websites, offensive emails) <input type="checkbox"/> Leaving school building or property without permission <input type="checkbox"/> Possession or distribution of obscene or pornographic material on school premises <input type="checkbox"/> Possession or use of tobacco or alcohol <input type="checkbox"/> Detention/Suspension violations, including skipping and misbehaviors <input type="checkbox"/> Theft <input type="checkbox"/> Any behavior or other conduct not specifically enumerated in any other tier that causes significant disruption to the academic environment or causes harm to self or others <input type="checkbox"/> Documented pattern of persistent Tier 2 behavior (s) 	<ul style="list-style-type: none"> <input type="checkbox"/> MESAP Referral <input type="checkbox"/> Teacher/student conference or Administrator/student conference <input type="checkbox"/> Parental contact (written or by phone) <input type="checkbox"/> Parent conference <input type="checkbox"/> Law Enforcement Contact <input type="checkbox"/> Revocation of privileges <input type="checkbox"/> Change of schedule <input type="checkbox"/> Saturday Detention <input type="checkbox"/> Loss of credit for plagiarism <input type="checkbox"/> On-site ISS with provision of appropriate intervention services <input type="checkbox"/> Off-site OSS, except in response to unexcused tardiness or absence <input type="checkbox"/> Other school-based consequences as approved by an administrator

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Tier 4

Tier 4 behaviors are those behaviors not specifically enumerated in any other tier that cause significant disruption to the school operation, destroy school property, or cause significant harm to self or others. Tier 4 behaviors can result in off-site Suspension.

Behavior	Disciplinary Response(s)
<ul style="list-style-type: none"> <input type="checkbox"/> Activating false alarm, issuing a bomb threat <input type="checkbox"/> Acts of vandalism, destruction of property, or graffiti (tagging), arson, damaging school technology systems <input type="checkbox"/> Contaminating food <input type="checkbox"/> Terroristic Threats <input type="checkbox"/> Lewd or indecent public behavior or sexual misconduct <input type="checkbox"/> Possession of a weapon <input type="checkbox"/> Possession of drug paraphernalia or controlled substance, irrespective of the amount or type <input type="checkbox"/> Tampering with, changing, or altering an official record or document of a school <input type="checkbox"/> Assault <input type="checkbox"/> Any behavior or other conduct not specifically enumerated in any other tier that causes disruption to the school operation, destroys school property, or causes significant harm to self or others <input type="checkbox"/> Documented pattern of persistent Tier 3 behavior 	<ul style="list-style-type: none"> <input type="checkbox"/> MESAP Referral <input type="checkbox"/> Cost of repair/replacement <input type="checkbox"/> Revocation of privileges <input type="checkbox"/> Parental/Administrative Conference <input type="checkbox"/> Law Enforcement Contact <input type="checkbox"/> On-site ISS with provision of appropriate intervention services <input type="checkbox"/> Off-site OSS, except in response to unexcused tardiness or absence <input type="checkbox"/> Alternative Educational Placement <input type="checkbox"/> Expulsion

Section 1317 of the School Laws of Pennsylvania states that, “Every teacher, vice-principal, and principal in the public schools shall have the right to exercise the same authority as to conduct and behavior over the pupils attending his school, during the time they are in attendance, including the time required in going to and from their homes, as the parents, guardians, or persons in parental relation to such pupils may exercise over them.”

During a crisis/emergency situation, students are expected to comply with all school staff and/or emergency personnel’s instructions without delay. Students are expected to be quiet so as to hear any instructions and to not draw attention to themselves or classmates in the case of a threatening intruder.

DISCIPLINE POLICY (Students with Disabilities)

(See Board Policy #113.1, DISCIPLINE OF STUDENTS WITH DISABILITIES, in **Appendix E**.)

DISCRIMINATION * NONDISCRIMINATION * TITLE IX

Discrimination/Title IX Sexual Harassment Affecting Students Policy 103: **See Appendix F**

Nondiscrimination-Qualified Students With Disabilities Policy 103.1: **See Appendix G**

Discrimination/Title IX Sexual Harassment Affecting Staff Policy 104: **See Appendix H**

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DRESS CODE FOR TEACHERS

The purpose of the teacher dress code is to set an example in dress and grooming for their students to follow. These factors act in a positive manner towards the maintenance of classroom discipline. The School Board has the authority to specify reasonable dress and grooming guidelines for staff, within the law, that will prevent such matter from having an adverse impact on the educational process. All staff members shall:

- be physically clean, neat and well groomed.
- dress in a manner reflecting professional assignment.
- all professional male employees are required to be clean-shaven at all times with the exception of a well- trimmed mustache or beard.
- all professional male employees are required to wear a dress shirt, dress pants or slacks, and dress shoes. The only exception to this shall be the Physical Education teachers who shall wear appropriate attire to teach Physical Education. Should these Physical Education teachers leave their teaching areas, they shall change into appropriate clothing.
- all professional female employees shall be required to wear dresses, blouse and skirt, or an appropriately coordinated slack outfit. (All should be a moderate length-no mini-skirts or mini dresses).
- rubber soled shoes suitable for gymnasium floors or tracks are permitted (April 13, 2004)
- jeans may not be worn except during Dress Down Days, on student field trips, or in association with special activities, all of which require the prior approval of the immediate supervisor.
- dress down days or their equivalent for any professional staff member shall not occur unless approved in advance by the immediate supervisor.

Employees covered by the dress code include all professional and temporary employees, substitute teachers, student teachers, adults approved by the Principal to observe classroom activities, administrators, secretaries, clerks, classroom assistants, and personal care aides, and volunteers. Cafeteria workers, custodial workers, and cafeteria/custodial supervisors or their assistants are exempt from the dress code.

Consistent enforcement for the employees covered by the dress code will be the responsibility of the immediate supervisor in accordance with established Board policy pertaining to employee disciplinary procedures. Infractions will be handled on an individual basis. Disciplinary actions may include, but are not limited to formal discussion with supervisor, verbal or written warning(s), verbal reprimand (s), letter (s) of written reprimand, suspension without pay, and/or termination. Additionally, unsatisfactory employee rating(s) may be issued.

The effective date of this policy was September 1, 1998, and shall remain in effect until notified otherwise. The dress code for covered employees, however, applies only on school days during the regular school term. In-service days and Act 80 days are exempt.

Teacher Dress Code was approved by the Moshannon Valley Board of Education on July 20, 1998.

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DRUG AND SUBSTANCE ABUSE

(See Board Policy #351, DRUG AND SUBSTANCE ABUSE, in **Appendix I.**)

EARLY OUT PROGRAM

An "Early Out" program is available for staff members.

In exchange for a prep period or equivalent time, any teacher volunteering to cover another's class, cafeteria duty, in-school suspension, etc. will earn two (2) early outs, three (3) if during teacher's assigned lunch period. Early outs may also be earned for prior administration-approved field trips beyond the seven (7) hour, twenty-five (25) minute contract when it is determined that no other compensation is given through other means such as stipends, etc.

Early out coverages are only available when a properly, certificated, board-approved substitute teacher cannot be obtained.

The following will be used to provide coverage of periods when the regularly assigned teacher is absent or otherwise unavailable. The following procedure will be used in the order herein below set forth.

1. The Board approved substitute teachers will be sought and utilized to their fullest potential for coverage.
2. Next, teachers with extra coverage periods will then be used for coverage.
3. Next, teachers who have signed to participate in the Early Out Program shall be used to provide the needed coverages.
4. Next, the principal or administrator will seek volunteers among those persons who have a preparation period that matches the need for coverage.
5. Only in the event that steps 1, 2, 3 and 4 above do not provide the needed coverage will the principal or administrator assign a teacher to provide the coverage. The assignment will be made beginning with the least senior staff member, having a matching preparation period. The next time that a coverage assignment is necessary, the next least senior person shall be assigned to provide the coverage and so on, such that assignments are not disproportionately made to the same staff members.
6. All teachers (others than those with scheduled extra coverage periods) providing coverage, either through the Early Out Program, by voluntarily agreeing to provide coverage or being assigned, shall be entitled to an "early out" as set forth in the Early Out Program.

All staff members will be issued an Early Out Form initialed by an administrator as evidence of the coverage and it must be retained on file by the teacher. **This form must be turned in to the Main Office after emailing an early out request.** Requests for early outs will be honored only if the following conditions are met:

- Early outs may be carried over from one school year to the next school year up to a maximum of twenty-five (25) carried over.
- Early outs may not be transferred among staff members.
- Early outs may be taken only between 3:05-3:30 PM. **Late Ins are no longer an option.**
- **After emailing an early out request, the Early Out form must be turned in to the main office prior to taking an early out. These must be signed and dated with the date requested for an early out.**
- **Requests for an early out must be made to the Principal no later than 6:00 AM on the day taking an early out.**
- Staff members with early out time credited to them will be permitted to take an early out only when all work has been completed. Such work includes, but is not limited to, parent conferences, faculty, department, grade level or committee meetings, lesson planning, student conferences, test correcting, curriculum and school improvement development, and/or **assigned PM duties.**
- An Early Out sign up form will be available for those agreeing to participate in the program under the description and terms set forth. Your signature and date on the form will be required.

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EMERGENCY NOTIFICATION SYSTEM

The Moshannon Valley School District has implemented an emergency notification system which will automatically call in the event of a school delay, school closing, early dismissal, or an emergency crisis situation. Calls will also be made to the parents/guardians of all students. The system will play a recorded message when a phone is answered, whether answered live or by an answering machine or voicemail. Listed below is important information you need to know about the system.

- **Live Answers** When a phone is answered live, there is a short pause of several seconds at the beginning of the message, usually just a few seconds. You should answer your phone as you normally would by saying “hello” and waiting for the message to begin.
- **Answering Machines and Voicemail** If the phone is answered by an answering machine or voicemail, the system will detect that your machine or voicemail has answered and will play the recording to your machine or voicemail. The notification system will hang up and disconnect after 5 rings if there is no answer and will attempt the call again after approximately 15 to 20 minutes for a maximum of three attempts.
- **Morning and Day Calls** In the event of a delay, cancellation, or closing decision made in the early morning hours, the broadcast message will notify the students’ primary phone number listed in the notification system.

In the event of an early dismissal due to weather or emergency crisis situation, the broadcast system will notify the students’ secondary phone numbers listed in the notification system.

If you have any questions regarding the notification system, need to provide updated phone numbers, or wish to have your name removed from the notification list, please visit the school district website at <http://www.movalley.org>. Please note that it is the responsibility of each employee to provide the District with updated contact information.

EXTRA-CURRICULAR FACULTY DUTIES

Board appointment to athletic or co-curricular positions shall be for one (1) year (season) and shall automatically renew at the end of that period for the following year (season) unless either party notifies the other in writing of its desire to withdraw/declare the position open within forty-five (45) days of the close of that particular season.

FACULTY MEETINGS

Faculty meetings will be held on a monthly basis. Faculty meetings are scheduled by the Principal. Any teacher unable to attend the meetings must inform the Principal prior to the meeting. All teachers who are unable to attend are to meet with the Principal the following day for a make-up session. It is the teacher’s responsibility to arrange for this meeting.

Grade Level and/or Department meetings will be held twice monthly by the Principal. All members are to attend and remain for the meeting. All members should be prepared to discuss curriculum/issues of their departments. Pre-Grade Level meetings will be held twice monthly throughout the year and will be scheduled by the people involved. All members are to attend. A designated member will report those attending and give a reason for those who are absent. That member will turn in attendance sign-up sheets and minutes for each grade level/department meeting. Meetings may be held more often than twice monthly if deemed necessary.

FACULTY ROOM

Students are not permitted in the faculty room at any time nor are they allowed to buy soda from the faculty room.

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FEDERAL PROGRAMS

(See Parents Right to Know Letter in **Appendix J**)

(See Home and School Compact in **Appendix J**)

GRADES and REPORT CARDS

- No student will be given a grade less than 60% for any semester of the school year.
- All Incomplete grades (I) must be changed to a numeric grade by the end of the following grading period.
- A final grade below 70% is failing.

HAZING/INITIATION

(See Board Policy #247, HAZING, in **Appendix K.**)

HOMEBOUND AND/OR TUTORING INSTRUCTION

Homebound: Parents/Guardians or Student present School Guidance Counselor with doctor's request.

Tutoring: Parents requesting permission from the Principal to have tutoring done by an approved instructor: teacher from the staff or substitute teacher approved by the School Board. If not available, then consideration from other sources will be given. In both homebound and tutoring, approval must be given to the student by school administration and the subject teacher.

A subject teacher has the right to require the following:

- syllabus of courses to be followed
- texts and other books to be used
- to review completed work done in courses

Homebound and tutoring teachers' responsibilities:

- follow syllabus and text content
- return materials and student's completed work assignments to the principal along with a "Request for Remuneration" form or proof of final grade report

HOMELESS STUDENTS

(See Board Policy #251, HOMELESS STUDENTS, in **Appendix L.**)

HOMELESS YOUTH: EDUCATION FOR HOMELESS YOUTH

(See EDUCATION FOR HOMELESS YOUTH BEC in **Appendix L.**)

HOMEROOM PERIOD AND DISMISSAL

All students must be in their homerooms by 8:15 AM. Student recitation of The Pledge of Allegiance and the Positive School Climate School Pledge will begin at 8:15 AM. Student dismissal is 3:05 PM. **Teachers will monitor the hallway until all students are dismissed.** All students riding busses are to exit through the front exit areas. All private transportation students will exit at designated Private Transportation door/exit.

HOME SCHOOLING

School district policy does not permit the awarding of a diploma or otherwise acknowledging a home-educated student's education.

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INFORMATION TO BE POSTED IN EVERY CLASSROOM

Please make sure that the most current versions of the following items are posted in your classroom: Fire Exit Sign, Unlawful Harassment Policy, Hazing Policy, Controlled Substances/Paraphernalia Policy, Bullying/Cyber Bullying Policy, Safe2Say Something Policy, Locker Search Policy, and Use of Canines. (**Appendix N**: Search Policy #226) Please be certain the Crisis Plan Manual is in plain view at all times. If at any time you need any of the aforementioned, please inquire at the Main Office.

INSTRUCTIONAL MATERIALS

Review of Instructional Materials by Parents/Guardians and Students Policy 105.1: **See Appendix M**

KEYS

All school keys must be returned to the main office at the end of the school year.

LEAVING THE BUILDING

School personnel who leave the building during their lunch periods (*for reason that cannot be done at another time*) may do so by signing out in the main office. A log shall be kept in the office where the employee will enter the date and time that he/she signed out, the time of return, and a brief statement of the reason. In order to leave the building at times other than a lunch period, it must constitute an emergency situation and permission must be granted by the building principal.

LESSON PLANS

Teachers are to submit lesson plans by the beginning of the school day on Monday to the principal for the following week. These plans should be submitted on the S Drive. Lesson plans are to be a daily plan for each specific course taught and/or if different sections of the same course are at different points in the curriculum then a separate lesson is needed for each of these sections.

Lesson plans are to include: Objective(s)/Big Idea(s), Activities for the teacher and students, and Differentiation. These plans are to serve as a guide for the teacher's daily work as well as a source of information for a substitute teacher. Information regarding Specific Lesson Resources, PA Core Standards, and Evaluation Methods may be found in hard copy or online instructors' manuals.

The plans should be kept on the top of the desk in the teacher's first scheduled class period room. At least three (3) days lesson plans must be available at all times. Teachers are to submit lesson plans on Monday prior to the start of the academic week to the main office.

MAILBOXES/EMAIL/MAIN OFFICE

Teachers should check their mailboxes and emails twice a day, in the morning and again in the afternoon. **The general distribution of literature of any kind to the faculty mailboxes is to be approved by the building Principal.** Students are not to be sent to the office to pick up mail. Teachers are to check their email prior to the start of homeroom to check for class coverages.

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PERSONAL DAYS

Any teacher wishing a personal day should enter the request into ESS and submit it at least one (1) week in advance of the day requested, whenever possible. No more than three teachers shall use personal leave on the same day.

DISTRICT and PSBA POLICY

District and PSBA Policies can be located on the District website at www.movalley.org and includes but is not limited to the following policies:

- 323. Tobacco and Vaping Products
- 237. Electronic Devices
- 246. School Wellness
- 247. Hazing
- 249. Bullying/Cyberbullying
- 252. Dating Violence
- 314.1. HIV Infection
- 806. Child Abuse
- 815. Acceptable Use of Internet, Computers and Network Resources
- 816. District Social Media
- 819. Suicide Awareness, Prevention and Response
- 846. Maintaining Professional Adult/Student Boundaries

PROGRESS REPORTS

In order to keep parents informed of their student's progress, Progress Reports may be requested at any time during the school year by: parent, student, guidance counselor, and/or administrator. In addition, a teacher will send home a Progress Report any time a student is in danger of failing your class. **All teachers should use Skyward and update each week.**

PUBLIC RELATIONS/NEWS RELEASES

All school personnel are encouraged to promote a positive public image within the school and with the public. **News releases and any form of press coverage require the principal's approval before they are sent to the press or news media.**

REASONABLE PHYSICAL FORCE

Teachers and school authorities under any of the following circumstances may use **reasonable physical force**: (Emergency Situations)

1. To quell or prevent a disturbance, thus ensuring the safety of all persons.
2. To obtain possession of weapons or other dangerous objects.
3. For the purpose of self-defense.
4. For the protection and safety of persons or property.
5. Passive physical restraint will be used whenever possible.

SCHOOL BOARD MEETINGS

The Moshannon Valley School Board of Education meets the third Monday of the month. Teachers who have items, which need to be submitted to the School Board for approval or for informational purposes, i.e. notable achievement, etc., must turn these in to the Principal no later than the first Monday of the month before the regularly scheduled meeting of that month in order to be included on the agenda for the Board meeting.

SCREENING, EXCLUSION, AND NOTIFICATION GUIDELINES FOR HEAD LICE

Screening Procedures:

1. The procedure for screening individuals and classrooms of students for head lice shall be based on Board of Education approved guidelines as well as guidelines for School Based Program of Control of Lice Infestation and Other Related Conditions as published by the Commonwealth of Pennsylvania, Department of Health.
2. Routine screening of all elementary classrooms will be conducted by the school nurse, assisted by one paraprofessional (R.N. nurse), in the fall (period between school opening and October 1st) and immediately following the Christmas vacation (month of January).
3. Other screening shall be conducted by the school nurse as follows:
 - when the school nurse determines such a need
 - upon parent/guardian notification that their child or children were treated for head lice
 - when a physician request or physician supplied information so indicates
 - upon request of faculty or staff including the principal
4. Screening for head lice requires the direct examination of the hair and scalp of each student for evidence of head lice.
5. Siblings of children excluded for head lice as well as all other children in that classroom will be examined by the school nurse.

Exclusion:

6. The school nurse shall determine if a child is to be excluded for head lice.
7. When an exclusion decision is made, the school nurse will:
 - notify the principal, parent, guardian, and classroom teacher with the expectation that a parent/guardian will pick up the student as soon as possible.
 - provide the parent/guardian with all available literature and verbal instructions outlining the treatment of head lice, environmental controls, care of bed clothing, combs, brushes, etc. and follow up treatment.
8. When a student is excluded, the principal will:
 - issue a written exclusion letter indicating exclusion and the conditions for a student’s return to School District
 - contact the parent by phone to discuss the exclusion
 - provide the issued exclusion letter directly to a parent or, if the parent cannot be reached by phone, forward the exclusion letter with the child in a plain manila envelope to protect confidentiality.

Notification:

In addition to the notification activities outlined earlier for individual cases of student notification, the principal or school nurse will conduct the following general notification or awareness activities:

- Within two (2) weeks after the opening of school, detailed literature about Head Lice will be distributed to all families with children in the elementary school.
- Parents and/or guardians of children in a classroom where a child has been excluded for Head lice will be notified that a case(s) has been discovered in their child’s classroom. However, due to confidentiality concerns, the name(s) of excluded student(s) will not be released to other parents, guardians, or the public in general.
- Building custodians will be notified in writing by the principal that a confirmed case has occurred in a certain classroom and that a special vacuuming is needed.

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STUDENT DRESS CODE

The responsibility for the appearance of the students of the Moshannon Valley School District rests with the parents/guardians and the student themselves. They have the right to determine such student dress providing that such attire is not destructive to school property, complies with all safety and health codes/rules, does not interfere with the educational process or lend itself to cause a disturbance from the normal function of the educational process, and otherwise complies with the specific provisions set forth below. Students of the Moshannon Valley School District must be clean, neat, modestly and appropriately dressed as not to disrupt the educational process. Specific provisions governing dress are as follows:

1. Dress must not interfere with the educational process or the rights of others.
2. Dress must comply with all health and safety codes.
3. Shoes must be worn at all times.
4. Head covering of any kind, for boys or girls, is prohibited in the building at any time, unless worn to conform with religious practices or beliefs, or for health reasons. Any head covering worn for religious reasons shall be permitted only after written notice has been given to the Administration, which notice shall include a sufficient explanation of the religious significance and requirements of the head covering. The wearing of any head covering for health reasons shall be permitted only after a signed statement from a medical provider stating that the head covering is needed for health reasons has been provided to the Administration. The ban includes scarves, bandanas, and headbands.
5. Logos or sayings on clothing or tattoos may not promote alcohol, tobacco, drug, gang/cult behavior, sex, violence, offensive language, inappropriate behavior, or cause a distraction from the educational process. This standard also applies to pins and buttons.
6. Any clothing that inappropriately exposes one's body or is overtly sexual in nature to the point that it is disruptive and/or distracting to others is prohibited. This includes clothing with excessive rips, tears and/or holes.
7. Sharp, studded apparel and jewelry are not permitted in light of the potential danger to other persons or property.
8. Sunglasses may not be worn in the building in the absence of a medical need documented in a signed, written statement from a medical provider provided to the Administration.
9. Jewelry that is a potential health/safety hazard to the wearer or others is prohibited.

The administration reserves the right to have students change clothing or accessories that are inappropriate, offensive, unsafe or disruptive to the educational process. The administration will take disciplinary action with regards to violations of the above dress code. The administration reserves the right to make the final decisions on appropriateness of all apparel.

Dress Code Regulation Violations

Students violating any aspect of the above Student Dress Code Regulations will be punished as follows:

- 1st Violation** Principal talks to student and explains to the student that the clothing violates school policy. In addition, it is conveyed that the clothing should not be worn again. Principal calls parent, and reviews the dress code, tells parent that the child should not wear the item again. Advise parent that regular policy will be in effect for any subsequent violations.
- 2nd Violation** Call home for change of clothes and be suspended Out-of-School for one (1) day.
- 3rd Violation** Call home for a change of clothes and be suspended Out-of-School for one (2) day
- 4th Violation** Minimum of three (3) day out-of-school suspension.
- 5th Violation** Three (3) to Ten (10) day out-of-school suspensions as determined by the principal in accordance with a student's due process rights.
- Subsequent Violations:** Out-of-School Suspension and hearing before the Board of Education.

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SUPERVISION OF LUNCH PERIODS

Teachers and Paraprofessionals assigned must be responsible for supervision in the cafeteria. As a guide in supervision, the following policies are applicable:

1. Students must maintain order in line and in seating; anyone "jumping line" will be placed at the end of the line.
2. Students are to take all trays, containers, silverware, paper, etc. from tables after eating and place in the appropriate disposal areas or containers.
3. Students are to return to their seats after eating and remain in the cafeteria until the end of the lunch period.
4. Tables and floor are to be made generally tidy by the end of the lunch period.
5. Food may not be taken from the cafeteria.
6. An orderly dismissal will be made under the supervision of the classroom teacher.

TELEPHONE

Teachers should not leave their classrooms for a phone call during class, unless it is an emergency.

TERRORISTIC THREATS/ACTS

(See Board Policy # 218.2, TERRORISTIC THREATS/ACTS, in **Appendix P.**)

TOBACCO POLICY FOR STAFF

(See Board Policy # 323, TOBACCO and VAPING PRODUCTS, in **Appendix Q.**)

UNLAWFUL HARASSMENT

(See Board Policy # 348, UNLAWFUL HARASSMENT, in **Appendix R.**)

USE OF SCHOOL FACILITIES

During the regular school day, use of facilities or equipment such as the gym area, A.V. equipment, or computers for personal or non-school use requires the approval of the staff member in charge of the area/equipment and the principal. This request must be done in writing. The staff member should provide a written request to be dated and initialed by the staff member in charge of the area/equipment and the principal.

After school or on weekends, the same approvals are required and notification that the requester will be in the building must be given in advance by the requester to the principal who will inform the head custodian.

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VANDALISM

The following procedure for monitoring and reporting school property damage (s) should be followed:

1. Make a written inventory of all damaged/vandalized items in your classroom. Include the room number, your name, and the period(s) that you use that particular room.
2. You must conduct an inventory on a daily, class-by-class basis.
3. Turn in written information regarding damages as soon as possible when you become aware of them, including the class and the period during which it occurred.
4. Closely monitor student behavior so that you may prevent vandalism from occurring. When you have either observed or suspect a particular student has damaged any school property, please turn in that student's name to the office immediately.
5. If possible, any damaged items, which may present a safety hazard, such as broken rungs on student chairs, should be placed in an area of the room where students will not use or be harmed by them.

VISITORS

Visitors should plan to see faculty members during prep periods. All visitors should enter the main doors only and check in at the main office. Visitors may not be received unless they have a Visitor's Pass and have signed in at the main office. Anyone in the building who is not a student or a member of the School District's staff and does not have in possession a current Visitor's Pass should be directed to the main office. All visitors that are not Board approved volunteers must be escorted by faculty member at all times.

WEAPONS POLICY

(See Board Policy # 218.1, Weapons, in **Appendix S**).

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APPENDIX A

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Behavior Support: 113.2

Status: Active

Adopted: July 19, 2010

Last Revised: December 2, 2020

Purpose

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

Authority

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

Definitions

The following terms shall have these meanings, unless the context clearly indicates otherwise.

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

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

Positive Behavior Support Plan or Behavior Intervention Plan - plan for students with disabilities who require specific intervention to address behavior that interferes with learning. A Positive Behavior Support Plan shall be developed by the IEP team, be based on a functional behavioral assessment, and become part of the individual student’s IEP. These plans must include methods that use positive reinforcements, other positive techniques and related services required to assist a student with a disability to benefit from special education.

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

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

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

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

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

Delegation of Responsibility

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

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

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

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

Guidelines

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

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

Physical Restraints

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

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

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

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

Mechanical Restraints

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

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

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Seclusion

The district permits involuntary seclusion of a student for a limited period of time in accordance with the student’s IEP or in an emergency to prevent immediate or imminent injury to the student or others, but the seclusion must be the least restrictive alternative. District staff shall provide continuous supervision of students in seclusion, which need not always involve presence of staff within the same room.

The district prohibits the seclusion of students in locked rooms, locked boxes and other structures or spaces from which the student cannot readily exit.

Aversive Techniques

The following aversive techniques of handling behavior are considered inappropriate and shall not be used in educational programs:

1. Corporal punishment.
2. Punishment for a manifestation of a student’s disability.
3. Locked rooms, locked boxes, other locked structures or spaces from which the student cannot readily exit.
4. Noxious substances.
5. Deprivation of basic human rights, such as withholding meals, water or fresh air.
6. Suspensions constituting a pattern as defined in state regulations.
7. Treatment of a demeaning nature.
8. Electric shock.
9. Methods implemented by untrained personnel.
10. Prone restraints, which are restraints by which a student is held face down on the floor.

Referral to Law Enforcement

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school’s property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The Superintendent or designee shall respond to such incidents in accordance with the district’s Special Education Plan and, if applicable, the procedures, methods and techniques defined in the student’s Positive Behavior Support Plan.

For a student with a disability who has a Positive Behavior Support Plan at the time of referral, subsequent to notification to law enforcement, the district shall convene the student’s IEP team and an updated functional behavioral assessment and Positive Behavior Support Plan shall be required.

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

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

Relations With Law Enforcement

The district shall provide a copy of its administrative regulations and procedures for behavior support, developed in accordance with the Special Education Plan, to each local police department that has jurisdiction over school property. Updated copies shall be provided each time the administrative regulations and procedures for behavior support are revised by the district.

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The district shall invite representatives of each local police department that has jurisdiction over school property to participate in district training on the use of positive behavior supports, de-escalation techniques and appropriate responses to student behavior that may require intervention, as included in the district’s Special Education Plan and positive behavior support program.

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APPENDIX B

“Working together to ensure that every student succeeds.”

Bullying/Cyberbullying: 249

Status: Active

Adopted: July 20, 2009

Last Revised: January 21, 2025

Prior Revised Dates: July 15, 2019, February 15, 2021, August 16, 2021

Purpose

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

Definitions

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

1. 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.

Authority

The Board prohibits all forms of bullying by district students.

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.

When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.

Discrimination/Harassment

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 or harassment 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 or harassment 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 or harassment as well as the incidents of alleged bullying.

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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.

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.

District administration shall annually provide the following information with the school safety and security incident report:

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.

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.

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.

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

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APPENDIX C

“Working together to ensure that every student succeeds.”

CODE OF PROFESSIONAL PRACTICE AND CONDUCT FOR EDUCATORS: 235

The provisions of this Chapter 235 adopted June 26, 1992, effective November 1, 1992, 22 Pa. B. 3176, unless otherwise noted.

§ 235.1. Mission.

The Professional Standards and Practices Commission is committed to providing leadership for improving the quality of education in this Commonwealth by establishing high standards for preparation, certification, practice and ethical conduct in the teaching profession.

§ 235.2. Introduction

(a) Professional conduct defines interactions between the individual educator and students, the employing agencies and other professionals. Generally, the responsibility for professional conduct rests with the individual professional educator. However, in this Commonwealth, a Code of Professional Practice and Conduct (Code) for certificated educators is required by statute and violation of specified sections of the Code may constitute a basis for public or private reprimand. Violations of the Code may also be used as supporting evidence, though may not constitute an independent basis, for the suspension or revocation of a certificate. The Professional Standards and Practices Commission (PSPC) was charged by the act of December 12, 1973 (P. L. 397, No. 141) (24 P. S. § § 12-1251—12-1268), known as the Teacher Certification Law, with adopting a Code by July 1, 1991. See 24 P. S. § 12-1255(a)(10).

(b) This chapter makes explicit the values of the education profession. When individuals become educators in this Commonwealth, they make a moral commitment to uphold these values.

§ 235.3. Purpose.

(a) Professional educators in this Commonwealth believe that the quality of their services directly influences the Nation and its citizens. Professional educators recognize their obligation to provide services and to conduct themselves in a manner which places the highest esteem on human rights and dignity. Professional educators seek to ensure that every student receives the highest quality of service and that every professional maintains a high level of competence from entry through ongoing professional development. Professional educators are responsible for the development of sound educational policy and obligated to implement that policy and its programs to the public.

(b) Professional educators recognize their primary responsibility to the student and the development of the student’s potential. Central to that development is the professional educator’s valuing the worth and dignity of every person, student and colleague alike; the pursuit of truth; devotion to excellence; acquisition of knowledge; and democratic principles. To those ends, the educator engages in continuing professional development and keeps current with research and technology. Educators encourage and support the use of resources that best serve the interests and needs of students. Within the context of professional excellence, the educator and student together explore the challenge and the dignity of the human experience.

§ 235.4. Practices.

- (a) Professional practices are behaviors and attitudes that are based on a set of values that the professional education community believes and accepts. These values are evidenced by the professional educator’s conduct toward students and colleagues, and the educator’s employer and community. When teacher candidates become professional educators in this Commonwealth, they are expected to abide by this section.
- (b) Professional educators are expected to abide by the following:

(1) Professional educators shall abide by the Public School Code of 1949 (24 P. S. § § 1-101—27-2702), other school laws of the Commonwealth, sections 1201(a)(1), (2) and (4) and (b)(1), (2) and (4) of the Public Employe Relations Act (43 P. S. § § 1101.1201(a)(1), (2) and (4) and (b)(1), (2) and (4)) and this chapter.

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- (2) Professional educators shall be prepared, and legally certified, in their areas of assignment. Educators may not be assigned or willingly accept assignments they are not certified to fulfill. Educators may be assigned to or accept assignments outside their certification area on a temporary, short-term, emergency basis. Examples: a teacher certified in English filling in a class period for a physical education teacher who has that day become ill; a substitute teacher certified in elementary education employed as a librarian for several days until the district can locate and employ a permanent substitute teacher certified in library science.
- (3) Professional educators shall maintain high levels of competence throughout their careers.
- (4) Professional educators shall exhibit consistent and equitable treatment of students, fellow educators and parents. They shall respect the civil rights of all and not discriminate on the basis of race, national or ethnic origin, culture, religion, sex or sexual orientation, marital status, age, political beliefs, socioeconomic status, disabling condition or vocational interest. This list of bases or discrimination is not all-inclusive.
- (5) Professional educators shall accept the value of diversity in educational practice. Diversity requires educators to have a range of methodologies and to request the necessary tools for effective teaching and learning.
- (6) Professional educators shall impart to their students principles of good citizenship and societal responsibility.
- (7) Professional educators shall exhibit acceptable and professional language and communication skills. Their verbal and written communications with parents, students and staff shall reflect sensitivity to the fundamental human rights of dignity, privacy and respect.
- (8) Professional educators shall be open-minded, knowledgeable and use appropriate judgment and communication skills when responding to an issue within the educational environment.
- (9) Professional educators shall keep in confidence information obtained in confidence in the course of professional service unless required to be disclosed by law or by clear and compelling professional necessity as determined by the professional educator.
- (10) Professional educators shall exert reasonable effort to protect the student from conditions which interfere with learning or are harmful to the student’s health and safety.

§ 235.5. Conduct.

Individual professional conduct reflects upon the practices, values, integrity and reputation of the profession. Violation of §§ 235.6–235.11 may constitute an independent basis for private or public reprimand, and may be used as supporting evidence in cases of certification suspension and revocation.

§ 235.6. Legal obligations.

(a) The professional educator may not engage in conduct prohibited by the act of December 12, 1973 (P. L. 397, No. 141) (24 P. S. § 12-1251–12-1268), known as the Teacher Certification Law.

(b) The professional educator may not engage in conduct prohibited by:

- (1) The Public School Code of 1949 (24 P. S. §§ 1-101–27-2702) and other laws relating to the schools or the education of children.
- (2) The applicable laws of the Commonwealth establishing ethics of public officials and public employees, including the act of October 4, 1978 (P. L. 883, No. 170) (65 P. S. §§ 401–413), known as the Public Official and Employee Ethics Law.

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(c) Violation of subsection (b) shall have been found to exist by an agency of proper jurisdiction to be considered an independent basis for discipline.

§ 235.10. Relationships with students.

The professional educator may not:

- (1) Knowingly and intentionally distort or misrepresent evaluations of students.
- (2) Knowingly and intentionally misrepresent subject matter or curriculum.
- (3) Sexually harass or engage in sexual relationships with students.
- (4) Knowingly and intentionally withhold evidence from the proper authorities about violations of the legal obligations as defined within this section.

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APPENDIX D

MOSHANNON VALLEY SCHOOL DISTRICT

EDUCATIONAL CONFERENCE/TRAVEL REQUISITION

NAME: _____ CONFERENCE DATES: _____

CONFERENCE REQUESTED: _____

NAME OF VENDOR (CHECK WILL BE PAYABLE TO): _____

LOCATION OF CONFERENCE: _____

NAME OF PARTICIPANTS: _____

PLEASE PROVIDE A SUMMARY OF THE CONFERENCE PRESENTATION. INCLUDE YOUR EVALUATION OF THE CONFERENCE AS IT RELATES TO YOUR PARTICULAR FIELD OF STUDY.

NAME OF DRIVER (1 PER FORM) _____

ESTIMATED EXPENDITURES

- | | |
|---|-----------------|
| 1. AUTOMOTIVE EXPENSES AT _____ PER MILE: | \$ _____ |
| TOTAL MILES: | |
| FROM _____ TO _____ | |
| FROM _____ TO _____ | |
| 2. CONFERENCE REGISTRATION FEE
(PARTICIPANTS ARE RESPONSIBLE FOR REGISTRATION) | \$ _____ |
| 3. HOTEL (INCLUDING TAX AND TIP) | \$ _____ |
| 4. MISCELLANEOUS _____ | \$ _____ |
| 5. # of sub(s) needed _____ X # days _____ X cost per day* _____ | \$ _____ |
| TOTAL AMOUNT OF ESTIMATED EXPENDITURES | \$ _____ |

REQUESTOR: _____ PRINCIPAL/SUPERVISOR: _____

DATE: _____ ACCOUNT NO. _____

*Cost per day:
 Teacher Subs = \$145.64 per day or \$72.82 per half day
 Paraprofessionals and Clerical = \$13.24 per hour

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APPENDIX E

“Working together to ensure that every student succeeds.”

Discipline of Students With Disabilities: 113.1

Status: Active

Adopted: July 19, 2010

Last Revised: December 2, 2020

Purpose

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

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

Definitions

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

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

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

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

Authority

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

Provision of Education During Disciplinary Exclusions

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

Suspension From School

A student with a disability may be suspended for ten (10) consecutive and fifteen (15) cumulative days of school per school year, for the same reasons and duration as a student without a disability. Such suspension shall not constitute a change in the student's educational placement.

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Changes in Educational Placement/Manifestation Determinations

For disciplinary exclusions which constitute a change in educational placement, the district shall first determine whether the student’s behavior is a manifestation of the student’s disability. Expulsion, or exclusion from school for more than fifteen (15) cumulative days in a year, or patterns of suspensions for substantially identical behaviors, constitute changes in educational placements requiring a manifestation determination. For students with intellectual disability, any disciplinary suspension or expulsion is a change in educational placement.

A student with a disability whose behavior is not a manifestation of the student’s disability may be disciplined in accordance with Board policy, district rules and regulations in the same manner and to the same extent as students without disabilities.

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

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

Placement during appeals of disciplinary actions shall be in the interim alternative educational setting pending the decision of the hearing officer or expiration of the time period set for the disciplinary exclusion from the student’s regular placement unless the district and the parent/guardian agree otherwise.

Students Not Identified as Disabled/Pending Evaluation

Students who have not been identified as disabled may be subject to the same disciplinary measures applied to students without disabilities if the district did not have knowledge of the disability. If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation shall be expedited.

Administrative Removal to Interim Alternative Educational Setting for Certain Infractions

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

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

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Referral to Law Enforcement and Reporting Requirements

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

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The Superintendent or designee shall respond to such incidents in accordance with the district's Special Education Plan and, if applicable, the procedures, methods and techniques defined in the student's Positive Behavior Support Plan.

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

When reporting an incident committed by a student with a disability to the appropriate authorities, the district shall provide the information required by state and federal laws and regulations and shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by these authorities. The district shall ensure compliance with the Family Educational Rights and Privacy Act when transmitting copies of the student's special education and disciplinary records.

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

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APPENDIX F

“Working together to ensure that every student succeeds.”

Discrimination/Title IX Sexual Harassment Affecting Students: 103

Status: Active

Adopted: July 20, 2009

Last Revised: November 16, 2020

Authority

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

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

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

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

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

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

Reports of Title IX Sexual Harassment and Other Discrimination and Retaliation

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

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

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

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

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

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

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

Disciplinary Procedures When Reports Allege Title IX Sexual Harassment

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

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

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

Confidentiality

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

Retaliation

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

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

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

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Definitions

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

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

Discrimination

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

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

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

Definitions Related to Title IX Sexual Harassment

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

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

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

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

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

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

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

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

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Business Manager/HR Manager as the district’s Compliance Officer and Title IX Coordinator. The Compliance Officer/Title IX Coordinator can be contacted at:

Address: 4934 Green Acre Road, Houtzdale, PA 16651
Email: complianceoffice@movalley.org
Phone Number: 814-378-7609

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

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

Guidelines

Title IX Sexual Harassment Training Requirements

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

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

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

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

Disciplinary Consequences

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

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

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

Reports of Discrimination

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

Reports of Title IX Sexual Harassment

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

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APPENDIX G

“Working together to ensure that every student succeeds.”

Nondiscrimination - Qualified Students With Disabilities: 103.1

Status: Active

Adopted: April 22, 2014

Last Revised: February 19, 2018

Authority

The Board declares it to be the policy of this district to ensure that all district programs and practices are free from discrimination against all qualified students with disabilities. The Board recognizes its responsibility to provide academic and nonacademic services and programs equally to students with and without disabilities.

The district shall provide to each qualified student with a disability enrolled in the district, without cost to the student or parent/guardian, a free and appropriate public education (FAPE). This includes provision of education and related aids, services, or accommodations which are needed to afford each qualified student with a disability equal opportunity to participate in and obtain the benefits from educational programs and extracurricular activities without discrimination, to the same extent as each student without a disability, consistent with federal and state laws and regulations.

The Board encourages students and parents/guardians who believe they have been subjected to discrimination or harassment to promptly report such incidents to designated employees.

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

The district shall not intimidate, threaten, coerce, discriminate or retaliate against any individual for the purpose of interfering with any right or privilege secured by this policy.

Definitions

Qualified student with a disability - a student who has a physical or mental disability which substantially limits or prohibits participation in or access to an aspect of the district’s educational programs, nonacademic services or extracurricular activities.

Section 504 Team - a group of individuals who are knowledgeable about the student, the meaning of the evaluation data and the placement options for the student. This could include, as appropriate, documentation or input from classroom teachers, counselors, psychologists, school nurses, outside care providers and the student’s parents/guardians.

Section 504 Service Agreement (Service Agreement) - an individualized plan for a qualified student with a disability which sets forth the specific related aids, services, or accommodations needed by the student, which shall be implemented in school, in transit to and from school, and in all programs and procedures, so that the student has equal access to the benefits of the school’s educational programs, nonacademic services, and extracurricular activities.

Disability harassment - intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student’s participation in or receipt of benefits, services, or opportunities in the school’s educational programs, nonacademic services, or extracurricular activities.

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable law and regulations, the Board designates the Director of Special Education as the district’s Section 504 Coordinator.

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

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The district shall publish and disseminate this policy and complaint procedure on or before the first day of each school year by posting it on the district’s website, if available, and in the student handbook. The district shall notify parents/guardians of students residing in the district of the district’s responsibilities under applicable law and regulations, and that the district does not discriminate against qualified individuals with disabilities.

Guidelines

Identification and Evaluation

The district shall conduct an annual child find campaign to locate and identify every district student with a disability thought to be eligible for Section 504 services and protections. The district may combine this search with the district’s IDEA child find efforts, in order to not duplicate efforts.

If a parent/guardian or the district has reason to believe that a student should be identified as a qualified student with a disability, should no longer be identified as a qualified student with a disability, or requires a change in or modification of the student’s current Service Agreement, the parent/guardian or the district shall provide the other party with written notice.

The district shall establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need related services because of a disability.

The district shall specifically identify the procedures and types of tests used to evaluate a student, and provide the parent/guardian the opportunity to give or withhold consent to the proposed evaluation(s) in writing.

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

1. Have been validated and are administered by trained personnel.
2. Are tailored to assess educational need and are not based solely on IQ scores.
3. Reflect aptitude or achievement or anything else the tests purport to measure and do not reflect the student’s impaired sensory, manual or speaking skills (except where those skills are what is being measured).

Service Agreement

If a student is determined to be a qualified student with a disability, the district shall develop a written Service Agreement for the delivery of all appropriate aids, services, or accommodations necessary to provide the student with FAPE.

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

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

Educational Programs/Nonacademic Services/Extracurricular Activities

The district shall educate a qualified student with a disability with students who are not disabled to the maximum extent appropriate to the needs of the student with a disability. A qualified student with a disability shall be removed from the regular educational environment only when the district determines that educating the student in the regular educational environment with the use of related aids, services, or accommodations cannot be achieved satisfactorily. Placement in a setting other than the regular educational environment shall take into account the proximity of the alternative setting to the student’s home.

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The district shall not discriminate against any qualified student with a disability in its provision of nonacademic services and extracurricular activities, including but not limited to, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs, and referrals to agencies which provide assistance to individuals with disabilities.

Parental Involvement

Parents/Guardians have the right to inspect and review all relevant school records of the student, meet with the appropriate school officials to discuss any and all issues relevant to the evaluation and accommodations of their child, and give or withhold their written consent to the evaluation and/or the provision of services.

Confidentiality of Student Records

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

Discipline

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

Referral to Law Enforcement and Reporting Requirements

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

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a qualified student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement, and Board policies. The Superintendent or designee shall respond in a manner that is consistent with the student's Service Agreement and Behavior Support Plan, if applicable.

In making a determination of whether to notify the local police department of a discretionary incident committed by a qualified student with a disability, including a student for whom an evaluation is pending, the Superintendent or designee shall use the same criteria used for students who do not have a disability.

For a qualified student with a disability who does not have a Behavior Support Plan as part of the student's Service Agreement, subsequent to notification to law enforcement, the district, in consultation with the student's parent/guardian, shall consider whether a Behavior Support Plan should be developed as part of the Service Agreement to address the student's behavior.

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

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PROCEDURAL SAFEGUARDS

The district shall establish and implement a system of procedural safeguards that includes notice of rights to the parent/guardian of a student suspected of being a qualified student with a disability, an opportunity for the parent/guardian to review relevant records, an impartial hearing with an opportunity for participation by the student’s parent/guardian, and a review procedure.

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

Parental Request for Assistance

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

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

PDE shall investigate and respond to requests for assistance and, unless exceptional circumstances exist, shall, within sixty (60) calendar days of receipt of the request, send to the parents/guardians and district a written response to the request. The response to the parents’/guardians’ request shall be in the parents’/guardians’ native language or mode of communication.

Informal Conference

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

Formal Due Process Hearing

If the matters raised by the district or parents/guardians are not resolved at the informal conference, the district or parents/guardians may submit a written request for an impartial due process hearing. The hearing shall be held before an impartial hearing officer and shall be conducted in accordance with state regulations.

Judicial Appeals

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

COMPLAINT PROCEDURE

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

Step 1 – Reporting

A student or parent/guardian who believes s/he has been subject to conduct by any student, employee or third party that constitutes a violation of this policy is encouraged to immediately report the incident to the Section 504 building administrator. Any person with knowledge of conduct that may violate this policy, is encouraged to immediately report the matter to the Section 504 building administrator.

A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the Section 504 building administrator, as well as properly making any mandatory police or child protective services reports required by law.

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If the Section 504 building administrator is the subject of a complaint, the student, parent/guardian or employee shall report the incident directly to the district’s Section 504 Coordinator.

The complainant or reporting employee may be encouraged to use the district’s report form, available from the Section 504 building administrator or Section 504 Coordinator, or to put the complaint in writing; however, oral complaints shall be accepted, documented and the procedures of this policy implemented. The person accepting the verbal or written complaint may provide factual information on the complaint and the investigative process, the impact of choosing to seek confidentiality and the right to file criminal charges. In all other respects, the person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the complainant or those accused of a violation of this policy.

Step 2 – Investigation

Where an attorney is not used to conduct an investigation into a discrimination complaint, only individuals who have received basic training on the applicable law, this policy and how to conduct a proper investigation shall be authorized to conduct an investigation of a complaint made pursuant to this policy.

The investigator shall work with the Section 504 Coordinator to assess the anticipated scope of the investigation, who needs to be interviewed and what records may be relevant to the investigation.

The investigator shall conduct an adequate, reliable and impartial investigation. The complainant and the accused shall be provided the opportunity to present witnesses and other evidence during the course of the investigation. When the initial complaint involves allegations relating to conduct which took place away from school property, school-sponsored activities or school conveyances, the investigation may include inquiries related to these allegations to determine whether they resulted in continuing effects such as harassment in school settings.

The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the allegations. The investigator may also evaluate any other information and materials relevant to the investigation. The person making the report, parties, parents/guardians and witnesses shall be informed of the prohibition against retaliation for anyone’s participation in the process and that conduct believed to be retaliatory should be reported. All individuals providing statements or other information or participating in the investigation shall be instructed to keep the matter confidential and to report any concerns about confidentiality to the investigator.

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

The obligation to conduct this investigation shall not be negated by the fact that a criminal or child protective services investigation of the allegations is pending or has been concluded. The investigator should coordinate with any other ongoing investigations of the allegations, including agreeing to requests for a short delay in fulfilling the district’s investigative responsibilities during the fact-finding portion of a criminal or child protective services investigation. Such delays shall not extend beyond the time necessary to prevent interference with or disruption of the criminal or child protective services investigation.

Step 3 – Investigative Report

The investigator shall prepare and submit a written report to the Section 504 Coordinator within twenty (20) days of the initial report of alleged discrimination, unless the nature of the allegations, anticipated extent of the investigation or the availability of witnesses requires the investigator and the Section 504 Coordinator to establish a different due date. The parties shall be notified of the anticipated date the investigative report will be completed and of any changes to the anticipated due date during the course of the investigation.

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The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, the information and evaluation that formed the basis for this determination, whether the conduct violated this policy and of any other violations of law or Board policy which may warrant further district action, and a recommended disposition of the complaint. An investigation into disability harassment shall consider the record as a whole and the totality of circumstances in determining whether a violation of this policy has occurred, recognizing that persistent and pervasive conduct, when taken together, may be a violation even when the separate incidents are not severe.

The complainant and the accused shall be informed of the outcome of the investigation, including the recommended disposition, within a reasonable time of the submission of the written report. The accused shall not be notified of the individual remedies offered or provided to the complainant.

Step 4 – District Action

If the investigation results in a finding that some or all of the allegations of the complaint are established and constitute a violation of this policy, the district shall take prompt, corrective action designed to ensure that such conduct ceases and that no retaliation occurs. The district shall promptly take appropriate steps to prevent the recurrence of the prohibited conduct and to address the discriminatory effect the prohibited conduct had on the complainant and the school or school program environment. District staff shall document the corrective action taken and, where not prohibited by law, inform the complainant. The Section 504 Coordinator shall follow up by assessing the effectiveness of the corrective action at reasonable intervals.

If the investigation results in a finding that a different policy was violated separately from or in addition to violations of this policy, or that there are circumstances warranting further action, such matters shall be addressed at the conclusion of this investigation or through disciplinary or other appropriate referrals where further evaluation or investigation is necessary.

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

Appeal Procedure

1. If the complainant or the accused is not satisfied with a finding made pursuant to the policy or with recommended corrective action, s/he may submit a written appeal to the district’s Section 504 Coordinator within fifteen (15) days.
2. The Section 504 Coordinator shall review the investigation and the investigative report and may also conduct a reasonable supplemental investigation to assess the sufficiency and propriety of the prior investigation.
3. The Section 504 Coordinator shall prepare a written response to the appeal within twenty (20) days. Copies of the response shall be provided to the complainant, the accused and the investigator who conducted the initial investigation.

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APPENDIX H

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Discrimination/Title IX Sexual Harassment Affecting Staff: 104

Status: Active

Adopted: July 20, 2009

Last Revised: November 16, 2020

Authority

The Board declares it to be the policy of this district to provide to all persons equal access to all categories of employment in this district, regardless of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, genetic information, pregnancy or handicap/disability. The district shall make reasonable accommodations for identified physical and mental impairments that constitute disabilities, consistent with the requirements of federal and state laws and regulations.

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

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

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

Reports of Title IX Sexual Harassment and Other Discrimination and Retaliation

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

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

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

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

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

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Disciplinary Procedures When Reports Allege Title IX Sexual Harassment

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

Administrative Leave –

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

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

Confidentiality

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

Retaliation

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

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

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

Definitions

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

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

Discrimination

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

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

1. Submission to such conduct is made explicitly or implicitly a term or condition of an employee's status; or
2. Submission to or rejection of such conduct is used as the basis for employment-related decisions affecting an employee; or
3. Such conduct is sufficiently severe, persistent or pervasive that a reasonable person in the complainant's position would find that it unreasonably interferes with the complainant's performance at work or otherwise creates an intimidating, hostile, or offensive working environment such that it alters the complainant's working conditions.

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Definitions Related to Title IX Sexual Harassment

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

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

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

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

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

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

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

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

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Board designates the Business Manager/HR Manager as the district’s Compliance Officer and Title IX Coordinator. The Compliance Officer/Title IX Coordinator can be contacted at:

Address: 4934 Green Acre Road, Houtzdale, PA 15561
Email: complianceofficer@movalley.org
Phone Number: 814-378-7609

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

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

Guidelines

Title IX Sexual Harassment Training Requirements

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

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

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

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

Disciplinary Consequences

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

Reports of Discrimination

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

Reports of Title IX Sexual Harassment

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

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APPENDIX I

“Working together to ensure that every student succeeds.”

Drug and Substance Abuse: 351

Status: Active

Adopted: July 20, 2009

Last Revised: August 18, 2014

Purpose

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

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

Definitions

Drugs - shall be defined as those outlined in the Controlled Substance, Drug, Device and Cosmetic Act.

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

Criminal Drug Statute - a federal or state criminal statute involving the manufacture, distribution, dispensing, use or possession of any controlled substance.

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

Authority

The Board requires that each administrative, professional and support employee be given notification that, as a condition of employment, the employee will abide by the terms of this policy and notify the district of any criminal drug statute conviction for a violation occurring in the workplace immediately, but no later than seventy-two (72) hours, after such conviction.

Any employee convicted of delivery of a controlled substance or convicted of possession of a controlled substance with the intent to deliver shall be terminated from his/her employment with the district.

Delegation of Responsibility

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

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

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

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In establishing a drug-free awareness program, the Superintendent or designee shall inform employees about:

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

The district shall make a good faith effort to continue to maintain a drug-free workplace through implementation of this policy.

Guidelines

The Superintendent or designee shall immediately report incidents involving the possession, use or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act by any employee while on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local 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.

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

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APPENDIX J

“Working together to ensure that every student succeeds.”



MOSHANNON VALLEY ELEMENTARY SCHOOL

*Dr. John W. Zesiger, Superintendent
Dr. Tracie Tomasko, Elementary Principal*

Parent Right-to-Know Letter: July 1, 2025

Parent Right to Know Information as Required by The Elementary and Secondary Education Assistance (ESEA) [Section 1112(e)(1)(A)] and the Every Student Succeeds Act [Section 1112€(1)(A)]

Dear Parent(s)/Legal Guardian(s):

Your child attends, **Moshannon Elementary School**, which receives Federal Title I funds to assist students in meeting state achievement standards. Through the school year, we will be providing you with important information about this law and your child's education. This letter lets you know about your right to request information about the qualifications of the classroom staff working with your child.

At **Moshannon Valley Elementary School**, we are very proud of our teachers and feel they are ready for the coming school year and are prepared to give your child a high quality education. As a title I school, we must meet federal regulations related to teacher qualifications as defined in ESEA. These regulations allow you to learn more about your child's teachers' training credentials. We are happy to provide this information to you. At any time, you may ask:

- Whether the teacher met state qualifications and certification requirements for the grade level and subject he/she is teaching,
- Whether the teacher received an emergency or conditional certificate through which the state qualifications were waived, and
- What undergraduate or graduate degrees the teacher holds, including graduate certificates and additional degrees, and major(s) or area(s) of concentration.

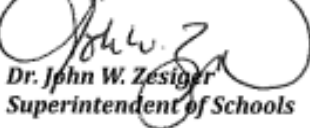
You may also ask whether your child receives help from a paraprofessional. If your child receives this assistance, we can provide you with the information about the paraprofessional's qualifications. The Every Student Succeeds Act (ESSA) which was signed into law in December 2015 and reauthorizes the Elementary and Secondary Education Act of 1956 (ESEA) includes additionally right to know requests. At any time, parents and family members can request:

- Information on policies regarding Student participation in assessments and procedures for opting out, and
- Information on required assessments the include
 - subject matter tested,
 - purpose of the test,
 - source of the requirement (if applicable),
 - amount of time it takes students to complete the test, and
 - time and format of disseminating results.

Our Staff is committed to helping your child develop the academic knowledge and critical thinking he/she needs to succeed in school and beyond. That commitment includes making sure that all of our teachers and paraprofessionals meet applicable Pennsylvania state requirements.

If you have any questions about your child's assignment to a teacher or paraprofessional, please contact Dr. Tomasko at Moshannon Valley Elementary School at (814)378-7683 or email at the following:
trtomasko@movalley.org.

Sincerely,


Dr. John W. Zesiger
Superintendent of Schools


Dr. Tracie Tomasko
Elementary School Principal

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MOSHANNON VALLEY ELEMENTARY SCHOOL

Dr. Tracie Tomasko, Principal

**2025-2026
HOME AND SCHOOL COMPACT
TOGETHER WE CAN ACHIEVE GREAT THINGS!**

SCHOOL PLEDGE:

We will:

1. Treat each child with dignity and respect.
2. Monitor student progress and update parents regularly.
3. Make sure all students get help as soon as it's needed.
4. Explain our curriculum, expectations, and grading system to students and their families.
5. Continually work to improve teaching strategies so that we can successfully teach **all** children.
6. Make sure students understand the assignment and what they'll learn from it, and grade it promptly.



FAMILY PLEDGE:

We will:

1. Let the teacher know if our child has problems with learning.
2. Monitor assignments and encourage homework completion.
3. Encourage positive attitudes about school.
4. Participate in decisions relating to the education of our child.
5. Make sure our child attends school regularly.



STUDENT PLEDGE:

I will:

1. Believe that I can and will learn
2. Let my teacher and family know if I need help
3. Read on my own and with my family every day.
4. Pay attention, participate, and ask questions in class.
5. Write down assignments, do my homework and turn it in when it's due.
6. Be respectful to everyone.



Parent Signature: _____ Student Signature: _____

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5026 GREEN ACRE ROAD • HOUTZDALE PA • 16651
(814) 378-7683 - FAX: (814) 378-5988
www.movalley.org

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APPENDIX K

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Hazing: 247
Status: Active
Adopted: July 20, 2009
Last Revised: August 16, 2021
Prior Revised Dates: December 02, 2020

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. 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:

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.

Any activity, as described above, shall be deemed a violation of this policy regardless of whether:

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.

For purposes of this policy, **bodily injury** shall mean impairment of physical condition or substantial pain.

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.

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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.

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.

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.

When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.

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 publication in handbooks and presentation at an assembly.

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.

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.

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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.

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.

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.

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.

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.

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.

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.

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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.

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.

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APPENDIX L

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Students Experiencing Homelessness, Foster Care and Other Educational Instability: 251
Status Active
Adopted: July 20, 2009
Last Revised: October 16, 2023
Prior Revised Dates: June 18, 2018

Purpose

The Board recognizes the challenges encountered by students experiencing homelessness, foster care and other educational instability. The Board is committed to facilitating the immediate enrollment; eliminating barriers to the attendance, education and graduation; and providing additional supports in compliance with federal and state laws, regulations and Board policy, for such students.

Authority

The Board directs the district to collaborate with school staff, other school districts, local agencies and other entities in supporting the needs of students experiencing educational instability.

The Board shall ensure that students experiencing educational instability have equal access to the same educational programs, activities and services provided to other district students.

The Board authorizes the Superintendent to waive specific requirements in Board policies, procedures and administrative regulations to the extent that they create barriers for the enrollment and attendance of students experiencing educational instability. Such waivers include, but are not limited to, requirements regarding:

1. Dress code.
2. Transportation.
3. School-sponsored or extracurricular activities for which students meet placement and qualification requirements, including, but not limited to, clubs, athletics, performing arts, class trips, social events, career and technical education, internships and specialized classes.
4. Fees related to school-sponsored or extracurricular activity participation fees, and other fees including, but not limited to, school identification (badges, cards, etc.), uniforms, materials, lost or damaged items, athletic physical exams, parking or driving, food services, library, locker or padlock rental or replacement, summer school or credit recovery, technology and graduation regalia.
5. Graduation.
6. Registration deadlines.

It is the policy of the Board that no student shall be discriminated against, segregated or stigmatized based on their status as a student experiencing educational instability.

Definitions

Student Experiencing Educational Instability means a student who has experienced one (1) or more changes in school enrollment during a single school year due to any of the following:

1. Homelessness.
2. An adjudication of:
 - a. Dependency relating to child protective services and juvenile matters;
 - b. Delinquency, if disclosed by the student’s parent/guardian; or
 - c. As part of court-ordered services under a voluntary placement or custody agreement.

A student experiencing foster care may also qualify as a student experiencing educational instability as defined above, if such circumstances apply.

Enroll or Enrollment means attending classes and participating fully in school activities.

Additional costs means the difference between what the district spends to transport a resident student to the student’s assigned school and the cost to transport a child in foster care to the child’s school of origin.

Foster care means twenty-four (24) hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency

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shelters, residential facilities, child care institutions and pre-adoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the state, tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption or whether there is federal matching of any payments that are made.

Homeless children and youths means individuals who lack a fixed, regular and adequate nighttime residence, and includes:

1. Children and youths who are:
 - a. Sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
 - b. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
 - c. Living in emergency, transitional or domestic violence shelters; or
 - d. Abandoned in hospitals;
2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings;
4. Migratory children who qualify as homeless because they are living in circumstances described above; and
5. School-aged parents living in houses for school-aged parents if they have no other available living accommodations.

School of origin is the school in which the student experiencing educational instability was last enrolled.

- The school of origin for a *homeless child or youth* - the last school in which the homeless child or youth was enrolled when permanently housed or the school in which the homeless child or youth was last enrolled, including preschool.
- The school of origin for a *child in foster care* - the school in which a child is enrolled at the time of placement in foster care. If a child's foster care placement changes, the school of origin is the school the child is attending immediately prior to each change in placement.
- When the homeless child or youth, or child in foster care, completes the final grade level served by the school of origin, the school of origin shall become the designated receiving school at the next grade level for all feeder schools.

Unaccompanied youth means a homeless child or youth not in the physical custody of a parent or guardian. This includes youth who have run away from home; been abandoned or forced out of home by a parent, guardian or other caretaker; or separated from a parent or guardian for any other reason.

Delegation of Responsibility

The Board designates the Homeless Child or Youth Liaison to serve as the district's point of contact for students experiencing educational instability.

The name and contact information of the district's point of contact shall be included in the student's education records and provided to the student's education decision maker.

The district's point of contact shall ensure outreach and coordination with the following, as appropriate to each individual student's needs:

1. Local children and youth agency to:
 - a. Establish formal mechanisms to ensure that the district is promptly notified when a child enters foster care or changes foster care placements;
 - b. Develop a protocol on how to make best interest determinations; and
 - c. Develop and coordinate transportation procedures.
2. Other local service agencies and entities that provide services to students experiencing educational instability.
3. Other school districts on issues of prompt identification, transfer of records, transportation and other inter-district activities.

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4. District staff responsible for the provision of services under Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act.
5. State and local housing agencies responsible for comprehensive housing affordability strategies.

The district’s point of contact, in consultation with the school counselor, school social worker, home and school visitor or school psychologist and the student’s Individualized Education Program (IEP) team or Section 504 Team, shall:

1. Facilitate the student’s expedited consultation with the school counselor or other mental health professionals, as appropriate.
2. Facilitate the prompt placement of the student in appropriate courses.
3. Connect the student with educational services that meet the student’s specific needs.
4. Immediately request the prior school entity, county agency and the student’s education decision maker to provide the complete student information and records, including an IEP or Section 504 service agreement, if applicable. Within ten (10) business days, the prior school entity located within Pennsylvania, including schools with residential placements, shall provide the requested information and records to ensure proper transfer of course credits, grades and an IEP or Section 504 service agreement, if applicable.
5. Develop and execute a graduation plan in collaboration with the student in grades nine (9) through twelve (12). The graduation plan shall be customized to meet the specific needs of the student and shall detail the courses necessary for on-time graduation and transition to postsecondary education or the workforce. The graduation plan shall be included in the student’s education records.

Additional Responsibilities to Support Homeless Students -

The district's point of contact shall ensure that public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents/guardians of homeless children and youths, and unaccompanied youths, including schools, shelters, public libraries and soup kitchens. Such notice shall be provided in a manner and form understandable to the parents/guardians of homeless children and youths, and unaccompanied youths.

The district's point of contact shall provide reliable, valid and comprehensive data to the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness (ECYEH) Program in accordance with federal and state laws and regulations.

Training

The district’s point of contact shall provide professional development and training to school staff on the education needs of students experiencing educational instability.

Additional Training to Support Homeless Students -

The district's point of contact shall participate in professional development programs and other technical assistance activities offered by the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.

The district's point of contact shall arrange professional development programs for school staff, including office staff.

School personnel providing services to homeless children and youths, including school enrollment staff, shall receive professional development and support to:

1. Improve identification of homeless children and youths and unaccompanied youths;
2. Understand the rights of such children, including requirements for immediate enrollment and transportation; and
3. Heighten the awareness of, and capacity to respond to, the educational needs of such children.

Guidelines

Students enrolled in this district experiencing educational instability shall be provided support and services, as appropriate to each individual student’s needs, in accordance with Board policy.

Minimal documentation shall be required for a student experiencing educational instability to qualify for supports and services. Information used to determine that a student is experiencing educational instability

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may be confirmed verbally, in writing or by another manner by shelter providers, outreach workers, case managers, juvenile probation officers and others.

Parents/Guardians and students have the authority to determine what information shall be shared with the district.

Information related to the student’s educational instability status shall be confidential and disclosed by the point of contact or other administrators only to other school staff who have a legitimate need to know unless authorized by the student or parent/guardian.

Enrollment

Except when an unaccompanied youth or the parents/guardians of a homeless youth request otherwise, it shall be presumed that a student experiencing educational instability shall continue to be enrolled in their school of origin unless it is determined that it is not in the student’s best interest to remain in the school of origin.

In accordance with the homeless child's or youth's best interest, the district shall continue to enroll a homeless student in the student's school of origin within the district while the student remains homeless and through the end of the academic year in which the student obtains permanent housing.

An unaccompanied youth or the parents/guardians of a homeless student may request enrollment in any grade-appropriate school within the district regardless of the district attendance area where the student is actually living or a school of origin in another district.

The district's point of contact shall assist an unaccompanied youth in placement or enrollment decisions, giving priority to the views of the student in determining where the student will be enrolled.

Best Interest Determination -

The best interest determination shall be made in accordance with federal and state laws and regulations, court orders and established local procedures.

In making a best interest determination, the district shall:

1. In the case of a homeless child or unaccompanied youth, give priority to the request of the parent/guardian or unaccompanied youth.
2. Consider student-centered factors related to impact of mobility on achievement, education, appropriateness of the current educational setting, health and safety, and proximity to living arrangements including foster care placement.

The cost of transportation shall not be used as a factor in the best interest determination.

Documentation related to the best interest determination shall be maintained in the student’s education record.

Timeliness of Enrollment -

When a school receives a student experiencing educational instability, the school shall immediately enroll the student and begin instruction, even if:

1. The student is unable to produce records normally required for enrollment.
2. The application or enrollment deadline has passed.

The district's point of contact shall immediately contact the school last attended by the student to obtain relevant academic or other records.

The district may require a parent/guardian to submit contact information.

Grade Level Assignment -

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

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Dispute Resolution

If a dispute involving a student experiencing educational instability arises, the concern shall be addressed and/or resolved at the lowest appropriate level in accordance with Board policy, unless otherwise stated below.

Dispute Resolution for Homeless Students -

If the district determines that it is not in the student’s best interest to attend the school of origin or the school requested by the unaccompanied youth or parent/guardian, the district shall provide the unaccompanied youth or parent/guardian with a written explanation of the reasons for its determination. The explanation shall be in a manner and form understandable to the unaccompanied youth or parent/guardian and shall include information regarding the right to appeal.

If a dispute arises over eligibility, enrollment or school selection:

1. The parent/guardian or unaccompanied youth shall be referred to the district's point of contact, who shall assist in the dispute resolution process.
2. The student shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute, including all available appeals.
3. The district's point of contact shall issue a written decision of the dispute within twenty (20) business days of being notified of the dispute.

A parent/guardian or unaccompanied youth may file a complaint with the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.

Dispute Resolution for Students in Foster Care -

If a dispute arises over the appropriate school placement for a child in foster care, to the extent feasible and appropriate, the child shall remain in their school of origin, pending resolution of the dispute.

Students Discharged From Foster Care

A student who has been discharged from foster care may be permitted to finish the school year in this district, if appropriate, without payment of tuition.

Education Records

Information about a student's educational instability shall be treated as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA), and shall not be deemed to be directory information.

The district may disclose personally identifiable information from the education records of a student without written consent of the parent/guardian or the eligible student if the disclosure is:

1. To comply with a court order authorizing the disclosure of education records in a case where a parent is a party to a proceeding involving child abuse or neglect or a dependency matter.
2. To an agency caseworker or other representative of a state or local child welfare agency, or tribal organization, who has the right to access a student’s case plan, as defined and determined by the state or tribal organization, when such agency or organization is legally responsible, in accordance with state or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student’s education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the state or tribal laws applicable to protecting the confidentiality of a student’s education records.

Comparable Services

Students experiencing educational instability shall be provided services comparable to those offered to other district students including, but not limited to:

1. Transportation services.
2. School nutrition programs.
3. Career and technical education.

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4. Educational programs for which the student meets the eligibility criteria, such as:
 - a. Services provided under Title I or similar state or local programs.
 - b. Programs for English Learners.
 - c. Programs for students with disabilities.
 - d. Programs for gifted and talented students.

Transportation for Homeless Students -

The district shall provide transportation for homeless students to their school of origin or the school they choose to attend within the district.

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

Transportation for Students in Foster Care –

The district shall ensure that children in foster care needing transportation to their school of origin promptly receive transportation in a cost-effective manner.

To ensure that transportation for children in foster care to their school of origin is provided, arranged, and funded, the district shall collaborate with the local children and youth agency to develop a local transportation plan.

The transportation plan shall address the following:

1. The procedure the district and local children and youth agency will follow to provide transportation for children in foster care in a cost-effective manner and in accordance with applicable law.
2. How transportation costs will be covered if additional costs are incurred. Options include:
 - a. The local children and youth agency agrees to reimburse the district;
 - b. The district agrees to pay for the cost;
 - c. The district and the local children and youth agency agree to share the costs; or
 - d. The district of origin, the district of foster residence, and the placing children and youth agency agree to share the costs.
3. Dispute resolution procedures to ensure that any disagreements regarding the cost of transportation are resolved promptly and fairly, and do not impact a student’s ability to remain in the school of origin during the dispute resolution process.

The district shall submit the local transportation plan, including any updates or revisions, to the Pennsylvania Department of Education.

Transportation shall be provided to children in foster care in accordance with the local transportation plan regardless of whether transportation is provided to district students.

Course Credit and Graduation

The district shall ensure that each student experiencing educational instability in grades nine (9) through twelve (12) is provided with a graduation plan to facilitate the student’s timely graduation. The graduation plan shall specify the courses and other requirements necessary for the student to graduate. The district’s efforts to ensure that the student experiencing educational instability graduates in a timely manner may include:

1. Waiving a specific course required for graduation if similar coursework has been satisfactorily completed in another school entity or the student has demonstrated competency in that content area. Evidence as to whether coursework has been satisfactorily completed and the amount of full or partial credit assigned, may be determined through any of the following:
 - a. Competency demonstration, which could include, but is not limited to:
 - i. Submission of an essay, presentation or project.
 - ii. Recognition that the student has already successfully completed a higher-level course, an experiential learning opportunity or internship that demonstrates competence in the content area.

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- b. Performance on an examination.
 - c. Successful completion of a career and technical education course.
 - d. Other evidence or method determined appropriate by the district.
2. If a specific course requirement cannot be waived, the district shall provide an alternative or modified course of study that is currently offered to students and that will assist the student with acquiring the required work or competency requirements by the anticipated graduation date.
 3. If, after considering full and partial course credits, waiving courses or providing alternative courses of study, the district determines that the student meets the established graduation requirements, the student shall be allowed to participate in the graduation ceremony and graduate with their peers.
If the student is determined not eligible for graduation, the district may request a high school diploma from the prior school entity. The prior school entity may issue a diploma if the student meets the prior school entity’s graduation requirements.

Keystone Diploma –

In any school year for which demonstration of proficiency on a Keystone exam is required for graduation, a student who has successfully satisfied the graduation requirements may obtain a secondary school diploma known as the Keystone Diploma from the PA Department of Education, if both of the following provisions apply:

1. All other graduation options have been exhausted.
2. The student is unable to obtain a diploma from the student’s prior or receiving school entity.

The district’s point of contact shall assist the student in determining the student’s eligibility for a Keystone Diploma and, if eligible, obtaining the Keystone Diploma from the PA Department of Education.

Students with Disabilities –

Students experiencing educational instability who have an IEP shall maintain the right to special education and the right to graduate either through attainment of credits or through the completion of the goals established in their IEP, in accordance with applicable law, regulations, Board policy, administrative regulations and state guidance.

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Education for Homeless Youth

42 U.S.C. § 11431 et seq.

DATE OF ISSUE: February 3, 2010

DATE OF REVIEW: December 10, 2016

August 19, 2015

September 1, 2011

PURPOSE

In 1987, Congress passed the Stewart B. McKinney Homeless Assistance Act, (subsequently renamed the McKinney-Vento Homeless Assistance Act) to aid homeless persons. The Act defines the term "homeless children and youths" as individuals who lack a fixed, regular, and adequate nighttime residence. On December 10, 2015, the Every Student Succeeds Act (ESSA) was enacted, amending McKinney-Vento.

PROCEDURES

This Basic Education Circular (BEC) explains the categories of children who are "homeless" and entitled to the protections of the federal law. These categories include:

(i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals;

(ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

(iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;

(iv) "migratory children" who qualify as homeless under federal law because the children are living in circumstances described in clauses (i) through (iii) above. The term "migratory children" means children who are (or whose parent(s) or spouse(s) are) migratory agricultural workers, including migratory dairy workers or migratory fishermen, and who have moved from one school district to another in the preceding 36 months, in order to obtain (or accompany such parents or spouses in order to obtain) temporary or seasonal employment in agricultural or fishing work; and,

(v) "Unaccompanied homeless youth" including any child who is "not in the physical custody of a parent or guardian." This includes youth who have run away from home, been thrown out of their home, been abandoned by parents or guardians, or separated from their parents for any other reason.

Communication and collaboration among education and child welfare professionals is critical to support school stability and continuity for children in out-of-home care. The law requires child welfare and local education agencies to work together to promote school stability and continuity including trying to ensure children remain in the school in which they were enrolled at the time of placement when it is in their best interest. Best practice would suggest that decisions be made

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collaboratively between school personnel, child welfare agencies and any other individual involved in the child’s case including the child, resource parent, child advocate and attorney. It is imperative that caseworkers and school district administration and staff work together to help ensure the educational progress of all students.

Under the Pennsylvania Education for Homeless Children and Youth State Plan, homeless children are defined as “children living with a parent in a domestic violence shelter; runaway children and children, and youth who have been abandoned or forced out of their home by parents or other caretakers; and school-aged parents living in houses for school-aged parents if they have no other available living accommodations.”

The McKinney-Vento Act states that it is the policy of Congress that state educational agencies shall ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths 42 U.S.C. § 11431. Specifically, 42 U.S.C. § 11432(g) (3) (A) indicates that the local educational agency (LEA) shall, according to the child’s best interest: In accordance with Section 722 (g) (3) (B) (ii), the local educational agency:

- (I) must presume that keeping a homeless child or youth in the school of origin is in the child’s or youth’s best interest unless doing so is contrary to the request of the child’s or youth’s parent or guardian, or (in the case of an unaccompanied youth) the youth;
- (II) must consider student-centered factors related to a child’s or youth’s best interest, giving priority to the request of the child’s or youth’s parent or guardian, or (in the case of an unaccompanied youth) the youth; or
- (III) if the LEA determines that it is not in a child’s or youth’s best interest to attend the school of origin, or the school requested by the parent, guardian, or unaccompanied youth, it must provide a written explanation of the reasons for its determination, in a manner and form that is understandable.

According to the McKinney-Vento Act the term "school of origin" means the school the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled. 42 U.S.C. § 11432(g) (3) (G).

I. Homeless Students Residing in Shelters, Facilities or Institutions

Section 1306 of the Pennsylvania Public School Code (24 P.S. §13-1306) deals with the public school admission of nonresident students living in shelters, facilities or institutions. Implementing regulations for Section 1306 are found in Section 11.18 of the State Board of Education regulations. 22 Pa. Code § 11.18 (a) addresses the public school admission of nonresident children who live in an institution, shelter or custodial care facility:

(a) The board of school directors of a school district in which there is located a licensed shelter, group home, maternity home, residence, facility, orphanage or other institution for the care or training of children or adolescents, shall admit to the district’s public schools school age children who are living at or assigned to the facility or institution and who are residents of the district or another school district in this Commonwealth.

22 Pa. Code § 11.18, as it applies to homeless children and youth, includes within the definition of

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"licensed shelter" those facilities which provide temporary shelter for a specified, limited period of time. Therefore, children in temporary shelters and children who "lack a fixed, regular, adequate night time residence" – homeless children – are entitled to free school privileges from either the school district in which their person or the shelter is located or the school district of origin.

II. Homeless Students Not Residing in a Shelter, Facility or Institution

Homeless students may reside in hotels, motels, cars, tents or temporarily doubled-up with a resident family because of lack of housing. In determining residence and in the case of homeless children, equating "residence" and "domicile" (home) does not apply. They are presently unable to establish "homes" on a permanent basis. Homeless families are not required to prove residency regarding school enrollment. These students should be enrolled without delay, in the district where they are presently residing or continue their education in the district of prior attendance.

Children experiencing homelessness are often highly mobile and may not stay in the same school district each night or each week. This is particularly true regarding children who stay overnight in vehicles, those who stay with different family members or friends, or those who receive services from agencies, organizations or networks which facilitate overnight accommodations in multiple school districts. These children should not be forced to change school districts every time their overnight accommodations change. Rather, these children are entitled to attend school in any school district where a parent, guardian, an adult caring for them or where an unaccompanied child:

- Spends the greatest percentage of his or her time; or
- Has a substantial connection such as where he or she is
 - regularly receiving day shelter or other services involving any of the 16 McKinney-Vento Activities (42 U.S.C. 11433(d)) for individuals who are homeless;
 - conducting daily living activities; or
 - staying overnight on a recurring basis.

This policy helps maintain continuity and school stability for homeless children in compliance with the McKinney-Vento Act.

The child or youth shall continue to be enrolled in the school in which he or she is seeking enrollment until the complaint or appeal is fully resolved by a McKinney-Vento coordinator, state coordinator, through mediation or in court.

III. School Placement

The McKinney-Vento Act requires that, "local educational agencies will designate an appropriate staff person, who may also be a coordinator for other federal programs, as a local educational agency liaison for homeless children and youth." This person has the following responsibilities:

1. Identify homeless children and youths with assistance by school personnel and through coordination activities with other entities and agencies.
2. Inform parents or guardians of educational rights and related opportunities available to their children, including Head Start programs (including Early Head Start programs), early intervention services under Part C of the IDEA, other preschool programs administered by the LEA, and provide them with meaningful opportunities to participate in the education of their children.

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3. Disseminate public notice of the educational rights of homeless students where children and youths receive services under the McKinney-Vento Act (such as schools, family shelters and food pantries).
4. Mediate enrollment disputes in accordance with the Enrollment Dispute section.
5. Inform the parent or guardian of a homeless child, youth and any unaccompanied youth, of all transportation options, including to the school of origin, and assist in accessing these transportation services.
6. Liaisons are required to ensure that unaccompanied youth are immediately enrolled in school pending resolution of disputes that might arise over school enrollment or placement.
7. Liaisons are required to assist children and youths who do not have documentation of immunizations or medical records to obtain necessary immunizations or necessary medical documentation.
8. Understand the guidance issued by the Pennsylvania Department of Education (PDE) for the education of homeless students and be ready to explain the BEC related to homeless education to school district staff.
9. Get to know the best resources in their community to assist families with referrals for things such as shelter, counseling, food and transportation.
10. Distribute information on the subject of homeless students and arrange staff development workshops and presentations for school personnel, including office staff.
11. Provide standard forms and information about enrollment procedures and key school programs to each shelter in their district.
12. Become familiar with the various program materials that are available from PDE.
13. Ensure that public notice of the educational rights of homeless students is disseminated in locations frequented by parents and guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchen, in a manner and form understandable to the parents and guardians and unaccompanied youth.
14. Liaisons must collaborate with a school district’s special education program to ensure that homeless children who are in need of special education and related services are located, identified and evaluated. This is a requirement under the Individual with Disabilities Education

Act (IDEA), which mandates that highly mobile children with disabilities, including homeless children, be identified and served. Liaisons should also ensure that homeless youths who have or may have disabilities have a parent or a surrogate parent to make special education or early intervention decisions. In the case of unaccompanied homeless youth, if a student is disabled or may be disabled

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and the youth does not have a person authorized to make special education decisions, the following people can be temporary surrogate parents: staff in emergency shelters; transitional shelters; independent living programs; street outreach programs; and state, local educational agency or child welfare agency staff involved in the education or care of the child. This rule applies only to unaccompanied homeless youth.

15. Liaisons should also identify preschool-aged homeless children by working closely with shelters and social service agencies in their area. In addition, the liaison should inquire, at the time they are enrolling homeless children and youths in school, whether the family has preschool-aged children.

16. Liaisons can identify unaccompanied homeless youth while respecting their privacy and dignity by providing specific outreach to areas where eligible students who are out of school may congregate.

17. Liaisons ensure that unaccompanied youths are enrolled in school, and have opportunities to meet the same challenging state academic standards as the state establishes for other children and youths, are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (HEA) (20 U.S.C 1087vv), and their right to receive verification of this status from the local liaison.

Appropriate school placement arrangements, based on the child’s best interest, should be implemented through the cooperative efforts of the respective chief school administrators. Each case presents a unique set of circumstances and, therefore, requires an individualized response. In all cases, the LEA shall comply, to the extent feasible, with the request made by a parent or guardian regarding school selection, shall attempt to minimize disruptions and shall maintain the highest possible degree of continuity in programs for all homeless students. The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

Homelessness alone is not a reason to separate students from the mainstream school environment. Homeless children and youths should have access to education and other services that they need to ensure that they have an opportunity to meet the same challenging state student performance standards to which all students are held.

In determining the *best interest* of the child or youth under McKinney-Vento Act, the LEA shall:

(I) Continue the child’s or youth’s education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year even if the child or youth becomes permanently housed during an academic year; or

(II) Enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

The selected school shall immediately enroll the child or youth in school, *even if the child or youth lacks records normally required for enrollment*, such as previous academic records, medical records, proof of residency or other documentation. Section 722 (g)(3)(C) (i)(II) requires that a school selected based on a homeless child’s or youth’s best interest must immediately enroll such child or youth even if he or she has missed application or enrollment deadlines during any period of homelessness.

The terms "enroll" and "enrollment" are defined as attending classes and participating fully in school

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activities. The enrolling school must immediately contact the last school attended to obtain relevant records.

In order to ensure immediate enrollment, in accordance with Section 722 (g)(6)(A)(ix), the LEA liaison is required to: train school enrollment staff about the legal requirement that homeless children and youths be immediately enrolled and provided transportation; review school regulations and policies to ensure that they comply with the McKinney-Vento Act requirements; inform families and youth, in a language they can understand, of their rights; develop clear, understandable and accessible written explanations of decisions and the right to appeal; and expeditiously follow up on any special education or language assistance needs presented by a student.

IV. School/Health Records

The educating district should immediately enroll and begin to provide instruction. The receiving school district may contact the district of origin for oral confirmation that the child has been immunized. Oral confirmation between professionals is a sufficient basis to verify immunization with written confirmation to follow within 30 days. The instructional program should begin as soon as possible after the enrollment process is initiated and should not be delayed until the procedure is completed. The law specifies that information about a homeless child’s or youth’s living situation shall be treated as a student education record, and shall not be deemed to be directory information. (Section 722 (g)(3)(G)).

According to federal law, "(iii) If the child or youth needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the child or youth to the local educational agency liaison designated under paragraph (1)(J)(ii), shall assist in obtaining necessary immunizations, or immunization or medical records, in accordance with subparagraph (D)" 42 U.S.C. §11432(g)(c)(iii).

V. Title I

Title I of the Elementary and Secondary Education Act (reauthorized December 2015 by the Every Student Succeeds Act) mandates that funds be reserved to serve homeless children. Title I states, "A local educational agency shall reserve such funds as are necessary to provide services comparable to those provided to children in schools funded under this part to serve homeless children who do not attend participating schools, including providing educationally related support services to children in shelters and other locations where children may live." Under Title I, homeless children are eligible for services if they are attending schools served by an LEA.

VI. Transportation

The state and its LEAs are required to adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to and from the school of origin. If the homeless student continues to live in the area served by the LEA, that LEA must provide or arrange transportation. If the homeless student moves to an area served by another LEA, though continuing his or her education at the school of origin, the LEA of origin and the LEA in which the student is living must agree upon a method to apportion responsibility and costs for transportation to the school of origin. This includes students enrolled in public school Head Start and Early Head Start education programs. If the LEAs cannot agree upon such a method, the responsibility and costs must be shared equally. Distance, time of year, options available, the effects of a transfer, etc., should all be addressed.

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The provision of transportation to the school of origin is based on a students' status as homeless. The provision to remain in the school of origin during the remainder of the academic year is offered to provide for school stability. Local education agencies must continue to provide transportation to and from the school of origin to formerly homeless students who have become permanently housed for the remainder of the academic year during which the child or youth becomes permanently housed. (Section 722(g)(3)(A)(II)).

VII. Fiscal Responsibilities

Fiscal responsibilities apply to all homeless students, whether in regular or special education classes. The educating district should apply the following criteria when determining fiscal responsibility:

A. The procedures outlined below will be followed in cases when the education of the child is provided by the district where the homeless student is temporarily living (doubled up, motel, shelter). The procedures shall also apply in cases when the district of prior attendance, where that is not the district the child attended when permanently housed, will educate the child.

1. Homeless individuals not in facilities (shelters) or institutions, as well as homeless individuals living in hotels, motels, cars, tents, doubled-up with a resident family, shall be reported and reimbursed as resident students;
2. For homeless individuals in temporary shelters, the educating school district will send a PDE-4605 Determination of District of Residence for Student in Facilities or Institutions in Accordance with Section 1306 of the Pennsylvania Public School Code to the presumed district of residence;
3. If PDE-4605 is acknowledged by the resident district, the educating district will enter the child on its rolls as a nonresident student from the acknowledging resident school district. The educating district will bill the resident district for tuition and will report membership data according to PDE child accounting procedures; and
4. If PDE-4605 is disclaimed and a school district of residence cannot be determined, the educating school district should submit a written request to PDE’s School Services Office to make a determination regarding the student’s “ward of the state” status.

B. In cases when the education of the child is provided by the district of origin, including preschool children, where that is the district the child attended when permanently housed, that district will continue to educate a homeless student for the period of temporary displacement and should maintain the homeless student on its roll as a resident student. When a child or youth completes the final grade level served by the school of origin, it also includes the designated receiving school at the next grade level for all feeder schools. (Section 722(g)(3)(I)).

C. In cases when the student becomes permanently housed during the academic year and continues in the school of origin, which is not in the district of new residence, the educating district will continue to educate the formerly homeless student, if requested by the student’s parent or guardian, until the end of the academic year and should maintain the homeless student on its roll as a non-resident student. The educating district should advise the new district of residence of its financial responsibility for this student and send a tuition bill.

VIII. Categorical Eligibility under the National School Lunch and Breakfast Programs

Effective July 1, 2004, Section 107 of the Child Nutrition and WIC Reauthorization Act of 2004 amended Section 9(b) of the Richard B. Russell National School Lunch Act to make runaway, homeless and migrant children categorically eligible for free meal benefits under the National School Lunch and School Breakfast Programs. The following are guidelines set out by PDE for implementation of this amendment.

1. Homeless, runaway or migratory children are automatically certified as eligible for free meal benefits and can begin receiving free meal benefits upon proper documentation for meals. Please note that documentation as runaway, homeless, or migratory can only be provided by a school district migrant education or homeless education staff.
2. School district migrant education or homeless education staff are responsible for providing proper documentation of a child’s status to the food service directors in each school district.

IX. Dispute Resolution Process

Pursuant to the McKinney-Vento Act, every state must develop procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youths. 42 U.S.C §11432(g)(1)(C). The state must ensure that LEAs comply with requirements set forth in the McKinney-Vento Act including ensuring immediate enrollment, providing written notice to families concerning school selection, enrollment decisions and providing enrollment and pendency in the school of choice while a dispute is being resolved. 42 U.S.C §11432(g)(2)(A).

PDE has developed the following procedures to govern the resolution of disputes regarding enrollment, school selection, homeless status and complaints of non-compliance with legal requirements pertaining to the education for homeless children and youths:

Level 1 – A dispute may be raised with a LEA.

If a dispute arises over school selection or enrollment, the child or youth involved must immediately be admitted to the school in which they are seeking enrollment, pending resolution of the dispute 42 U.S.C. §11432(g)(3)(E)(i). PDE recommends that the parent, guardian or unaccompanied youth who initiates the dispute contact the LEA liaison for individuals experiencing homelessness as soon as possible after receiving notice of the dispute. If the person initiating the dispute does not contact the LEA liaison directly, the LEA shall be responsible for contacting the LEA liaison regarding the dispute as soon as possible and referring the family or youth involved to the liaison.

The LEA liaison shall ensure that the child or youth is immediately enrolled, explain the dispute resolution process to families and help them to use it 42 U.S.C. §11432(g)(3)(E)(iii). The LEA shall issue a written disposition of the dispute within 20 business days after the LEA liaison is notified of the dispute. The disposition shall be provided to the parent, guardian or unaccompanied youth and shall explain the basis for the decision and advise the parent, guardian or youth of the right to appeal. 42 U.S.C. §11432(g)(3)(E)(i).

NOTE: The LEA should use and maintain copies of PDE’s “Notice of Procedural Safeguards” form (see attached) which ensures that all LEAs (a) inform families of the basis of their decision regarding enrollment or school selection; (b) notifies families of their right to remain in their school of choice pending resolution of the dispute and (c) explains the procedures for challenging the decision of the LEA.

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Level 2 – A complaint may be filed with a McKinney-Vento coordinator.

If the parent, guardian or unaccompanied youth is dissatisfied with the LEA’s disposition of a dispute or would like to raise any issue of McKinney-Vento Act noncompliance, they may file a complaint or appeal with a McKinney-Vento site or regional coordinator or with the state coordinator. (See attached list which contains contact information for all of the McKinney-Vento coordinators in Pennsylvania). In lieu of filing an appeal with a McKinney-Vento coordinator, a parent, guardian or unaccompanied youth may elect to appeal the LEA decision directly to a court of competent jurisdiction. Participation in the appeal procedure is not required prior to taking legal action. A regional or site coordinator with whom a complaint or appeal is filed must notify the state coordinator immediately. Upon being notified, the state coordinator will review the complaint or appeal and assign it to a site or regional coordinator for disposition. The coordinator to whom the appeal is assigned may contact, interview and accept documentation from any individual or LEA involved, and shall issue a written disposition within 20 business days after the complaint or appeal has been assigned. The disposition shall be provided to the LEA and the parent, guardian or unaccompanied youth involved. The child or youth shall continue to be enrolled in the school in which he or she is seeking enrollment until the complaint or appeal is resolved or until a disposition from a McKinney-Vento coordinator is received.

The state coordinator may assist in the mediation of disputes directly and may also invite those involved to have the dispute mediated at any time in the process through the Dispute Resolution Program operated by the Commonwealth Office of General Counsel (OGC). The OGC Dispute Resolution Program is a voluntary informal process through which a trained mediator assists in reaching a mutually acceptable resolution.

Participating in mediation is not a waiver of the right to file a lawsuit nor is participation in mediation required prior to taking legal action.

NOTE: The parent, guardian or unaccompanied youth may file a complaint with the McKinney-Vento site, regional or state coordinator on the attached complaint form. However, the use of the attached form is not mandatory. Any dispute raised by a homeless family or youth concerning school enrollment or any other right under the McKinney-Vento Act whether received via telephone, letter or any mode of communication shall be treated as a complaint.

REFERENCES

Purdon’s Statutes

24 P.S. § 13-1301

24 P.S. § 13-1302

24 P.S. § 13-1306

State Board of Education Regulations

22 Pa. Code § 11.18

Federal Regulations

Elementary and Secondary Education Act, as reauthorized by the Every Student Succeeds Act
McKinney-Vento Homeless Assistance Act

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US Code

42 U.S.C. §§11431-11435 (including section 722)
20 U.S.C 1087vv

Other

Pennsylvania Education for Homeless Children and Youth State Plan
U.S. Dept. of Education Guidelines – Homeless Children and Youth Programs
OGC Dispute Resolution Program
Determination of District of Residence for Students in Facilities or Institutions (PDE-4605)

Attachments

Procedural Safeguards Notice of Denial of Enrollment
Enrollment Complaint to PA Department of Education
Pennsylvania McKinney-Vento Coordinators (State, Regional & Site)

BUREAU/OFFICE CONTACTS

Education for Homeless Children and Youth Program
Bureau of Curriculum, Assessment, and Instruction
Pennsylvania Department of Education
333 Market Street, 5th Floor
Harrisburg, PA 17126-0333
Phone: 717-783-6466

Child Accounting questions should be referred to:

Bureau of Budget and Fiscal Management
Division of Subsidy Data and Administration
Pennsylvania Department of Education
333 Market Street
Harrisburg, PA 17126-0333
Phone: 717-787-5423

Transportation questions should be referred to:

Bureau of Budget and Fiscal Management
Division of Subsidy Data and Administration
Pennsylvania Department of Education
333 Market Street
Harrisburg, PA 17126-0333
Phone: 717-787-3195

For additional information, please contact:

Storm Y. Camara | Pennsylvania Department of Education
Education for Homeless Children and Youth Program
333 Market Street, 5th Floor | Harrisburg, PA 17126-0333
Phone: 717.772.2066

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APPENDIX M

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Review of Instructional Materials by Parents/Guardians and Students: 105.1

Status: Active

Adopted: July 20, 2009

Last Revised: August 18, 2014

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.

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.

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.

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.

The following conditions shall apply to any request:

1. No more than one (1) request per semester may be made by any parent/guardian or student for each enrolled child.
2. 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.
3. The written request will be sent to the building principal.
4. The district will respond to the parent/guardian or student within ten (10) school days by designating the time and location for the review.
5. 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.
6. 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.

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.

Delegation of Responsibility

The Superintendent or designee shall annually 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.

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APPENDIX N

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Searches: 226
Status: Active
Adopted: July 20, 2009
Last Revised: August 21, 2017

Purpose

The Board acknowledges the need for safe in-school storage of books, clothing, school materials and other personal property and may provide lockers and cabinets for such storage.

Authority

It shall be the policy of the Board that all lockers, desks and other storage spaces are and shall remain the property of the school district. As such, students shall have only a limited expectation of privacy in their lockers.

Students are encouraged to keep their assigned lockers or cabinets closed and locked against incursion by other students, but no student may use a locker, desk or storage space as a depository for a substance or object which is prohibited by law or district regulations, or which constitutes a threat to the health, safety or welfare of the occupants of the school building or the building itself.

Students are prohibited from placing their own personal locks on district assigned lockers, desks, or storage areas.

The Board authorizes its employees to inspect a student's locker, desk or storage space to ensure that the locker, desk or storage space is not improperly being used for the storage of contraband, a substance or object the possession of which is illegal, or when the district has a compelling interest in protecting and preserving the health, safety or welfare of the school population.

Searches conducted by the administration may include but not be limited to utilization of certified drug dogs, metal detection units, or any device used to protect the health, safety and welfare of the school population.

In general, the search as actually conducted must be reasonably related in scope to the circumstances which justify the interference (search) in the first place, i.e., the measures adopted must be reasonably related to the objectives of the search and not be excessively intrusive in light of the past history and school record, age and sex of the student and the nature of the infraction or suspected infraction. Searches should be no more intrusive than necessary to discover that for which the search was undertaken.

In general, at no time should school officials conduct a search which requires a student to remove more clothing than his/her shoes or jacket. If school officials are convinced that a more intrusive search is required to expose contraband, weapons, or stolen items, they should advise the proper law enforcement agency and the student's parent/guardian, as soon as possible, of the grounds for their conclusions. Under no circumstances, shall school officials or employees conduct a strip search of students. Searches of students, or their possessions, such as but are not limited to, purses, handbags, bookbags, motor vehicles, coats, luggage, etc., as well as searches of school district lockers, desks and other storage spaces and shall fall into four (4) categories:

1. Lockers, desks and storage space searches.
2. Student property or possession searches.
3. Person searches.
4. Canine searches.

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Lockers, Desks and Other Storage Spaces Search

School authorities may search a student's locker, desk or storage space(s) if they have reasonable suspicion that a student has violated a state or federal law, the Student Code of Conduct, or Board policy. Examples of such violations include, but are not limited to, the reasonable suspicion that a student:

1. Has stolen an article of money.
2. Possesses obscene or abusive written or illustrative materials.
3. Possesses forged, altered, or falsified school communications.
4. Possesses tobacco products.
5. Possesses illegal contraband or weapon.
6. Possess alcohol and/or controlled substances.
7. Possesses any material or item which poses a hazard to the health, safety, welfare and good order of the schools.

In individualized suspicion searches of lockers, desks or other storage spaces, the student shall be notified and given an opportunity to be present at such searches. However, where school authorities have reasonable suspicion that the locker, desk or storage space contains materials which pose a threat to the health, welfare and/or safety of the student or the school or where there is a reasonable likelihood of harm to persons or property or reasonable likelihood that the evidence will be removed or destroyed, the requirement of notifying and having the student present shall be dispensed with and the student locker may be searched without prior warning.

Student Property or Possessions

School authorities are authorized to conduct searches of student property when reasonable suspicion indicates that a particular student is in possession of an item or a substance that represents a material threat to school routine, poses a threat to health, welfare, and safety of students or is prohibited by Board policy or by law. Student property may include, but not be limited to, purses, bookbags, coats, luggage, motor vehicles and other such belongings.

Motor Vehicle Searches

The district retains authority to conduct routine patrols of student parking lots and inspections of the exterior of student vehicles on district property, including by means of sniff dog searches. Such patrols and exterior inspections may be conducted without notice, without student consent, and without a search warrant.

The interiors of student vehicles may be inspected whenever school officials have reasonable suspicion to believe that illegal, unauthorized contraband or otherwise prohibited materials are contained inside or in the event that such materials are in plain view upon inspection of the vehicles exterior.

The following guidelines apply where the district wishes to inspect the interior of a student vehicle:

1. Where a school official has reasonable suspicion or has made observations in plain view, the student shall be notified and given the opportunity to be present for the inspection of the interior of the vehicle, and two staff members shall be present during all searches. However, where there is reason to suspect the vehicle contains material which poses an immediate threat to health, safety, or welfare of the students or staff, the student vehicle may be searched without warning.
2. Searches of student vehicles may be conducted by law enforcement officials or upon properly executed search warrants presented to school officials, or the intelligently and voluntary given consent of the student.
3. Where the interior of a student vehicle has been subject to search, the parents/guardians of the student shall be notified as soon as practicable after the search has been conducted.
4. In the event the student refuses to permit a search of the student vehicle after the district finds reasonable suspicion for the interior search, the student shall be subject to discipline under the district's Student Code of Conduct, and the district reserves the right to immediately notify the

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students parents/guardians and/or proceed to contact law enforcement authorities for obtaining a search warrant for the search of the interior of the vehicle.

Parking lots will be appropriately posted to notify drivers who use the surrounding school lots that a vehicle search policy is enforced.

Person Searches

Where school authorities have reasonable suspicion that a student has on his/her person, materials which pose a threat to the health, welfare, and safety of the students in the school, a pocket search of the student's person may be done where the student will be asked to empty his/her pockets or shoes in the presence of a second witnessing school official.

Where school authorities have reasonable suspicion that a student has on his/her person materials which pose a threat to the health, welfare, and safety of students in the school, a pat-down search of such a student's person may be done by a school official of the same sex as the student in the presence of a second witnessing school official, of the same sex.

Canine Searches

Where school authorities have individualized reasonable suspicion that a student has in his/her possession materials or contraband which pose a threat to the health, safety and welfare of students in the school, school authorities may use canines to search a person's locker, car, bags, coats, purses, and other such belongings for such materials, including drugs or other illegal contraband.

Any inappropriate or illegal material found shall be used as evidence against the student in disciplinary proceedings. Referral to legal authorities for charges under Pennsylvania's Crimes Code shall be made when deemed necessary by school authorities.

Delegation of Responsibility

The Superintendent or designee shall develop procedures to implement this policy which shall require:

1. The principal or designee shall be present whenever a student locker, desk or storage space is searched.
2. The principal shall open a student's locker, desk or storage space for search on the request of a law enforcement officer only on presentation of a duly authorized search warrant, probable cause or on the intelligently and voluntarily given consent of the student.[6]
3. The principal shall be responsible for the safekeeping and proper disposal of any substance, object or material found to be improperly stored in a student's locker, desk or storage space unless properly confiscated by law enforcement officials.
4. The principal shall be responsible for the prompt recording in writing of each locker, desk or storage space inspection or search, which record shall include the reason(s) for the inspection or search, persons present, objects found and their disposition.

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APPENDIX O

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**MOSHANNON VALLEY SCHOOL DISTRICT
2025-26**

Board Approved: 1/21/25

Mon	Tue	Wed	Thu	Fri	STUDENT DAYS	TEACHER DAYS	Mon	Tue	Wed	Thu	Fri	STUDENT DAYS	TEACHER DAYS
July							January						
	1	2	3	4									
7	8	9	10	11			5	6	7	8	9	19	19
14	15	16	17	18			12	13	14	15	16	101	106
21	22	23	24	25			18	20	21	22	23		
28	29	30	31				26	27	28	29	30		
August							February						
				1			2	3	4	5	6	19	19
4	5	6	7	8	7	10	9	10	11	12	13	120	125
11	12	13	14	15	7	10	14	17	18	19	20		
18	19	20	21	22			23	24	25	26	27		
25	26	27	28	29									
September							March						
1	2	3	4	5			2	3	4	5	6	22	22
8	9	10	11	12	21	21	9	10	11	12	13	142	147
15	16	17	18	19	28	31	16	17	18	19	20		
22	23	24	25	26			23	24	25	26	27		
29	30						30	31					
October							April						
		1	2	3				1	2	3	4		
6	7	8	9	10	22	23	5	6	8	9	10	18	19
13	14	15	16	17	50	54	13	14	15	16	17	160	166
20	21	22	23	24			20	21	22	23	24		
27	28	29	30	31			27	28	29	30			
November							May						
				7	17	18	4	5	6	7	8	20	20
3	4	5	6	7	67	72	11	12	13	14	15	180	186
10	11	12	13	14			18	19	20	21	22		
17	18	19	20	21			25	26	27	28	29		
24	25	26											
December							June						
		3	4	5	15	15	1	2	3	4	5		
8	9	10	11	12	82	87	8	9	10	11	12	0	0
15	16	17	18	19			15	16	17	18	19	180	186
22	23	24	25	26			22	23	24	25	26		
							29	30					

- August 18-20 Teacher In-Service
- August 21 First Student Day
- September 1 Labor Day
- October 13 Teacher In-Service
- October 20 Act 80 ½ Day- PTC
- October 29 Act 80 ½ Day- PTC
- November 7 Teacher In-Service
- November 27-28 Thanksgiving Break
- December 1-2 Deer Season
- December 24 - Jan 2 Winter Vacation
- January 16 Act 80 ½ Day
- January 19 Winter Break
- February 13 Act 80 ½ Day
- February 16 Winter Break
- April 2-7 Spring Vacation
- April 6 Teacher In-Service
- May 25 Memorial Day
- May 29 Last Student Day

Early Dismissals

One-hour on the last student day prior to Thanksgiving, Winter Vacation, Memorial Day, and on May 29th @ 1:00 pm.

Days missed due to inclement weather will be made up on the following dates in the following order: April 2nd & 7th and June as needed.

- ~~XXXX~~ School Not In Session
- First and Last Student Day
- Teacher In-Service Days
- Act 80 ½ Day-Students
- Dismiss @ 12:00
- PTC= Parent Teacher
- Conf Evening

Keystone Exam Wave I and II
Keystone Exam Spring
PSSA English Language Arts Gr 3-8
PSSA Math Gr 3-8
PSSA Science Gr 3-8
PSSA Make-Ups
JAB Exams

*243 day staff will work the following days: July 1-4, 7-11, 14-18, 21-25, 28-31 (23 days); August 1, 4-8, 11-15 (11 days); December 2 (1 Day), and June 1-5, 8-12, 15-19, 22-26, 29-30 (22 days).

*235 day staff will work the following days: July 1-3, 7-10, 14-17, 21-24, 28-31 (19 days); August 4-7, 11-15 (9 days); December 2 (1 Day), and June 1-5, 8-12, 15-18, 22-25, 29-30 (20 days).

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APPENDIX P

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Terroristic Threats: 218.2

Status: Active

Adopted: July 20, 2009

Last Revised: January 21, 2025

Prior Revised Dates: June 23, 2014, August 16, 2021

Purpose

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

Definitions

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

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

Authority

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

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies.

Delegation of Responsibility

The Superintendent or designee, in coordination with the threat assessment team, shall react promptly to information and knowledge concerning a possible or actual terroristic threat. Such action shall be in compliance with state law and regulations, Board policy and administrative regulations, the procedures set forth in the memorandum of understanding with law enforcement agencies having jurisdiction over school property and the district’s emergency preparedness plan.

Guidelines

In all cases of terroristic threats, where a student’s behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.

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

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

The Superintendent or designee may report incidents involving terroristic threats on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the law enforcement agency 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 law enforcement and Board policies.

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving a terroristic threat as a victim or suspect immediately, as soon as practicable. The

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Superintendent or designee shall inform the parent/guardian whether or not the law enforcement agency 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.

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of terroristic threats to the PA Department of Education on the required form.

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

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APPENDIX Q

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Tobacco and Vaping Products: 323

Status: Active

Adopted: July 20, 2009

Last Revised; May 11, 2020

Purpose

The Board recognizes that tobacco and vaping products, including the product marketed as Juul and other electronic cigarettes, present a health and safety hazard that can have serious consequences for users, nonusers and the school environment. The purpose of this policy is to regulate use of tobacco and vaping products, including Juuls and other electronic cigarettes, by district employees and contracted personnel.

Definition

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

1. Any product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested by any other means, including, but not limited to, a cigarette, cigar, little cigar, chewing tobacco, pipe tobacco, snuff and snus.
2. Any electronic device that delivers nicotine or another substance to a person inhaling from the device, including, but not limited to, electronic nicotine delivery systems, an electronic cigarette, a cigar, a pipe and a hookah.
3. Any product containing, made or derived from either:
 - a. Tobacco, whether in its natural or synthetic form; or
 - b. Nicotine, whether in its natural or synthetic form, which is regulated by the United States Food and Drug Administration as a deemed tobacco product.
4. Any component, part or accessory of the product or electronic device listed in this definition, whether or not sold separately.

The term **tobacco product** does not include the following:

1. A product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, as long as the product is not inhaled.
2. A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act. *Federal law requires the district to maintain a drug-free workplace, at which marijuana of any kind is prohibited.*

Authority

The Board prohibits use of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, by district employees and contracted personnel at any time in a school building; on school buses or other vehicles that are owned, leased or controlled by the school district; or on property owned, leased or controlled by the school district.

The Board also prohibits use of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, by district employees at any time while responsible for the supervision of students during school-sponsored activities that are held off school property.

This policy does not prohibit possession of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, by district employees and contracted personnel of legal age.

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The Board deems it to be a violation of this policy for any district employee or contracted personnel to furnish a tobacco or vaping product, including the product marketed as Juul or any other e-cigarette, to a student.

Delegation of Responsibility

The Superintendent or designee shall notify employees and contracted personnel about the Board’s tobacco and vaping products policy by publishing information in handbooks, newsletters, posters, and other efficient methods such as posted notices, signs and on the district website.

Reporting

Office for Safe Schools Report –

The Superintendent shall annually, by July 31, report incidents of prohibited possession, use or sale of tobacco and vaping products, including Juuls or other e-cigarettes, on school property to the Office for Safe Schools on the required form.

Law Enforcement Incident Report –

The Superintendent or designee may report incidents involving the sale of tobacco and vaping products, including Juuls or other e-cigarettes, to minors by employees 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 school police, School Resource Officer (SRO) or 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.

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APPENDIX R

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Unlawful Harassment: 348

Status: Active

Adopted: August 18, 2014

Last Reviewed: February 19, 2018

Authority

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

The Board prohibits all forms of unlawful harassment of employees and third parties by all district students and staff members, contracted individuals, vendors, volunteers, and third parties in the schools. The Board encourages employees and third parties who have been harassed to promptly report such incidents to the designated administrators.

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

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

Definitions

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

1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to perform job functions or creates an intimidating, threatening or abusive work environment.
2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance.
3. Otherwise adversely affects an individual's employment opportunities.

For purposes of this policy, sexual harassment shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when:[9]

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

Examples of conduct that may constitute sexual harassment include but are not limited to sexual flirtations, advances, touching or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; jokes; pin-ups; calendars; objects; graffiti; vulgar statements; abusive language; innuendoes; references to sexual activities; overt sexual conduct; or any conduct that has the effect of unreasonably interfering with an employee's ability to work or creates an intimidating, hostile or offensive working environment.

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Delegation of Responsibility

In order to maintain a work environment that discourages and prohibits unlawful harassment, the Board designates the Assistant Superintendent as the district’s Compliance Officer.

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

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

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

1. Inform the employee or third party of the right to file a complaint and the complaint procedure.
2. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
3. Refer the complainant to the Compliance Officer if the building principal is the subject of the complaint.

Guidelines

Complaint Procedure – Employee/Third Party

Step 1 – Reporting

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

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

The complainant is encouraged to use the report form available from the building principal, but oral complaints shall be acceptable. Documentation of the oral complaint will be signed by the complainant.

Step 2 – Investigation

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

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

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

Step 3 – Investigative Report

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

The findings of the investigation shall be provided to the complainant, the accused, and the Compliance Officer.

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Step 4 – District Action

If the investigation results in a finding that the complaint is factual and constitutes a violation of this policy, the district shall take prompt, corrective action to ensure that such conduct ceases and will not recur.

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

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

Appeal Procedure

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

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APPENDIX S

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Weapons: 218.1

Status: Active

Adopted: July 20, 2009

Last Revised: January 21, 2025

Purpose

The Board recognizes the importance of a safe school environment relative to the educational process. Possession of weapons in the school setting is a threat to the safety of students and staff and is prohibited by law.

Definitions

Weapon - the term shall include but is not limited to any knife, cutting instrument, cutting tool, nunchaku, firearm, shotgun, rifle, replica of a weapon and any other tool, instrument or implement capable of inflicting serious bodily injury.

Possession - a student is in possession of a weapon when the weapon is found on the person of the student; in the student's locker or assigned storage area; or under the student's control while on school property, on property being used by the school, at any school function or activity, at any school event held away from the school or while the student is coming to or from school.

Authority

The Board prohibits students from possessing and bringing weapons and replicas of weapons into any district buildings, onto school property, to any school-sponsored activity and onto any public vehicle providing transportation to or from school or a school-sponsored activity, or while the student is coming to or from school.

The Board shall expel for a period of not less than one (1) year any student who violates this weapons policy. Such expulsion shall be given in conformance with formal due process proceedings required by law and Board policy.

The Superintendent may recommend modifications of such expulsion requirement on a case-by-case basis.

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with law enforcement and Board policies.

Delegation of Responsibility

The Superintendent or designee shall react promptly to information and knowledge concerning possession of a weapon. Such action shall be in compliance with state law and regulations and with the procedures set forth in the memorandum of understanding with the law enforcement agency that has jurisdiction over the school's property, and the district's emergency preparedness plan.

When the behavior of a student in possession of a weapon indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.

Guidelines

The Superintendent or designee shall immediately report incidents involving weapons 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 law enforcement agency 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 law enforcement and Board policies.

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving weapons as a victim or suspect immediately, as soon as practicable. The Superintendent

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or designee shall inform the parent/guardian whether or not the law enforcement agency 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.

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents involving possession of a weapon to the PA Department of Education on the required form.

The building principal shall annually inform staff, students and parents/guardians about the Board policy prohibiting weapons and about their personal responsibility for the health, safety and welfare of the school community.

An exception to this policy may be made by the Superintendent, in accordance with law, who shall prescribe special conditions or administrative regulations to be followed.

In accordance with federal law, possession or discharge of a firearm in, on, or within 1,000 feet of school grounds is prohibited. Violations shall be reported to the appropriate law enforcement agency.

Transfer Students

When the district receives a student who transfers from a public or private school during an expulsion period for an offense involving a weapon, the district may assign that student to an alternative assignment or may provide alternative education, provided the assignment does not exceed the expulsion period.