

**NORTHGATE SCHOOL DISTRICT
COMMITTEE OF THE WHOLE AGENDA
Monday, September 9, 2019
Administrative Center Boardroom**

- I. EXECUTIVE SESSION** - 5:45 p.m. (negotiations and personnel)
- II. WELCOME, ROLL CALL AND PLEDGE TO THE FLAG**
- III. VISITORS' COMMENTARY** (Visitors: Please state your name and address; please limit your remarks to five minutes or less. Summarize your comments during this Visitors' Commentary time.)

IV. ITEMS FOR ACTION

A. Athletic Committee - Mrs. McWilliams

1. Resignations Motion

It is recommended the Board accept the athletic supplemental resignation of Stephon Mathis as First Assistant Football Coach. It is further recommended the Board accept the athletic supplemental resignation of Tiffany Bergman as First Assistant Girls' Basketball Coach.

B. Finance Committee - Mr. O'Keefe

1. PASBO Conference Motion

It is recommended the Board approve Mr. Christopher Ursu's attendance at the PASBO Leadership Academy on October 3 - 4, 2019 in Harrisburg, PA at a cost of \$255 for registration and lodging, not including meals and mileage.

C. Policies - Mr. O'Keefe

1. Policy Motion

It is recommended the Board approve the first reading of revised policies:

- 222 - Tobacco/Nicotine (pupils)
- 247 - Hazing
- 323 - Tobacco/Nicotine (employees)
- 904 - Public Attendance at School Events

**NORTHGATE SCHOOL DISTRICT
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Monday, September 9, 2019
Administrative Center Boardroom**

V. COMMITTEE AND BOARD AGENDA REVIEW

A. Athletic Committee – Mrs. McWilliams

1. Old Business
2. New Business

B. Finance Committee – Mr. O'Keefe

1. Questions & Comments on Financial Status Report
2. Streamlining Delinquent Real Estate Tax Collection & Identification of New Properties for Collection Actions Process
3. Informational Item
4. Old Business
5. New Business
6. Board Agenda Items

C. Buildings and Grounds Committee – Mr. Rajakovic

1. Avalon Elementary Auditorium Sound System
2. Concrete, Sidewalks and Pavement
3. Facilities Manager
4. Long-Term Capital Planning
5. Trees & Cross Country Track
6. Old Business
7. New Business
8. Board Agenda Item

D. Education Committee - Dr. Smithey

1. Board Agenda Items

E. Administrative Report – Dr. Johns

1. Board Agenda Items

VI. OLD AND NEW BUSINESS

A. PSBA Officers – Mr. O'Keefe

VII. ADJOURNMENT

Northgate School District

222

Book	Policy Manual
Section	200 Pupils
Title	Tobacco/Nicotine
Code	222 Vol V 2018
Status	First Reading
Adopted	September 15, 2008
Last Revised	August 10, 2015
Prior Revised Dates	06/18/12, 08/19/13

Purpose

The Board recognizes that tobacco, **nicotine and nicotine delivery products** present a health and safety hazard that can have serious consequences for both users and nonusers and the safety and environment of the schools.

Definitions

For purposes of this policy, tobacco includes a lighted or unlighted cigarette, cigar, **cigarillo, little cigar**, pipe or other smoking product or material and smokeless tobacco in any form **including chewing tobacco, snuff, dip or dissolvable tobacco pieces**.[\[1\]](#)

For purposes of this policy, nicotine shall mean a product that contains or consists of nicotine in a form that can be ingested by chewing, smoking, inhaling or through other means.

For purposes of this policy, a nicotine delivery product shall mean a product or device used, intended for use or designed for the purpose of ingesting nicotine or another substance. This definition includes, but is not limited to, any device or associated product used for what is commonly referred to as vaping or juuling.

Authority

The Board prohibits possession, use or sale of tobacco, **nicotine and nicotine delivery products** by students at any time in a school building and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.[\[1\]](#)[\[2\]](#)[\[3\]](#)

The Board **also** prohibits possession, use or sale of tobacco, **nicotine and nicotine delivery products** by students at school-sponsored activities that are held off school property.

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 local law enforcement and Board policies.[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)

Delegation of Responsibility

The Superintendent or designee shall notify students, parents/guardians and staff about the **Board's tobacco/nicotine** policy by publishing **information** in student handbooks, parental newsletters, **posters**, and/or **by** other efficient methods, **such as posted notices, signs and on the district website.**[\[1\]](#)

Guidelines

Reporting

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving possession, use or sale of tobacco, **nicotine or nicotine delivery products** 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.[\[9\]](#)[\[10\]](#)[\[11\]](#)

The Superintendent shall annually, by July 31, report all incidents of possession, use or sale of tobacco, **nicotine and nicotine delivery products** by students to the Office for Safe Schools on the required form.[\[9\]](#)[\[12\]](#)

Additional Provisions - Tobacco Only

The Superintendent or designee may report incidents of possession, use or sale of tobacco 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 **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.[\[9\]](#)[\[10\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)

A student convicted of possessing or using tobacco in violation of this policy may be fined up to fifty dollars (\$50) plus court costs, or admitted **by the court** to alternative adjudication in lieu of imposition of a fine.[\[15\]](#)

PSBA Revision 12/18 © 2018 PSBA

Legal

1. 35 P.S. 1223.5
2. 18 Pa. C.S.A. 6305
3. 20 U.S.C. 7183
4. 20 U.S.C. 1400 et seq
5. 22 PA Code 10.23
6. Pol. 103.1
7. Pol. 113.1
8. Pol. 113.2
9. Pol. 805.1
10. 22 PA Code 10.2
11. 22 PA Code 10.25
12. 24 P.S. 1303-A
13. 22 PA Code 10.22
14. 24 P.S. 1302.1-A
15. 18 Pa. C.S.A. 6306.1
- 24 P.S. 510
- 20 U.S.C. 7114
- 20 U.S.C. 7118
- 20 U.S.C. 7181 et seq
- 34 CFR Part 300

Northgate School District

Book	Policy Manual
Section	200 Pupils
Title	Hazing
Code	247 Vol V 2018
Status	First Reading
Adopted	September 15, 2008
Last Revised	August 15, 2016

Purpose

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

Definitions

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

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

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

- 1. The person acts with reckless indifference to the health and safety of the student; or**

2. The person causes, coerces or forces the consumption of an alcoholic liquid or drug by the student.

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

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

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

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

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

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

Authority

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

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

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

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.**

Discrimination/Discriminatory Harassment

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 and discriminatory harassment shall be handled as a joint, concurrent investigation into all allegations and coordinated with the full participation of the Compliance Officer. If, in the course of a hazing investigation, potential issues of discrimination or discriminatory harassment are identified, the Compliance Officer shall be promptly notified, and the investigation shall be conducted jointly and concurrently to address the issues of alleged discrimination as well as the incidents of alleged hazing.[11][12]

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 : [4]

-publication in handbooks

-verbal instructions by the coach or sponsor at the start of the season or program

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

Complaint Procedure

A student **who** believes that s/he has been subject to hazing **is encouraged to** promptly report the incident to the building principal **or designee**.

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

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

Interim Measures/Police

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

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

Referral To Law Enforcement and Safe Schools Reporting Requirements –

For purposes of reporting hazing incidents to law enforcement in accordance with Safe Schools Act reporting, the term incident shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.[\[14\]](#)[\[15\]](#)[\[16\]](#)

The Superintendent or designee shall immediately report required incidents and may report discretionary incidents, as defined in the Safe Schools Act, committed by students

on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.[\[14\]](#)[\[15\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)

The Superintendent or designee shall notify the parent/guardian of any student directly involved in a defined incident as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian.[\[14\]](#)[\[20\]](#)[\[21\]](#)

In accordance with state law, the Superintendent shall annually, by July 31, report all new incidents to the Office for Safe Schools on the required form.[\[15\]](#)[\[20\]](#)

Confidentiality

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

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 s/he complies with the requirements under law, subject to the limitations set forth in law.[\[13\]](#)

Students –

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

In addition to other authorized discipline, building principals shall have the authority, after providing the student or students an informal hearing, to impose a fine of up to Fifty dollars (\$50) on each student determined to have engaged in hazing in violation of this policy.[\[4\]](#)[\[22\]](#)

When recommended disciplinary action results in a formal hearing before the Board, in addition to other authorized disciplinary consequences, the Board may also impose a fine of up to One hundred fifty dollars (\$150) on each student determined to have engaged in hazing in violation of this policy.[\[4\]](#)[\[23\]](#)

When fines have not been paid, the Superintendent shall have the authority to direct that student diplomas and/or transcripts be withheld until payment in full is made or a payment plan is agreed upon. In cases of economic hardship, the Superintendent shall consider whether diplomas and/or transcripts should be released despite an unpaid fine.[\[4\]](#)

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, s/he shall be disciplined in accordance with Board policy and applicable laws and regulations. Discipline could include, but is not limited to, dismissal from the position as coach, sponsor, or volunteer, and/or dismissal from district employment.[24]

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

Criminal Prosecution –

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

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Legal

1. 18 Pa. C.S.A. 2802
2. 18 Pa. C.S.A. 2803
3. 18 Pa. C.S.A. 2804
4. 18 Pa. C.S.A. 2808
5. 18 Pa. C.S.A. 2806
6. 18 Pa. C.S.A. 2801
7. 24 P.S. 511
8. 18 Pa. C.S.A. 2301
9. Pol. 122
10. Pol. 123
11. Pol. 103
12. Pol. 103.1
13. 18 Pa. C.S.A. 2810
14. 22 PA Code 10.2
15. 24 P.S. 1303-A
16. 35 P.S. 780-102
17. 22 PA Code 10.21
18. 22 PA Code 10.22
19. 24 P.S. 1302.1-A
20. Pol. 805.1
21. 22 PA Code 10.25
22. Pol. 218
23. Pol. 233
24. Pol. 317
- 18 Pa. C.S.A. 2801 et seq
- 22 PA Code 10.23
- Pol. 113.1
- Pol. 916

Northgate School District

Book	Policy Manual
Section	300 Employees
Title	Tobacco/Nicotine
Code	323 Vol V 2018
Status	First Reading
Adopted	September 15, 2008
Last Revised	August 19, 2013
Prior Revised Dates	06/18/12

Purpose

The Board recognizes that tobacco, **nicotine and nicotine delivery products** present a health and safety hazard that can have serious consequences for **both** users and nonusers and the safety **and environment** of the schools.

Definitions

For purposes of this policy, **tobacco** includes a lighted or unlighted cigarette, cigar, **cigarillo, little cigar**, pipe or other smoking product or material and smokeless tobacco in any form **including chewing tobacco, snuff, dip or dissolvable tobacco pieces**.[\[1\]](#)

For purposes of this policy, nicotine shall mean a product that contains or consists of nicotine in a form that can be ingested by chewing, smoking, inhaling or through other means.

For purposes of this policy, a nicotine delivery product shall mean a product or device used, intended for use or designed for the purpose of ingesting nicotine or another substance. This definition includes, but is not limited to, any device or associated product used for what is commonly referred to as vaping or juuling.

Authority

The Board prohibits **use of tobacco, nicotine and nicotine delivery products** by administrative, professional and support employees in a school building and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.[\[1\]](#)[\[2\]](#)

The Board designates specific areas for **use of tobacco, nicotine and nicotine delivery products** by district employees on property owned, leased or controlled by the district that is at least fifty (50) feet from school buildings, stadiums and bleachers.[\[1\]](#)

The Board **also** prohibits **use of tobacco, nicotine and nicotine delivery products** by district employees at school-sponsored activities that are held off school property.[\[1\]](#)

Delegation of Responsibility

The **Superintendent or designee** shall notify employees about the Board's tobacco/**nicotine** policy by **publishing information on the district website**.[\[1\]](#)

Guidelines

This policy does not prohibit the use of a patch, gum or lozenge as a smoking cessation product by any employee who has a written order by a physician.

Reporting

The Superintendent shall annually, by July 31, report incidents of possession, use or sale of tobacco, **nicotine and nicotine delivery products** on school property to the Office for Safe Schools on the required form.[\[3\]](#)[\[4\]](#)

Additional Provisions - Tobacco Only

The Superintendent or designee may report incidents involving the sale of tobacco 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 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.[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)

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Legal	1. 35 P.S. 1223.5
	2. 20 U.S.C. 7183
	3. 24 P.S. 1303-A
	4. Pol. 805.1
	5. 18 Pa. C.S.A. 6305
	6. 22 PA Code 10.2
	7. 22 PA Code 10.22
	8. 24 P.S. 1302.1-A
	20 U.S.C. 7181 et seq

Northgate School District

904

Book	Policy Manual
Section	900 Community
Title	Public Attendance at School Events
Code	904 Vol V 2018
Status	First Reading
Adopted	September 15, 2008
Last Revised	August 19, 2013
Prior Revised Dates	06/18/12

Purpose

The Board welcomes the public at activities and events sponsored by the school district, but the Board also acknowledges its duty to maintain order and preserve school facilities during such events.

Definitions

For purposes of this policy, tobacco includes a lighted or unlighted cigarette, cigar, **cigarillo, little cigar**, pipe or other smoking product or material and smokeless tobacco in any form **including chewing tobacco, snuff, dip or dissolvable tobacco pieces.**[1]

For purposes of this policy, nicotine shall mean a product that contains or consists of nicotine in a form that can be ingested by chewing, smoking, inhaling or through other means.

For purposes of this policy, a nicotine delivery product shall mean a product or device used, intended for use or designed for the purpose of ingesting nicotine or another substance. This definition includes, but is not limited to, any device or associated product used for what is commonly referred to as vaping or juuling.

Authority

The Board has the authority to prohibit at a school event the attendance of any individual whose conduct may constitute a disruption. The Board prohibits gambling and the possession and use of controlled substances, alcoholic beverages and weapons on school premises.[2][3]

Delegation of Responsibility

A schedule of fees for attendance at school events shall be prepared by the Superintendent or designee and adopted by the Board.

The Superintendent shall ensure that this policy is posted on the district's publicly accessible website.[4]

Guidelines

Tobacco/Nicotine

The Board prohibits use of tobacco, **nicotine and nicotine delivery products** by any persons in its school buildings and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.[1][5]

The Board designates specific areas for use of tobacco, **nicotine and nicotine delivery products** by the public on property owned, leased or controlled by the district that is at least fifty (50) feet from school buildings, stadiums and bleachers.[1]

This policy does not prohibit the use of a nicotine patch, gum or lozenge as a smoking cessation product by adult members of the public in attendance at school events.

Reporting -

The Superintendent shall annually, by July 31, report all incidents of possession, use or sale of tobacco, **nicotine and nicotine delivery products** by any person on school property to the Office for Safe Schools on the required form.[6][7]

Additional Reports – Tobacco Only -

The Superintendent or designee may report incidents involving the sale of tobacco to minors by any person 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 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.[6][7][8][9][10][11]

Free Admittance

Senior citizens who are district residents and are 62 years of age or older shall be admitted without charge to school home athletic events, exceptions include WPIAL play-off games or tournaments.

District personnel will be admitted to all school home athletic events at no charge, exceptions include WPIAL play-off games or tournaments.

Free passes to school events will be available to each Board member.

Service Animals

Individuals with disabilities may be accompanied by their service animals while on district property for events that are open to the general public in accordance with Board policy and state and federal laws and regulations.[12][13][14]

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Legal

1. 35 P.S. 1223.5
2. 24 P.S. 511
3. 24 P.S. 775
4. 24 P.S. 510.2
5. 20 U.S.C. 7183
6. 24 P.S. 1303-A
7. Pol. 805.1
8. 18 Pa. C.S.A. 6305
9. 22 PA Code 10.2
10. 22 PA Code 10.22
11. 24 P.S. 1302.1-A
12. 28 CFR 35.136
13. 43 P.S. 953
14. Pol. 718
- 20 U.S.C. 7181 et seq
- 28 CFR Part 35

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