

## Northgate School District

203

Book	Policy Manual
Section	200 Pupils
Title	Immunizations and Communicable Diseases
Code	203 Vol V 2020
Status	First Reading
Adopted	September 15, 2008
Prior Revised Dates	5/15/17

**Authority**

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

**Definitions**

**Certificate of Immunization** - the official form furnished by the Pennsylvania Department of Health. The certificate is filled out by the parent/guardian or health care provider and signed by the health care provider, public health official or school nurse or a designee. The certificate is given to the school as proof of full immunization. The school maintains the certificate as the official school immunization record or stores the details of the record in a computer database.[\[3\]](#)

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

**Guidelines****Immunization**

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

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

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

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

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

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

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

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

The Superintendent or designee shall:

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

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

### Communicable Diseases

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

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

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

**updated as necessary during the school year.**

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

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

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

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

#### Health Records

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

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

#### NOTES:

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

**PSBA Revision 8/20 © 2020 PSBA**

## Legal

203

1. 24 P.S. 1303a
2. 28 PA Code 23.81 et seq
3. 28 PA Code 23.82
4. 22 PA Code 11.20
5. 28 PA Code 23.85
6. 28 PA Code 23.83
7. 28 PA Code 23.84
8. Pol. 200
9. Pol. 251
10. Pol. 255
11. 28 PA Code 27.77
12. Pol. 201
13. 28 PA Code 23.86
14. 28 PA Code 27.71
15. 28 PA Code 27.72
16. Pol. 204
17. Pol. 209
18. 28 PA Code 27.2
19. 28 PA Code 27.1
20. 28 PA Code 27.23
21. 22 PA Code 4.29
22. 22 PA Code 4.4
23. Pol. 105.1
24. 24 P.S. 1402
25. 24 P.S. 1409
26. 20 U.S.C. 1232g
27. 34 CFR Part 99
28. Pol. 113.4
29. Pol. 216
30. Pol. 805
- Pol. 105.2

## Northgate School District

Book	Policy Manual
Section	200 Pupils
Title	Suspension and Expulsion
Code	233 Vol V 2019
Status	First Reading
Adopted	September 15, 2008

233

### 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 be governed by applicable state and federal law and regulations. [\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

### 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. [\[1\]](#)[\[6\]](#)[\[7\]](#)

### 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. [\[1\]](#)[\[7\]](#)

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. [\[1\]](#)

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. [\[1\]](#)[\[6\]](#)

Informal hearings under this provision shall be conducted by the building principal.

### 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.[6]

#### Due Process Requirements for Informal Hearing[6]

1. The student and parent/guardian shall be given written notice of the reasons for the suspension.
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 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.[2]

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.[2][6]

The district shall provide for the student's education during the period of in-school suspension.[2]

#### 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, or a qualified hearing examiner appointed by the Board, and upon action taken by the Board after the hearing. [1][6][7]

#### Expulsion Hearings

A formal hearing shall be required in all expulsion actions.[1][6][7][8]

The formal hearing shall observe the due process requirements of:[6]

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. [9]

#### 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][10]

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 **eighteen (18)** years of age are still subject to compulsory school attendance even though expelled and shall be provided an education. [1][10][11]

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.

The Board may provide an educational program to the student immediately upon expulsion and may waive the 30-day period, at its discretion.

### 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.[12][13]

### Delegation of Responsibility

The Superintendent or designee shall ensure that:

1. Publication of a Code of Student Conduct, in accordance with Board policy on student discipline. [14]
2. Records of disciplinary suspension will be maintained in accordance with Board policy on student records.[15]
3. 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.
4. Any student who has been expelled may apply for readmission to school upon such conditions as may be imposed by the Board.

### **PSBA Revision 12/19 © 2019 PSBA**

Legal

1. 22 PA Code 12.6
2. 22 PA Code 12.7
3. 22 PA Code 14.143
4. 20 U.S.C. 1400 et seq
5. 34 CFR Part 300
6. 22 PA Code 12.8
7. 24 P.S. 1318
8. 2 Pa. C.S.A. 101 et seq
9. 2 Pa. C.S.A. 101
10. Pol. 204
11. 24 P.S. 1326
12. Pol. 113
13. Pol. 113.1
14. Pol. 218
15. Pol. 216
- 22 PA Code 12.3

## Northgate School District

Book	Policy Manual	209
Section	200 Pupils	
Title	Health Examinations/Screenings	
Code	209 Vol V 2020	
Status	First Reading	
Adopted	September 15, 2008	

**Authority**

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

**Guidelines**

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

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

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

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

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

A student who presents a statement signed by the parent/guardian that a **health** examination is contrary to **the student's or parent's/guardian's** religious beliefs shall be examined only when the Secretary of Health determines that **facts exist indicating that certain conditions would**

present a substantial menace to the health of others **in contact with the student if the student is not examined for those conditions.**[10][11]

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

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

**Where school health officials or staff have reasonable cause to suspect that a student may be the victim of child abuse, the school employee shall make a report of suspected child abuse in accordance with law and Board policy.**[13][14]

### Health Monitoring

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

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

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

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

### Health Records

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

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

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

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

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

### **Delegation of Responsibility**

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

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

### **PSBA Revision 8/20 © 2020 PSBA**

#### Legal

1. 24 P.S. 1401
2. 24 P.S. 1402
3. 24 P.S. 1403
4. 22 PA Code 12.41
5. 24 P.S. 1407
6. 28 PA Code 23.1 et seq
7. 24 P.S. 1405
8. 28 PA Code 23.2
9. 20 U.S.C. 1232h
10. 24 P.S. 1419
11. 28 PA Code 23.45
12. 24 P.S. 1406
13. 23 Pa. C.S.A. 6311
14. Pol. 806
15. Pol. 203
16. Pol. 103
17. Pol. 103.1
18. 24 P.S. 1409
19. Pol. 113.4
20. Pol. 216
21. 20 U.S.C. 1232g
22. 34 CFR Part 99
23. Pol. 805
24. Pol. 800
- 24 P.S. 1401-1419
- 23 Pa. C.S.A. 6301 et seq

# Northgate School District

309.1

Book	Policy Manual
Section	300 Employees
Title	Telework
Code	309.1 Vol V 2020
Status	First Reading

## Purpose

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

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

## Definitions

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

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

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

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

## Delegation of Responsibility

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

## Guidelines

Employees may be required to sign a teleworking agreement, or acknowledge teleworking provisions in an applicable collective bargaining agreement, prior to working in a remote work location, which may be waived under emergency conditions at the Board’s discretion or as specified in this policy.

Such an agreement may include, but is not limited to, the following considerations:

1. Acknowledgement that the employee's compensation, benefits, work hours, and performance expectations shall not change while teleworking.
2. The employee shall be subject to and shall comply with the same Board policies, administrative regulations, and standards of conduct as are expected at their regularly assigned place of work.
3. The employee shall work from a dedicated workspace that is free from health or safety hazards, undue distractions, or undue risk that confidential or private information will be discovered, or that district equipment permitted to be brought to the remote work location will be stolen or damaged.[2][3][4]
4. The employee shall be personally responsible for any district equipment brought to the remote work location, shall be fully liable for any damage or loss occurring to the equipment during the period of use, and shall be responsible for its safe return.[5]
5. The employee does not have a right to telework and the teleworking arrangement may be terminated by the Board or district administration at any time.
6. The employee shall notify their supervisor if the employee is not able to perform all assigned job duties, essential or nonessential, at the remote work location.

#### General Conditions

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

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

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

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

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

#### Emergency Conditions

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

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

**PSBA New 8/20 © 2020 PSBA**

Legal

1. Pol. 805
  2. Pol. 113.4
  3. Pol. 216
  4. Pol. 324
  5. Pol. 708
  6. Pol. 334
  7. Pol. 335
  8. Pol. 336
  9. Pol. 339
  10. Pol. 330
  11. Pol. 332
- Pol. 815
- Pol. 824

### Northgate School District

Book	Policy Manual
Section	300 Employees
Title	Physical Examination
Code	314 Vol V 2020
Status	First Reading
Adopted	September 15, 2008
Prior Revised Dates	6/18/12

314

#### Purpose

In order to certify the fitness of administrative, professional and support employees to discharge efficiently the duties they will be performing and to protect the health of students and staff, **the Board shall require** physical examinations of all district employees prior to beginning employment **and may require health monitoring to prevent the transmission of communicable diseases in the school setting.**

#### Definitions

A **physical examination, for purposes of this policy**, shall mean a general examination by a licensed physician, certified registered nurse practitioner or a licensed physician assistant.

**Health monitoring, for purposes of this policy, shall mean screening or monitoring an employee for specific symptoms that may indicate the presence of a communicable disease, in accordance with guidance from state and local health officials.**

#### Authority

After receiving an offer of employment but prior to beginning employment, all candidates shall undergo **physical** examinations, as required by law and as the Board may require. The expense for which shall be paid by the applicant. [1][2][3]

The Board requires that all employees undergo a tuberculosis examination provided by the district upon initial employment, in accordance with regulations of the **PA** Department of Health. [1][4]

The Board may require an employee to undergo a physical examination at the Board's request. [1]

An employee who presents a signed statement that a **physical** examination is contrary to **the employee's** religious beliefs shall be examined only when the Secretary of Health determines that **facts exist indicating that certain conditions would present** a substantial menace to the health of others **in contact with the employee if the employee is not examined for those conditions.** [5][6]

#### Guidelines

314

### Health Monitoring and Communicable Diseases

The district may require employees to participate in health monitoring by designated staff to check for signs and symptoms of communicable diseases in accordance with guidance issued by state and local health officials and the Board-approved health and safety plan. An employee may request an alternative method of monitoring as a religious accommodation, and designated district staff shall assess and respond to such request in accordance with applicable law, regulations and Board policy. A request for an accommodation that would unreasonably impair workplace safety or cause undue hardship will not be granted.[7]

An employee with a health condition that may render a monitoring method ineffective should notify designated staff so that alternative or supplemental methods may be considered.[7]

Employees exhibiting symptoms that indicate health concerns shall be referred to the school nurse or designated staff for further assessment, and may be excluded from school facilities in accordance with regulations of the PA Department of Health or guidance from state or local health officials for specified diseases and infections conditions. Employees may return to school facilities when the criteria for readmission following a communicable disease have been met, in accordance with law, regulations or guidance from state or local health officials.[8][9][10][11]

### Delegation of Responsibility

The results of all required **physical** examinations shall be made known to the Superintendent on a confidential basis and discussed with the employee.

Medical records **and other health information** of an employee shall be **maintained confidentially and** kept in a file separate from the employee's personnel file.[3][12]

**PSBA Revision 8/20 © 2020 PSBA**

## Legal

1. 24 P.S. 1418
2. 28 PA Code 23.43
3. 42 U.S.C. 12112
4. 28 PA Code 23.44
5. 24 P.S. 1419
6. 28 PA Code 23.45
7. Pol. 104
8. 28 PA Code 27.71
9. 28 PA Code 27.72
10. Pol. 334
11. Pol. 335
12. 42 U.S.C. 2000ff et seq  
24 P.S. 1416  
42 U.S.C. 12101 et seq

U.S. Equal Employment Opportunity Commission – Guidance on COVID-19, ADA, Rehabilitation Act and Other Equal Employment Opportunity Laws

U.S. Equal Employment Opportunity Commission – Questions and Answers on Religious Discrimination in the Workplace

314

## Northgate School District

904

Book	Policy Manual
Section	900 Community
Title	Public Attendance at School Events
Code	904 Vol V 2020
Status	First Reading
Adopted	September 15, 2008
Prior Revised Dates	09/16/19, 08/19/13, 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 **and health and safety** during such events. **This policy establishes conditions, restrictions and procedures to regulate public attendance and conduct at school and school-sponsored activities.**

**Definition**

**State law defines the term tobacco product to broadly encompass not only tobacco but also vaping products including the product marketed as Juul and other electronic cigarettes (e-cigarettes). Tobacco products, for purposes of this policy and in accordance with law, shall be defined to include the following:** [1][2]

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

**The term tobacco product does not include the following:** [1][2]

1. **A product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such approved purpose, as long as the product is not inhaled.**
2. **A device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act. Federal law requires the district to maintain a drug-free environment, at which marijuana of any kind is prohibited.**[3][4]

### **Authority**

The Board has the authority to prohibit at a school event the attendance of any individual whose conduct may constitute a disruption. **The Superintendent or designee and building principal may limit attendance to designated areas or may limit the number of attendees to school events when necessary to protect the health and safety of students, staff and the public, in accordance with Board-approved health and safety plans and guidance from state and local officials.**

The Board prohibits gambling and the possession and use of controlled substances **prohibited by state or federal law**, alcoholic beverages and weapons on school premises.[5][6]

**Attendees shall be informed of the district's health and safety rules through announcements and posting of appropriate signage. Health and safety rules must be followed prior to entry and while attendees are in school buildings and on school property, in accordance with Board policy, district procedures, the Board-approved health and safety plans and guidance from state and local officials.**[7]

### **Tobacco and Vaping Products**

The Board prohibits use of tobacco **and vaping products, including the product marketed as Juul and other e-cigarettes**, by any persons **at any time** in a school building; on school buses or other vehicles that are owned, leased or controlled by the school district; **or on property owned, leased or controlled by the school district.**[2][8]

**This policy does not prohibit possession of tobacco and vaping products, including the product marketed as Juul and other e-cigarettes, by members of the public of legal age at school or school-sponsored activities.**

**The Board deems it to be a violation of this policy for an individual in attendance at school or a school-sponsored activity to furnish a tobacco or vaping product, including the product marketed as Juul or any other e-cigarette, to a minor.**[1]

### **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.[9]

### **Reports**

#### *Office for Safe Schools Report –*

The Superintendent shall annually, by July 31, report all incidents of **prohibited** possession, use or sale of **tobacco and vaping products, including Juuls and other e-cigarettes**, by any person on school property to the Office for Safe Schools on the required form.[10][11]

### *Law Enforcement Incident Report -*

**In accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies, the Superintendent or designee may report to the school police, School Resource Officer (SRO) or to the local police department that has jurisdiction over the school's property, the use or sale of tobacco or vaping products, including Juuls and other e-cigarettes, by any person in a school building; on a school bus or other vehicles that are owned, leased or controlled by the school district; or on any property owned leased or controlled by the school district.** [\[1\]](#) [\[2\]](#) [\[10\]](#) [\[11\]](#) [\[12\]](#) [\[13\]](#) [\[14\]](#)

### **Guidelines**

#### **Free Admittance**

Senior citizens who are district residents and are sixty-two (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. [\[15\]](#) [\[16\]](#) [\[17\]](#)

**PSBA Revision 8/20 © 2020 PSBA**

Legal

1. 18 Pa. C.S.A. 6305
2. 18 Pa. C.S.A. 6306.1
3. 20 U.S.C. 7118
4. Pol. 351
5. 24 P.S. 511
6. 24 P.S. 775
7. Pol. 705
8. 20 U.S.C. 7973
9. 24 P.S. 510.2
10. 24 P.S. 1303-A
11. Pol. 805.1
12. 22 PA Code 10.2
13. 22 PA Code 10.22
14. 24 P.S. 1302.1-A
15. 28 CFR 35.136
16. 43 P.S. 953
17. Pol. 718
- 20 U.S.C. 7971 et seq
- 28 CFR Part 35

904-Attach.doc (35 KB)