



Book	Policy Manual
Section	100 Programs
Title	Adoption of Textbooks
Number	108 Vol IV 2018
Status	From PSBA

Authority

The Board shall, by an affirmative vote of a majority of the full Board, adopt all textbooks used for instruction in the district's educational program. The Board shall establish a planned cycle of textbook review and replacement. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

Definition

Textbooks shall be defined as the books, **in print or digital format**, used as the basic source of information in the planned instruction.

Delegation of Responsibility

The Superintendent, **after consultation with administrative and professional staff**, shall be responsible for the selection and recommendation of textbooks for Board consideration. No adoption or change of textbooks shall be made without the Superintendent's recommendation, except by a two-thirds vote of the Board. [\[1\]](#)[\[3\]](#)[\[4\]](#)

The Superintendent or designee shall establish administrative regulations for reviewing, evaluating and selecting textbooks.

A list of all approved textbooks used in district schools shall be maintained by the Superintendent or designee and shall be available to Board members, district staff, students, parents/guardians and community members. [\[5\]](#)

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Legal

1. [24 P.S. 508](#)
2. [24 P.S. 801](#)
3. [24 P.S. 803](#)
4. Pol. 006
5. Pol. 105.1
- [22 PA Code 14.106](#)
- [24 P.S. 807.1](#)
- Pol. 103.1
- Pol. 610

Last Modified by Frank Bruno on August 13, 2018



Book	Policy Manual
Section	200 Pupils
Title	Copy of Penn Wood High School Dress Code
Number	221.1
Status	
Adopted	May 27, 2003
Last Revised	July 25, 2016

Purpose

The majority of parents/guardians and staff surveyed wish to propose to the William Penn School District Board of Directors a mandatory school dress code policy to adopt for all students in grades nine (9) through twelve (12).

Parents/Guardians and staff firmly believe young people who are safe and secure, who learn basic American values and the essentials of good citizenship, are better students.

Many parents/guardians, teachers, and school officials have come to see school dress as one (1) positive and creative way to reduce discipline problems, prevent future discipline problems from occurring, and increase school safety.

It has been observed that the adoption of a mandatory school dress code policy can promote school safety, improve discipline, and enhance the learning environment.

Authority

The William Penn School District Board of Directors does hereby formally propose this policy requiring all Penn Wood High School students in grades nine through twelve to follow the prescribed school dress code, beginning in the 2009-2010 school year. Furthermore, it is not the intention of the School Board or other groups to infringe upon the rights of any individual, but rather to provide a safe environment for all students to receive the education they so rightfully deserve. [\[1\]](#)[\[2\]](#)

Guidelines

Students are expected to wear appropriate dress for school. Parents/Guardians, teachers, and peers are encouraged to advise students about what is and is not appropriate. For health and safety reasons, shoes must be worn at all times in school and on school property. Students are not permitted to wear "hoodies" in the School Building at any time. Students will be expected to remove hoodies and place them in their lockers before the start of homeroom period for the entire school day. In the winter months, students may be allowed to wear hoodies should the Administration deem

the climate in the building makes wearing of outside clothing necessary. The Administration will make an announcement in the case that students would be permitted to wear hoodies due to cold indoor temperatures. All students are required to wear in plain view, on the upper torso, the unobstructed school-issued ID card. Duplicate cards will be issued to repeat offenders at a cost of five dollars (\$5.00) per card.[3]

To clarify our expectations, a committee of Student Council and teachers compiled a list of inappropriate attire. In accordance with this School Board approved code, students will not be permitted to wear:

1. Long shirts that hang (approximately) longer than the wrist.
2. Visible underwear. Pants are to be worn at the natural waist.
3. Tank tops, body shirts, or spaghetti strap tops.
4. Outfits that expose the midriff, belly or posterior.
5. Skirts, shorts, or dresses shorter than the outstretched arm's longest finger.
6. Excessively torn garments that expose skin.
7. Yoga pants, short-shorts, or bike shorts.
8. Tights/leggings may not be worn without a skirt, dress, or shorts of appropriate length over the tights.
9. Hats, caps, scarves, or hoods (inside the building).
10. Clothing with obscene, profane, or inflammatory language or graphics.
11. Flip-flops, slippers, or spiked or stiletto heels.
12. Outdoor coats (inside the building).
13. Any other attire deemed inappropriate by the school administration.
14. Specific dress requirements may be issued for certain programs such as physical education, laboratory sciences, and Vo-Tech programs.
15. Inappropriately dressed students for whom a parent/guardian cannot be reached to bring appropriate clothes or grant permission to go home to change may be sent to In-School Suspension.

- Legal
1. [24 P.S. 1317.3](#)
 2. [22 PA Code 12.11](#)
 3. Pol. 221

Last Modified by Frank Bruno on July 12, 2018



Book	Policy Manual
Section	200 Pupils
Title	Copy of Suspension and Expulsion
Number	233
Status	
Adopted	December 20, 1993
Last Revised	June 26, 2006

Purpose

The Board recognizes that exclusion from the educational program of the schools, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and one that cannot be imposed without due process. The Board shall define and publish the types of offenses that would lead to exclusion from school. Exclusions affecting students with disabilities shall also be governed by applicable state and federal law and regulations. [\[1\]](#)[\[2\]](#)[\[3\]](#)

Authority

The Board may, after a proper hearing, suspend or expel a student for such time as it deems necessary, or may permanently expel a student. [\[1\]](#)[\[4\]](#)[\[5\]](#)

Every principal or teacher in charge of a public school may temporarily suspend any student for disobedience or misconduct.

Guidelines

Exclusion From School - Suspension

The principal or person in charge of the school may suspend any student for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days and shall immediately notify the parent/guardian and the Superintendent in writing when the student is suspended. [\[1\]](#)[\[4\]](#)

No student may be suspended without notice of the reasons for which s/he is suspended and an opportunity to be heard on his/her own behalf before the school official who holds the authority to reinstate the student. Prior notice is not required where it is clear that the health, safety or welfare of the school population is threatened. Suspensions may not be made to run consecutively beyond the ten-school day period.

When a suspension exceeds three (3) school days, the student and parent/guardian shall be given the opportunity for an informal hearing with the designated school official. Such hearing shall take

place as soon as possible after the suspension, and the district shall offer to hold it within the first five (5) days of the suspension. [\[5\]](#)

Informal hearings under this provision shall be conducted by the building principal, Superintendent and/or person in charge of the school.

Purpose of Informal Hearing

The purpose of the informal hearing is to permit the student to explain the circumstances surrounding the event leading to the suspension, to show why the student should not be suspended, and to discuss ways to avoid future offenses. [\[5\]](#)

Due Process Requirements for Informal Hearing

1. The student and parent/guardian shall be given written notice of the reasons for the suspension. [\[5\]](#)
2. The student and parent/guardian shall receive sufficient notice of the time and place of the informal hearing.
3. The student may question any witnesses present at the informal hearing.
4. The student may speak and produce witnesses who may speak at the informal hearing.
5. The school district shall offer to hold the informal hearing within five (5) days of the suspension.

Exclusion From Class - In-School Suspension

No student may receive an in-school suspension without notice of the reasons for which s/he is suspended and an opportunity to be heard prior to the time the suspension becomes effective. The parent/guardian shall be informed of the suspension action taken by the school. [\[6\]](#)

Should the in-school suspension exceed ten (10) consecutive school days, the student and parent/guardian shall be offered an informal hearing with the building principal. Such hearing shall take place prior to the eleventh day of the in-school suspension. The procedure shall be the same as the procedure for informal hearings held in connection with out-of-school suspensions. [\[5\]](#)

The district shall provide for the student's education during the period of in-school suspension.

Exclusion From Student Activities and Programs

Any student suspended for Offenses of Violence, Harassment, Bullying, Possession of any Weapon or Illegal or Controlled Substance Violations, including Alcohol, may not participate in any student activities or programs for the duration of the suspension or expulsion, with an additional 60 calendar day probation period consisting of school days beginning from the date of the incident.

Expulsion

Expulsion is exclusion from school by the Board for a period exceeding ten (10) consecutive school days. The Board may permanently expel from the district rolls any student whose misconduct or disobedience warrants this sanction. No student shall be expelled without an opportunity for a formal hearing before the Board, a duly authorized committee of the Board, and/or a qualified hearing examiner appointed by the Board, and upon action taken by the Board after the hearing. [\[1\]](#)[\[4\]](#)[\[5\]](#)

Expulsion Hearings

A formal hearing shall be required in all expulsion actions. [\[7\]](#)

The formal hearing shall observe the due process requirements of: [\[5\]](#)

1. Notification of the charges in writing by certified mail to the student's parent/ guardian.
2. At least three (3) days' notice of the time and place of the hearing, which shall include a copy of this policy, hearing procedures, and notice of the right to representation by legal counsel. A student may request the rescheduling of the hearing when s/he demonstrates good cause for an extension.
3. The hearing shall be private unless the student or parent/guardian requests a public hearing.
4. Representation by counsel at the parent's/guardian's expense and parent/guardian may attend the hearing.
5. Disclosure of the names of witnesses against the student and copies of their written statements or affidavits.
6. The right to request that witnesses against the student appear in person and answer questions or be cross-examined.
7. The right to testify and present witnesses on the student's behalf.
8. A written or audio record shall be kept of the hearing and a copy made available to the student at the student's expense, or at no charge if the student is indigent.
9. The hearing shall be held within fifteen (15) school days of the notice of charges, unless a delay is mutually agreed to by both parties or is delayed by:
 - a. The need for laboratory reports from law enforcement agencies.
 - b. Evaluations or other court or administrative proceedings are pending due to a student's invoking his/her rights under the Individuals with Disabilities Education Act (IDEA).
 - c. Delay is necessary due to the condition or best interests of the victim in cases of juvenile or criminal court involving sexual assault or serious bodily injury.
10. Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

Adjudication

A written adjudication shall be issued after the Board has acted to expel a student. The adjudication may include additional conditions or sanctions. [\[8\]](#)

Attendance/School Work During Suspension and Prior to Expulsion

Students serving an out-of-school suspension must make up missed exams and work, and shall be permitted to complete assignments pursuant to established guidelines. [\[1\]](#)[\[9\]](#)

Students who are facing an expulsion hearing must be placed in their normal classes if the formal hearing is not held within the ten-school day suspension.

If it is not possible to hold the formal hearing within the first ten (10) school days, the school district may exclude such a student from class for up to five (5) additional – fifteen (15) total – school days if, after an informal hearing, it is determined that the student's presence in his/her normal class would constitute a threat to the health, safety or welfare of others.

Any further exclusion prior to a formal hearing may be only by mutual agreement. Such students shall be given alternative education, which may include home study.

Attendance/School Work After Expulsion

Students who are under seventeen (17) years of age are still subject to compulsory school attendance even though expelled and shall be provided an education.[\[1\]](#)

The parent/guardian has the initial responsibility of providing the required education and shall, within thirty (30) days, submit written evidence to the school that the required education is being provided or that they are unable to do so. If the parent/guardian is unable to provide for the required education, the school district shall, within ten (10) days of receipt of the parent's/guardian's notification, make provision for the student's education.

Students With Disabilities

A student with a disability shall be provided educational services as required by state and federal laws and regulations and Board policies.[\[10\]](#)[\[11\]](#)

Delegation of Responsibility

The Superintendent or designee shall develop rules and regulations to implement this policy which include:

1. Publication of a Code of Student Conduct, in accordance with Board policy on student discipline.[\[12\]](#)
2. Procedures that ensure due process when a student is being deprived of the right to attend school.
3. Regulations regarding student records which require that records of disciplinary suspension be maintained in accordance with Board policy on student records.[\[13\]](#)
4. The name of a student who has been disciplined shall not become part of the agenda or minutes of a public meeting, nor part of any public record of the Board. Such students may be designated by code.
5. Any student who has been expelled may apply for readmission to school upon such conditions as may be imposed by the Board.

Legal

1. [22 PA Code 12.6](#)
2. [22 PA Code 14.143](#)
3. [34 CFR 300.519-300.529](#)
4. [24 P.S. 1318](#)
5. [22 PA Code 12.8](#)
6. [22 PA Code 12.7](#)
7. [2 Pa. C.S.A. 101 et seq](#)
8. [2 Pa. C.S.A. 101](#)
9. [Pol. 204](#)
10. [Pol. 113](#)
11. [Pol. 113.1](#)
12. [Pol. 218](#)
13. [Pol. 216](#)
- 20 [U.S.C. 1400 et seq](#)
- 22 [PA Code 12.3](#)
- 22 [PA Code 14.143](#)

Last Modified by Frank Bruno on July 9, 2018



Book	Policy Manual
Section	200 Pupils
Title	School Wellness
Number	246 Vol IV 2018
Status	First Reading

Purpose

The William Penn School District recognizes that student wellness and proper nutrition are related to students' physical well-being, growth, development and readiness to learn. The Board is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education and promotion, and regular physical activity as part of the total learning experience. In a healthy school environment, students will learn about and participate in positive dietary and lifestyle practices that can improve student achievement.

Authority

The Board adopts this policy based on the recommendations of the Wellness Committee and in accordance with federal and state laws and regulations. [\[1\]](#)[\[2\]](#)[\[3\]](#)

To ensure the health and well-being of all students, the Board establishes that the district shall provide to students:

1. A comprehensive nutrition program consistent with federal and state requirements.
2. Access at reasonable cost to foods and beverages that meet established nutrition guidelines.
3. Physical education courses and opportunities for developmentally appropriate physical activity during the school day.
4. Curriculum and programs for grades K-12 that are designed to educate students about proper nutrition and lifelong physical activity, in accordance with State Board of Education curriculum regulations and academic standards.

Delegation of Responsibility

The Superintendent or designee shall be responsible for the implementation and oversight of this policy to ensure each of the district's schools, programs and curriculum is compliant with this policy, related policies and established guidelines or administrative regulations. [\[2\]](#)[\[3\]](#)

Each building principal or designee shall annually report to the Superintendent or designee regarding compliance in his/her school. [\[3\]](#)

Staff members responsible for programs related to school wellness shall report to the Superintendent

or designee regarding the status of such programs.

{X} The Superintendent or designee shall annually report to the Board on the district's compliance with law and policies related to school wellness. The report may include:

1. {X} Assessment of school environment regarding school wellness issues.
2. {X} Evaluation of food services program.
3. {X} Review of all foods and beverages sold in schools for compliance with established nutrition guidelines.
4. {X} Listing of activities and programs conducted to promote nutrition and physical activity.
5. {X} Recommendations for policy and/or program revisions.
6. {X} Suggestions for improvement in specific areas.
7. {X} Feedback received from district staff, students, parents/guardians, community members and the Wellness Committee.

The Superintendent or designee and the established Wellness Committee shall conduct an assessment at least once every three (3) years on the contents and implementation of this policy as part of a continuous improvement process to strengthen the policy and ensure implementation. This triennial assessment shall be made available to the public in an accessible and easily understood manner and include: [\[2\]](#)[\[3\]](#)

1. The extent to which each district school is in compliance with law and policies related to school wellness.
2. The extent to which this policy compares to model wellness policies.
3. A description of the progress made by the district in attaining the goals of this policy.

At least once every three (3) years, the district shall update or modify this policy as needed, based on the results of the most recent triennial assessment and/or as district and community needs and priorities change; wellness goals are met; new health science, information and technologies emerge; and new federal or state guidance or standards are issued. [\[3\]](#)

The district shall annually inform and update the public, including parents/guardians, students, and others in the community, about the contents, updates and implementation of this policy via the district website, student handbooks, newsletters, posted notices and/or other efficient communication methods. This annual notification shall include information on how to access the School Wellness policy; information about the most recent triennial assessment; information on how to participate in the development, implementation and periodic review and update of the School Wellness policy; and a means of contacting Wellness Committee leadership. [\[2\]](#)[\[3\]](#)

Guidelines

Recordkeeping

The district shall retain records documenting compliance with the requirements of the School Wellness policy, which shall include: [\[3\]](#)[\[4\]](#)

1. The written School Wellness policy.
2. Documentation demonstrating that the district has informed the public, on an annual basis,

about the contents of the School Wellness policy and any updates to the policy.

3. Documentation of efforts to review and update the School Wellness policy, including who is involved in the review and methods used by the district to inform the public of their ability to participate in the review.
4. Documentation demonstrating the most recent assessment on the implementation of the School Wellness policy and notification of the assessment results to the public.

Wellness Committee

The district shall establish a Wellness Committee comprised of, but not necessarily limited to, at least one (1) of each of the following: School Board member, district administrator, district food service representative, student, parent/guardian, school health professional, physical education teacher and member of the public. It shall be the goal that committee membership will include representatives from each school building and reflect the diversity of the community. [\[2\]](#)

The Wellness Committee shall serve as an advisory committee regarding student health issues and shall be responsible for developing, implementing and periodically reviewing and updating a School Wellness policy that complies with law to recommend to the Board for adoption.

The Wellness Committee shall review and consider evidence-based strategies and techniques in establishing goals for nutrition education and promotion, physical activity and other school based activities that promote student wellness as part of the policy development and revision process. [\[3\]](#)

Advisory Health Council

An Advisory Health Council may be established by the Superintendent to study student health issues and to assist in organizing follow-up programs. [\[5\]](#)

The Advisory Health Council may examine related research, assess student needs and the current school environment, review existing Board policies and administrative regulations, and raise awareness about student health issues.

The Advisory Health Council may make policy recommendations to the Board related to other health issues necessary to promote student wellness.

The Advisory Health Council may survey parents/guardians and/or students; conduct community forums or focus groups; collaborate with appropriate community agencies and organizations; and engage in similar activities, within the budget established for these purposes.

The Advisory Health Council shall provide periodic reports to the Superintendent or designee regarding the status of its work, as required.

Individuals who conduct student medical and dental examinations shall submit to the Advisory Health Council annual reports and later reports on the remedial work accomplished during the year, as required by law. [\[5\]](#)

Nutrition Education

Nutrition education will be provided within the sequential, comprehensive health education program in accordance with curriculum regulations and the academic standards for Health, Safety and Physical Education, and Family and Consumer Sciences. [\[6\]](#)[\[7\]](#)[\[8\]](#)

Nutrition education in the district shall teach, model, encourage and support healthy eating by students. Promoting student health and nutrition enhances readiness for learning and increases

student achievement.

Nutrition education shall provide all students with the knowledge and skills needed to lead healthy lives.

Nutrition education lessons and activities shall be age-appropriate.

Nutrition curriculum shall teach behavior-focused skills, which may include menu planning, reading nutrition labels and media awareness.

School food service and nutrition education classes shall cooperate to create a learning laboratory.

Nutrition education shall be integrated into other subjects such as math, science, language arts and social sciences to complement but not replace academic standards based on nutrition education.

Lifelong lifestyle balance shall be reinforced by linking nutrition education and physical activity.

The staff responsible for providing nutrition education shall be properly trained and prepared and shall participate in appropriate professional development. The district shall develop standards for such training and professional development. [9]

Nutrition education shall extend beyond the school environment by engaging and involving families and the community.

_____ other.

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs.

District schools shall promote nutrition through the implementation of Farm to School activities, where possible. Activities may include, but not be limited to, the initiation/maintenance of school gardens, taste-testing of local products in the cafeteria and classroom, classroom education about local agriculture and nutrition, field trips to local farms and incorporation of local foods into school meal programs.

District staff shall cooperate with agencies and community organizations to provide opportunities for appropriate student projects related to nutrition.

District food service personnel shall review and implement research-based, behavioral economics techniques in the cafeteria to encourage consumption of more whole grains, fruits, vegetables and legumes, and to decrease plate waste.

Consistent nutrition messages shall be disseminated and displayed throughout the district, schools, classrooms, cafeterias, homes, community and media.

Consistent nutrition messages shall be demonstrated by avoiding use of unhealthy food items in classroom lesson plans and school staff avoiding eating less healthy food items in front of students.

District schools shall offer resources about health and nutrition to encourage parents/guardians to provide healthy meals for their children.

{ } _____ other.

Physical Activity

{X} District schools shall strive to provide opportunities for developmentally appropriate physical activity during the school day for all students.

{X} District schools shall contribute to the effort to provide students opportunities to accumulate at least sixty (60) minutes of age-appropriate physical activity daily, as recommended by the Centers for Disease Control and Prevention. Opportunities offered at school will augment physical activity outside the school environment, such as outdoor play at home, sports, etc.

{X} Students shall participate daily in a variety of age-appropriate physical activities designed to achieve optimal health, wellness, fitness and performance benefits.

{X} Age-appropriate physical activity opportunities, such as outdoor and indoor recess, before and after school programs, during lunch, clubs, intramurals and interscholastic athletics, shall be provided to meet the needs and interests of all students, in addition to planned physical education.

{X} A physical and social environment that encourages safe and enjoyable activity for all students shall be maintained.

{X} Extended periods of student inactivity, two (2) hours or more, shall be discouraged.

{ } Physical activity breaks shall be provided for students during classroom hours.

{X} Before and/or after-school programs shall provide developmentally appropriate physical activity for participating children.

{X} District schools shall partner with parents/guardians and community members and organizations, such as YMCAs, Boys & Girls Clubs, local and state parks, hospitals, etc., to institute programs that support lifelong physical activity.

{X} Physical activity shall not be used or withheld as a form of punishment.

{ } District schools shall promote physical activity through encouragement of walking and biking as a means of transportation to and from school.

{ } Students and their families shall be encouraged to utilize district-owned physical activity facilities, such as playgrounds and fields, outside school hours in accordance with established district rules.

{ } _____ other.

Physical Education

A sequential physical education program consistent with curriculum regulations and Health, Safety and Physical Education academic standards shall be developed and implemented. All district students must participate in physical education. [7][8][10]

{X} Quality physical education instruction that promotes lifelong physical activity and provides instruction in the skills and knowledge necessary for lifelong participation shall be provided.

{X} Physical education classes shall be the means through which all students learn, practice and are assessed on developmentally appropriate skills and knowledge necessary for lifelong, health-enhancing physical activity.

{X} A comprehensive physical education course of study that focuses on providing students the skills, knowledge and confidence to participate in lifelong, health-enhancing physical activity shall be implemented.

{X} A varied and comprehensive curriculum that promotes both team and individual activities and leads to students becoming and remaining physically active for a lifetime shall be provided in the physical education program.

{X} Adequate amounts of planned instruction shall be provided in order for students to achieve the proficient level for the Health, Safety and Physical Education academic standards.

{X} A local assessment system shall be implemented to track student progress on the Health, Safety and Physical Education academic standards.

{X} Students shall be moderately to vigorously active as much time as possible during a physical education class. Documented medical conditions and disabilities shall be accommodated during class.

{X} Safe and adequate equipment, facilities and resources shall be provided for physical education courses.

{X} Physical education shall be taught by certified health and physical education teachers.

{X} Appropriate professional development shall be provided for physical education staff.

{X} Physical education classes shall have a teacher-student ratio comparable to those of other courses for safe and effective instruction.

{X} Physical activity shall not be used or withheld solely as a form of punishment.

{ } _____ other.

Other School Based Activities

Safe drinking water shall be available and accessible to students, without restriction and at no cost to the student, at all meal periods and throughout the school day. [\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)

Nutrition professionals who meet hiring criteria established by the district and in compliance with federal regulations shall administer the school meals program. Professional development and continuing education shall be provided for district nutrition staff, as required by federal regulations. [\[9\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)

{X} District schools shall provide adequate space, as defined by the district, for eating and serving school meals.

{X} Students shall be provided a clean and safe meal environment.

{X} Students shall be provided adequate time to eat: ten (10) minutes sit down time for breakfast; twenty (20) minutes sit down time for lunch.

{X} District schools shall implement alternative service models to increase school breakfast participation where possible, such as breakfast served in the classroom, "grab & go breakfast" and breakfast after first period to reinforce the positive educational, behavioral and health impacts of a healthy breakfast.

{X} Meal periods shall be scheduled at appropriate hours, as required by federal regulations and as defined by the district. [\[11\]](#)

- {X} Students shall have access to hand washing or sanitizing before meals and snacks.
- {X} Access to the food service operation shall be limited to authorized staff.
- {X} Nutrition content of school meals shall be available to students and parents/guardians.
- {X} Students and parents/guardians may be involved in menu selections through various means, such as taste testing and surveys.
- {X} To the extent possible, the district shall utilize available funding and outside programs to enhance student wellness.
- {X} The district shall provide appropriate training to all staff on the components of the School Wellness policy.
- {X} Goals of the School Wellness policy shall be considered in planning all school based activities.
- {X} Fundraising projects submitted for approval shall be supportive of healthy eating and student wellness.
- {X} Administrators, teachers, food service personnel, students, parents/guardians and community members shall be encouraged to serve as positive role models through district programs, communications and outreach efforts.
- {X} The district shall support the efforts of parents/guardians to provide a healthy diet and daily physical activity for children by communicating relevant information through various methods.
- {X} The district shall maintain a healthy school environment **to optimize conditions for learning and minimize potential health risks to students**, in accordance with the district's **school environmental health** program and applicable laws and regulations.
- { } _____ other.

Nutrition Guidelines for All Foods/Beverages at School

All foods and beverages available in district schools during the school day shall be offered to students with consideration for promoting student health and reducing obesity.

Foods and beverages provided through the National School Lunch or School Breakfast Programs shall comply with established federal nutrition standards. [\[11\]](#)[\[12\]](#)[\[15\]](#)[\[16\]](#)

Foods and beverages offered or sold at school-sponsored events outside the school day, such as athletic events and dances, shall offer healthy alternatives in addition to more traditional fare.

Competitive Foods -

Competitive foods available for sale shall meet or exceed the established federal nutrition standards (USDA Smart Snacks in School). These standards shall apply in all locations and through all services where foods and beverages are sold to students, which may include, but are not limited to: a la carte options in cafeterias, vending machines, school stores, snack carts and fundraisers. [\[3\]](#)[\[18\]](#)[\[19\]](#)

Competitive foods are defined as foods and beverages offered or sold to students on school campus during the school day, which are not part of the reimbursable school breakfast or lunch.

For purposes of this policy, **school campus** means any area of property under the jurisdiction of the

school that students may access during the school day. [\[3\]\[18\]](#)

For purposes of this policy, **school day** means the period from midnight before school begins until thirty (30) minutes after the end of the official school day. [\[3\]\[18\]](#)

The district may impose additional restrictions on competitive foods, provided that the restrictions are not inconsistent with federal requirements. [\[18\]](#)

Fundraiser Exemptions -

Fundraising activities held during the school day involving the sale of competitive foods shall be limited to foods that meet the Smart Snacks in School nutrition standards, unless an exemption is approved in accordance with applicable Board policy and administrative regulations. [\[20\]](#)

The district may allow a limited number of exempt fundraisers as permitted by the Pennsylvania Department of Education each school year: up to five (5) exempt fundraisers in elementary and middle school buildings, and up to ten (10) exempt fundraisers in high school buildings. **Exempt fundraisers** are fundraisers in which competitive foods are available for sale to students that do not meet the Smart Snacks in School nutrition standards. [\[18\]](#)

The district shall establish administrative regulations to implement fundraising activities in district schools, including procedures for requesting a fundraiser exemption.

Non-Sold Competitive Foods -

Non-sold competitive foods available to students, which may include but are not limited to foods and beverages offered as rewards and incentives, at classroom parties and celebrations, or as shared classroom snacks, shall meet or exceed the standards established by the district.

If the offered competitive foods do not meet or exceed the Smart Snacks in School nutrition standards, the following standards shall apply:

1. Rewards and Incentives: **(CHOOSE ONE OF THE OPTIONS BELOW)**

- a. { } Foods and beverages shall not be used as a reward or incentive in district schools.
- b. {X} Foods and beverages shall not be used as a reward for classroom or school activities unless the reward is an activity that promotes a positive nutrition message (e.g., guest chef, field trip to a farm or farmers market, etc.).
- c. { } _____ other.

2. Classroom Parties and Celebrations: **(CHOOSE ONE OR MORE OF THE OPTIONS BELOW)**

- a. { } Only non-food based parties and celebrations shall occur on the school campus during the school day in district schools.
- b. {X} Classroom parties/celebrations with food/beverages shall be limited to no more than one (1) per month in each classroom.
- c. {X} Parents/Guardians shall be informed through newsletters or other efficient communication methods that foods/beverages should only be brought in when requested for scheduled parties.

- d. Classroom parties shall offer a minimal amount of foods (maximum 2-3 items) containing added sugar as the primary ingredient (e.g., cupcakes, cookies) and will provide the following:
- i. Fresh fruits/vegetables; and
 - ii. Water, 100 percent juice, 100 percent juice diluted with water, low-fat milk or nonfat milk.
- e. When possible, foods/beverages for parties and celebrations shall be provided by the food service department to help prevent food safety and allergy concerns.
- f. Food celebrations shall not occur until thirty (30) minutes after the end of the last lunch period.
- g. _____ other.

3. Shared Classroom Snacks:

- a. Shared classroom snacks are not permitted in district schools.
- b. _____ other.

The district shall provide a list of suggested nonfood ideas and healthy food and beverage alternatives to parents/guardians and staff, which may be posted via the district website, student handbooks, newsletters, posted notices and/or other efficient communication methods.

Marketing/Contracting -

Any foods and beverages marketed or promoted to students on the school campus during the school day shall meet or exceed the established federal nutrition standards (USDA Smart Snacks in School) and comply with established Board policy and administrative regulations. [\[3\]](#)[\[18\]](#)

Exclusive competitive food and/or beverage contracts shall be approved by the Board, in accordance with provisions of law. Existing contracts shall be reviewed and modified to the extent feasible to ensure compliance with established federal nutrition standards, including applicable marketing restrictions. [\[21\]](#)

Management of Food Allergies in District Schools

The district shall establish Board policy and administrative regulations to address food allergy management in district schools in order to: [\[22\]](#)

1. Reduce and/or eliminate the likelihood of severe or potentially life-threatening allergic reactions.
2. Ensure a rapid and effective response in case of a severe or potentially life-threatening allergic reaction.
3. Protect the rights of students by providing them, through necessary accommodations when required, the opportunity to participate fully in all school programs and activities.

Safe Routes to School

The district shall assess and, to the extent possible, implement improvements to make walking

and biking to school safer and easier for students.

{X} The district shall cooperate with local municipalities, public safety agency, police departments and community organizations to develop and maintain safe routes to school.

{X} District administrators shall seek and utilize available federal and state funding for safe routes to school, when appropriate.

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Legal

1. 24 P.S. 1422.1
2. 42 U.S.C. 1758b
3. 7 CFR 210.31
4. 7 CFR 210.15
5. 24 P.S. 1422
6. 24 P.S. 1513
7. Pol. 102
8. Pol. 105
9. Pol. 808
10. 24 P.S. 1512.1
11. 7 CFR 210.10
12. 7 CFR 220.8
13. 24 P.S. 701
14. 24 P.S. 742
15. 42 U.S.C. 1751 et seq
16. 42 U.S.C. 1773
17. 7 CFR 210.30
18. 7 CFR 210.11
19. 7 CFR 220.12
20. Pol. 229
21. 24 P.S. 504.1
22. Pol. 209.1
- 24 P.S. 1337.1
- 24 P.S. 1422.3
- P.L. 111-296
- 7 CFR Part 210
- 7 CFR Part 220
- Pol. 103
- Pol. 103.1

Last Modified by Frank Bruno on August 14, 2018



Book	Policy Manual
Section	300 Employees
Title	Reduction of Staff
Number	311 Vol IV 2018
Status	From PSBA

**This policy is in compliance with the provisions of Act 55 of 2017 and Act 39 of 2018. All collective bargaining agreements for professional employees negotiated or renewed after November 6, 2017, must comply with the provisions governing suspensions as stated in Act 55, including during the period of status quo after the expiration of a contract.*

**The suspension provisions of a collective bargaining agreement in place prior to November 6, 2017 shall be honored until the date the collective bargaining agreement expires.*

Authority

The Board is responsible for maintaining appropriate numbers of administrative, professional and support employees to effectively manage and operate the district and its schools. This policy establishes the manner in which necessary reductions of staff shall be accomplished. [\[1\]](#)[\[2\]](#)[\[3\]](#)

In the exercise of its authority to reduce staff through suspensions (furloughs) and elimination of positions, the Board shall give primary consideration to the staffing needs of the district, the effect upon the educational program and the financial stability of the district, and shall ensure compliance with law, regulations, collective bargaining agreements, individual contracts and Board resolutions. [\[4\]](#)[\[5\]](#)[\[6\]](#)

The Board shall not prevent any professional employee from engaging in another occupation during the period of suspension. [\[5\]](#)

Nothing in this policy shall be construed to limit the cause for which a temporary professional employee, or any employee other than a professional employee, may be suspended. [\[5\]](#)

Delegation of Responsibility

The Superintendent shall be responsible for the continuous review of the efficiency and effectiveness of district organization and staffing, and shall present recommendations for reduction in staff for Board consideration when such actions are deemed to be in the best interests of the district.

The Superintendent shall consult with the district solicitor as necessary to ensure that reduction of staff is implemented in accordance with applicable laws. [\[4\]](#)[\[5\]](#)

Guidelines

Employees Other Than Professional Employees and Temporary Professional Employees

The employment status of employees other than professional employees and temporary professional employees may be terminated or temporarily suspended whenever deemed necessary in the best interests of the school district, subject to limitations and procedures provided for in collective bargaining agreements, if any.

Temporary Professional Employees

The employment status of a temporary professional employee may be nonrenewed when the employee's position has been eliminated or when the conditions for which professional employees may be suspended otherwise exist, subject to limitations and procedures provided for in collective bargaining agreements, if any.

Professional Employees

The necessary number of professional employees may be suspended for the following reasons: [\[4\]](#)

1. Substantial decrease in student enrollment in the district.
2. Curtailment or alteration of the educational program as a result of substantial decline in class or course enrollments or to conform with standards of organization or educational activities required by law or recommended by the Pennsylvania Department of Education. Such curtailment or alteration must be recommended by the Superintendent, agreed to by the Board, and approved by the Pennsylvania Department of Education. If not prevented by an existing or future provision of a collective bargaining agreement or employment contract, such a suspension may be effectuated without approval of the Pennsylvania Department of Education provided that, where an educational program is altered or curtailed, the district shall notify the Pennsylvania Department of Education of such action.
3. Consolidation of schools, whether within the district, through a merger of districts, or as a result of Joint Board agreements, when such consolidation makes it unnecessary to retain the full staff of professional employees.
4. When new school districts are established as the result of reorganization of school districts and such reorganization makes it unnecessary to retain the full staff of professional employees.
5. Economic reasons that require a reduction in professional employees; however, the district is prohibited from using an employee's compensation in the suspension determination. A Superintendent knowingly in violation of this prohibition shall have a letter from the Secretary of Education placed in his/her permanent employee record.

Economic Suspension Requirements -

The Board may suspend professional employees for economic reasons if all of the following apply: [\[4\]](#)

1. The Board approves the proposed suspensions by a majority vote of all school directors at a public meeting.
2. No later than sixty (60) days prior to the adoption of the final budget, the Board adopts a resolution of intent to suspend professional employees in the following fiscal year, setting forth:
 - a. The economic conditions necessitating the proposed suspensions and how the economic conditions will be alleviated by the proposed suspensions, including:

- i. The total cost savings expected from the proposed suspensions.
 - ii. A description of other cost-saving actions taken by the Board, if any.
 - iii. The projected district expenditures for the following fiscal year with and without the proposed suspensions.
 - iv. The projected total district revenues for the following fiscal year.
- b. The number and percentage of employees to be suspended who are:
- i. Professional employees assigned to provide instruction directly to students.
 - ii. Administrative staff.
 - iii. Professional employees who are not assigned to provide instruction directly to students and who are not administrative staff.
- c. The impact of the proposed suspensions on academic programs to be offered to students following the proposed suspensions, as well as the impact on academic programs to be offered to students if the proposed suspensions are not undertaken, compared to the current school year, and the actions if any, that will be taken to minimize the impact on student achievement.

Professional Employees Assigned to Provide Instruction Directly to Students -

Suspensions, due to economic reasons, of professional employees assigned to provide instruction directly to students may be approved by the Board only if the Board also suspends at least an equal percentage proportion of administrative staff, except when all of the following apply: [\[4\]](#)

1. The Secretary of Education determines that the district's operations are already sufficiently streamlined or that the suspension of administrative staff would cause harm to the school stability and student programs.
2. The Secretary of Education submits the determination to the State Board of Education.
3. The State Board of Education approves the determination by a majority of its members.

The Board may choose to exempt from this requirement any five (5) administrative positions, one of which shall be the Business Manager or another staff member with the primary responsibility of managing the district's business operation. [\[4\]](#)

Order of Suspensions

Data necessary for computation of each professional employee's performance rating and seniority status shall be recorded and maintained to ensure compliance with the required order for suspensions. [\[7\]](#)[\[8\]](#)

Performance Evaluation Rating -

Professional employees shall be suspended, within the area of certification required by law for the professional employee's current position, in the following order based on the two (2) most recent annual performance evaluations: [\[5\]](#)[\[7\]](#)[\[8\]](#)

1. Consecutive unsatisfactory ratings.

2. One (1) unsatisfactory rating and one (1) satisfactory rating.
3. Consecutive satisfactory ratings which are either consecutive ratings of proficient, or a combination of one (1) proficient or distinguished rating and one (1) needs improvement rating.
4. Consecutive satisfactory ratings which are consecutive distinguished, or a combination of one (1) rating of proficient and one (1) rating of distinguished.

Seniority -

When the number of professional employees within each certification area receiving the same performance rating is greater than the number of suspensions, **professional employees with the least seniority within each certification area shall be suspended before employees with greater seniority having the same performance rating.** [\[5\]](#)

In addition, professional employees shall be realigned to ensure that employees with more seniority have the opportunity to fill other positions within the district for which they are certificated and which are currently filled by less senior employees with the same or lower overall performance rating.

Seniority shall continue to accrue during a suspension and all approved leaves of absence. [\[5\]](#)

When there is or has been a consolidation of schools, departments or programs, all professional employees shall retain the seniority rights they had prior to the reorganization or consolidation. [\[5\]](#)

Reinstatement

Suspended professional employees, or professional employees demoted for reasons of this policy, shall be reinstated within the area of certification required by law for the vacancy being filled in the district, in the inverse order by which they were suspended and on the basis of their seniority within the district. [\[5\]](#)

No new appointment shall be made while there is a suspended or demoted professional employee available who is properly certificated to fill such vacancy. [\[5\]](#)

Positions from which professional employees are on approved leaves of absence shall be considered temporary vacancies. [\[5\]](#)

To be considered available, suspended professional employees shall annually report in writing to the Board their current address and intent to accept the same or similar position when offered. [\[5\]](#)

A suspended professional employee enrolled in a college program during a period of suspension and who is recalled shall be given the option of delaying a return to service until the end of the current semester. [\[5\]](#)

Local Agency Law Hearings

The decision to suspend a professional employee shall be considered an adjudication for the purposes of the Local Agency Law, and a professional employee subject to such a decision shall have the right to a Local Agency Law hearing before the Board, if a hearing is requested within ten (10) days after being notified of suspension. [\[5\]](#)[\[9\]](#)

A decision to nonrenew the employment of a temporary professional employee whose position has been eliminated or who is being nonrenewed for reasons for which professional employees may be suspended, shall be considered an adjudication for purposes of the Local Agency Law, and the employee shall be entitled to a Local Agency Law hearing, if a hearing is requested within ten (10)

days after being notified of the decision to nonrenew. [\[9\]](#)

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- Legal
1. [22 PA Code 4.4](#)
 2. [24 P.S. 1106](#)
 3. [24 P.S. 406](#)
 4. [24 P.S. 1124](#)
 5. [24 P.S. 1125.1](#)
 6. [24 P.S. 524](#)
 7. [24 P.S. 1123](#)
 8. [Pol. 313](#)
 9. [2 Pa. C.S.A. 551 et seq](#)

Last Modified by Frank Bruno on August 13, 2018



Book	Policy Manual
Section	800 Operations
Title	Child Abuse
Number	806 Vol IV 2018
Status	First Reading

Authority

The Board requires district employees, independent contractors and volunteers to comply with identification and reporting requirements for suspected child abuse, as well as the training requirement for recognition and reporting of child abuse in order to comply with the Child Protective Services Law and the School Code. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

Definitions

The following words and phrases, when used in this policy, shall have the meaning given to them in this section:

Adult - an individual eighteen (18) years of age or older. [\[5\]](#)

Bodily injury - impairment of physical condition or substantial pain. [\[5\]](#)

Certifications - refers to the child abuse history clearance statement and state and federal criminal history background checks required by the Child Protective Services Law and/or the School Code. [\[6\]](#)[\[7\]](#)

Child - an individual under eighteen (18) years of age. [\[5\]](#)

Child abuse - intentionally, knowingly or recklessly doing any of the following: [\[5\]](#)

1. Causing bodily injury to a child through any recent act or failure to act.
2. Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
3. Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.
4. Causing sexual abuse or exploitation of a child through any act or failure to act.
5. Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.

6. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
7. Causing serious physical neglect of a child.
8. Engaging in any of the following recent acts:
 - a. Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
 - b. Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
 - c. Forcefully shaking a child under one (1) year of age.
 - d. Forcefully slapping or otherwise striking a child under one (1) year of age.
 - e. Interfering with the breathing of a child.
 - f. Causing a child to be present during the operation of methamphetamine laboratory, provided that the violation is being investigated by law enforcement.[\[8\]](#)
 - g. Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known was required to register as a Tier II or Tier III sexual offender, **has to register for life**, or has been determined to be a sexually violent predator or sexually violent delinquent.[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)
9. Causing the death of the child through any act or failure to act.
10. **Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined in the law.**[\[13\]](#)

The term **child abuse** does not include physical contact with a child that is involved in normal participation in physical education, athletic, extracurricular or recreational activities. Also excluded from the meaning of the term **child abuse** is the use of reasonable force by a person responsible for the welfare of a child for purposes of supervision, control or safety, provided that the use of force:

1. Constitutes incidental, minor or reasonable physical contact in order to maintain order and control;
2. Is necessary to quell a disturbance or remove a child from the scene of a disturbance that threatens property damage or injury to persons;
3. Is necessary for self-defense or defense of another;
4. Is necessary to prevent the child from self-inflicted physical harm; or
5. Is necessary to gain possession of weapons, controlled substances or other dangerous objects that are on the person of the child or in the child's control.

Direct contact with children - the possibility of care, supervision, guidance or control of children or routine interaction with children.[\[1\]](#)

Independent contractor - an individual other than a school employee who provides a program, activity or service who is otherwise responsible for the care, supervision, guidance or control of children pursuant to a contract. The term does not apply to administrative or other support personnel

unless the administrative or other support personnel have direct contact with children. [\[5\]](#)[\[14\]](#)

Perpetrator - a person who has committed child abuse and is a parent/guardian of the child; a spouse or former spouse of the child's parent/guardian; a paramour or former paramour of the child's parent/guardian; an individual fourteen (14) years of age or older who is responsible for the child's welfare or who has direct contact with children as an employee of child-care services, a school or through a program activity or service; an individual fourteen (14) years of age or older who resides in the same home as the child; or an adult who does not reside in the same home as the child but is related within the third degree of consanguinity or affinity by birth or adoption to the child; **or an adult who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined in the law.** Only the following may be considered a perpetrator solely based upon a failure to act: a parent/guardian of the child; a spouse or former spouse of the child's parent/guardian; a paramour or former paramour of the child's parent/guardian; an adult responsible for the child's welfare; or an adult who resides in the same home as the child. [\[5\]](#)[\[13\]](#)

Person responsible for the child's welfare - a person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control. [\[5\]](#)

Program, activity or service - any of the following in which children participate and which is sponsored by a school or a public or private organization: [\[5\]](#)

1. A youth camp or program.
2. A recreational camp or program.
3. A sports or athletic program.
4. A community or social outreach program.
5. An enrichment or educational program.
6. A troop, club or similar organization.

Recent act or failure to act - any act or failure to act committed within two (2) years of the date of the report to the Department of Human Services of the Commonwealth or county agency. [\[5\]](#)

Routine interaction - regular and repeated contact that is integral to a person's employment or volunteer responsibilities. [\[5\]](#)

School employee - an individual who is employed by a school or who provides a program, activity or service sponsored by a school. The term does not apply to administrative or other support personnel unless the administrative or other support personnel have direct contact with children. [\[5\]](#)

Serious mental injury - a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that: [\[5\]](#)

1. Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened.
2. Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

Serious physical neglect - any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health,

development or functioning: [\[5\]](#)

1. A repeated, prolonged or egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.
2. The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

Sexual abuse or exploitation - any of the following: [\[5\]](#)

1. The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:
 - a. Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.
 - b. Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.
 - c. Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.
 - d. Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

The conduct described above does not include consensual activities between a child who is fourteen (14) years of age or older and another person who is fourteen (14) years of age or older and whose age is within four (4) years of the child's age.

2. Any of the following offenses committed against a child: rape; statutory sexual assault; involuntary deviate sexual intercourse; sexual assault; institutional sexual assault; aggravated indecent assault; indecent assault; indecent exposure; incest; prostitution; sexual abuse; unlawful contact with a minor; or sexual exploitation.

Student - an individual enrolled in a district school under eighteen (18) years of age. [\[5\]](#)

Volunteer - an unpaid adult individual, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service is a person responsible for the child's welfare or has direct contact with children. [\[14\]](#)

Delegation of Responsibility

The Superintendent or designee shall:

1. Require each candidate for employment to submit an official child abuse clearance statement and state and federal criminal history background checks (certifications) as required by law. [\[6\]](#)
[\[7\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)
2. Require each applicant for transfer or reassignment to submit the required certifications unless the applicant is applying for a transfer from one position as a district employee to another position as a district employee of this district and the applicant's certifications are current.
[\[19\]](#)[\[20\]](#)[\[21\]](#)

School employees and independent contractors shall obtain and submit new certifications every sixty (60) months. [\[20\]](#)

Certification requirements for volunteers are addressed separately in Board Policy 916.[22]

The Superintendent or designee shall annually notify district staff, independent contractors, and volunteers of their responsibility for reporting child abuse in accordance with Board policy and administrative regulations.

The Superintendent or designee shall ensure that the poster, developed by the PA Department of Education, displaying the statewide toll-free telephone numbers for reporting suspected child abuse, neglect and school safety issues be posted in a high-traffic, public area of each school. The designated area shall be readily accessible and widely used by students.[23]

The Superintendent or designee shall annually inform students, parents/guardians, independent contractors, volunteers and staff regarding the contents of this Board policy.

Guidelines

Aiding and Abetting Sexual Abuse

School employees, acting in an official capacity for this district, are prohibited from assisting another school employee, contractor or agent in obtaining a new job if the school employee knows, or has probable cause to believe, that such school employee, contractor or agent engaged in sexual misconduct regarding a minor or student.[15][16][17][18][21][24][25][26][27]

This prohibition applies only to assistance that extends beyond performance of normal processing of personnel matters including routine transmission of files or other information. This prohibition shall not apply if:[25]

- 1. The relevant information has been properly reported to law enforcement officials and any other authority required by federal, state or local law and the matter has been officially closed or the prosecutor or law enforcement officials notified school officials that there is insufficient information to establish probable cause.**
- 2. The school employee, contractor or agent has been acquitted or otherwise exonerated of the alleged misconduct.**
- 3. The case or investigation remains open and no charges have been filed against, or indictment of, the school employee, contractor or agent within four (4) years of the date on which the information was reported to the law enforcement agency.**

Training

The school district, and independent contractors of the school district, shall provide their employees who have direct contact with children with mandatory training on child abuse recognition and reporting. The training shall include, but not be limited to, the following topics: [1][3][4][26]

1. Recognition of the signs of abuse and sexual misconduct and reporting requirements for suspected abuse and sexual misconduct.
2. Provisions of the Educator Discipline Act, including mandatory reporting requirements.[26][28]
3. District policy related to reporting of suspected abuse and sexual misconduct.
4. Maintenance of professional and appropriate relationships with students.[27]

Employees are required to complete a minimum of three (3) hours of training every five (5) years. [\[1\]](#)

{X} The district shall provide each volunteer with training on child abuse recognition and reporting.

Duty to Report

School employees, independent contractors and volunteers shall make a report of suspected child abuse if they have reasonable cause to suspect that a child is the victim of child abuse under any of the following circumstances: [\[14\]](#)

1. The school employee, independent contractor or volunteer comes into contact with the child in the course of employment, occupation and the practice of a profession or through a regularly scheduled program, activity or service.
2. The school employee, independent contractor or volunteer is directly responsible for the care, supervision, guidance or training of the child.
3. A person makes a specific disclosure to a school employee, independent contractor or volunteer that an identifiable child is the victim of child abuse.
4. An individual fourteen (14) years of age or older makes a specific disclosure to a school employee, independent contractor or volunteer that s/he has committed child abuse.

A child is not required to come before the school employee, independent contractor or volunteer in order for that individual to make a report of suspected child abuse. [\[14\]](#)

A report of suspected child abuse does not require the identification of the person responsible for the child abuse. [\[14\]](#)

Any person who, in good faith, makes a report of suspected child abuse, regardless of whether the report is required, cooperates with an investigation, testifies in a proceeding, or engages in other action authorized by law shall have immunity from civil and criminal liability related to those actions. [\[29\]](#)

Any person required to report child abuse who willfully fails to do so may be subject to disciplinary action and criminal prosecution. [\[30\]](#)

Any person who intentionally or knowingly makes a false report of child abuse or intentionally or knowingly induces a child to make a false claim of child abuse may be subject to disciplinary action and criminal prosecution. [\[31\]](#)

Any person who engages in intimidation, retaliation, or obstruction in the making of a child abuse report or the conducting of an investigation into suspected child abuse may be subject to disciplinary action and criminal prosecution. [\[32\]](#)

The district shall not discriminate or retaliate against any person for making, in good faith, a report of suspected child abuse. [\[33\]](#)

Reporting Procedures

School employees, independent contractors or volunteers who suspect child abuse shall immediately make a written report of suspected child abuse using electronic technologies (www.compass.state.pa.us/cwis) or an oral report via the statewide toll-free telephone number (1-800-932-0313). A person making an initial oral report of suspected child abuse must also submit a written electronic report within forty-eight (48) hours after the oral report. Upon receipt of an electronic report, the electronic reporting system will automatically respond with a confirmation,

providing the district with a written record of the report. [\[14\]](#)[\[34\]](#)[\[35\]](#)

A school employee, independent contractor or volunteer who makes a report of suspected child abuse shall immediately, after making the initial report, notify the **building principal or administrator** and if the initial report was made electronically, also provide the **building principal or administrator** with a copy of the report confirmation. The **building principal or administrator** shall then immediately notify the Superintendent or designee that a child abuse report has been made and if the initial report was made electronically, also provide a copy of the report confirmation. [\[14\]](#)[\[34\]](#)[\[35\]](#)

When a report of suspected child abuse is made by a school employee, independent contractor or volunteer as required by law, the school district is not required to make more than one (1) report. An individual otherwise required to make a report who is aware that an initial report has already been made by a school employee, independent contractor or volunteer is not required to make an additional report. The person making an initial oral report is responsible for making the follow-up written electronic report within forty-eight (48) hours, and shall provide the **building principal or administrator** with a copy of the report confirmation promptly after the written electronic report has been filed. The **building principal or administrator** shall in turn provide a copy of the report confirmation to the Superintendent or designee. [\[14\]](#)[\[34\]](#)[\[35\]](#)

{ X } When necessary to preserve potential evidence of suspected child abuse, a school employee may, after the initial report is made, [request the school nurse, social worker or guidance counselor to](#) take or cause to be taken photographs of the child who is the subject of the report. Any such photographs shall be sent to the county agency at the time the written report is sent or within forty-eight (48) hours after a report is made by electronic technologies or as soon thereafter as possible. The **building principal or administrator** shall be notified whenever such photographs are taken. [\[36\]](#)

If the Superintendent or designee reasonably suspects that conduct being reported involves an incident required to be reported under the Safe Schools Act, the Superintendent or designee shall inform local law enforcement, in accordance with applicable law, regulations and Board policy. [\[37\]](#)[\[38\]](#)[\[39\]](#)[\[40\]](#)[\[41\]](#)[\[42\]](#)

Investigation

The **building principal or administrator** shall facilitate the cooperation with the Department of Human Services of the Commonwealth or the county agency investigating a report of suspected child abuse, including permitting authorized personnel to interview the child while in attendance at school. [\[14\]](#)[\[43\]](#)

Upon notification that an investigation involves suspected child abuse by a school employee, the **building principal or administrator** shall immediately implement a plan of supervision or alternative arrangement that has been approved by the Superintendent for the school employee under investigation. The plan of supervision or alternative arrangement shall be submitted to the county agency for approval. [\[44\]](#)

NOTES:

If district has three (3) employee sections, remember to change the policy cites in the policy and references.

Legal

1. 24 P.S. 1205.6
2. 23 Pa. C.S.A. 6301 et seq
3. Pol. 333
4. Pol. 818
5. 23 Pa. C.S.A. 6303
6. 24 P.S. 111
7. 23 Pa. C.S.A. 6344
8. 18 Pa. C.S.A. 7508.2
9. 42 Pa. C.S.A. 9799.12
10. 42 Pa. C.S.A. 9799.24
11. 42 Pa. C.S.A. 9799.55
12. 42 Pa. C.S.A. 9799.58
13. 22 U.S.C. 7102
14. 23 Pa. C.S.A. 6311
15. Pol. 302
16. Pol. 304
17. Pol. 305
18. Pol. 306
19. 23 Pa. C.S.A. 6344.3
20. 23 Pa. C.S.A. 6344.4
21. Pol. 309
22. Pol. 916
23. 23 Pa. C.S.A. 6332
24. 24 P.S. 111.1
25. 20 U.S.C. 7926
26. Pol. 317.1
27. Pol. 824
28. 24 P.S. 2070.1a
29. 23 Pa. C.S.A. 6318
30. 23 Pa. C.S.A. 6319
31. 18 Pa. C.S.A. 4906.1
32. 18 Pa. C.S.A. 4958
33. 23 Pa. C.S.A. 6320
34. 23 Pa. C.S.A. 6305
35. 23 Pa. C.S.A. 6313
36. 23 Pa. C.S.A. 6314
37. 24 P.S. 1302.1-A
38. 24 P.S. 1303-A
39. 22 PA Code 10.2

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