

**Saucon Valley School District**  
**Academic and Personnel Committee**  
**October 7, 2020 – 5 pm**  
**ZOOM Meeting**

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*Welcome to the meeting of the Academic and Personnel Committee. Our objective is to serve the students, parents, and residents of our community. You are an important part of this meeting and we look forward to your questions and comments.*

*We are all here for the same reason. All opinions are welcomed and equally valuable. Our only request is that we address each other with civility and respect. Our courtesy toward each other is the best way to show our students how much we respect them as well.*

**Committee Members - Susan Baxter, Cedric Dettmar, Tracy Magnotta,  
Shamim Pakzad**

## **Committee Agenda**

- I. **Call to the Order** – *Tracy Magnotta, Committee Chair*
  
- II. **Pledge of Allegiance**
  
- III. **Recording of Attendance** – *Tracy Magnotta, Committee Chair*
  
- IV. **Motion to Approve Agenda**
  
- V. **Approval of Minutes** – August 18, 2020
  
- VI. **Courtesy of the Floor to Visitors – Agenda Items Only** – *Visitors should state their name and address*
  
- VII. **Discussion**
  1. Policy 103.2 – Title IX/Nondiscrimination – Based on Sex
  2. Policy 103.2 – Administrative Regulations
  3. School Wide Plan 2020-21
  
- VIII. **New Business**
  
- IX. **Old Business**

**X. Citizens' Inquiries and Comments** – *Visitors should state their name and address.*

**XI. Announcements**

**Future Meetings ~**

Tuesday, October 20, 2020

Wednesday, November 4, 2020

Tuesday, November 17, 2020

Wednesday, December 2, 2020

**XII. Motion to Adjourn Meeting**

***The Saucon Valley School District does not discriminate on the basis of race, color, national origin, age, sex, or handicap.***

**Academic and Personnel Committee of the Board**  
**August 18, 2020 5pm, virtual meeting via Zoom**

Meeting called to order 5:07pm by Mr. Dettmar.

Pledge of Allegiance

Attendance: Committee: Mr. Dettmar, Mrs. Baxter, Dr. Pakzad, Additional Board Members: Mr. Shawn Welch, Mr. Mike Karabin, Mrs. Miller. Administration: Dr. Butler, Dr. Rosenberger, Mrs. Jaime Vlasaty, Ms. Lynn Cheddar, Mr. Jim Deegan, Mr. Tom Halcisak, Additional Audience Members: 50+

Agenda approved for the meeting this evening, 08/18/2020 motion by Dr. Pakzad and second by Mrs. Baxter.

Minutes from the 08/05/2020 meeting were approved – motion by Dr. Pakzad and second by Mrs. Baxter.

Courtesy of the Floor to Visitors: None

Agenda:

**1. Policy 103.2 Nondiscrimination Based on Sex** – Ms. Cheddar reviewed the edits to the policy since it had appeared at the 08/11/2020 Board Meeting. Policy will return to the committee at their next meeting.

**2. Policy 103.2 Admin Regulations Nondiscrimination Based on Sex** – Ms. Cheddar reviewed the edits to the policy since it had appeared at the 08/11/2020 Board Meeting. Admin Regulation will return to the committee at their next meeting

**3. Policy 222 Tobacco Use Pupils** – Postponed

**4. Policy 323 Tobacco Use Admin. Employees** – Postponed

**5. Policy 423 Tobacco Use Professional Employees** – Postponed

**6. Policy 523 Tobacco Use Classified Employees** – Postponed

**7. Policy 216 Student Records**– Postponed

**8. Policy 216 AR-1 Student Records Retention Schedule** – Postponed

**9. Emergency Instructional Time Template** – Committee concurs to move the template to the Board meeting on 8/25 /2020 for approval.

New Business – none

Old Business - Dr. Rosenberger provided an update on the most recent information regarding Colonial Virtual Program through IU20.

Citizens Comments – A few attendees spoke regarding matters of an another option for online learning as discussed in Old Business.

Meeting adjourned at 6:40pm (Dr. Pakzad, Mrs. Baxter).

## Saucon Valley School District

### Policy

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Title – 103.2 – Title IX/Nondiscrimination – Based on Sex

Section – Programs

Adopted –

Revised –

### Content

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#### **Purpose**

The district is an educational entity that believes in ensuring a safe, nurturing, healthy and non-discriminatory learning and teaching environment for all members of the school community. The Board also believes in ensuring the opportunity for all members of the school community to reach their full potential through access and participation all district educational activities and programs.

#### **Statement on Non-Discrimination**

The district does not discriminate on the basis of race, color, national origin, religion, sex, sexual orientation, disability, ethnicity, national origin or age in its education programs and activities. The protection against discrimination extends to employment.

#### **Definitions**

For the purposes of this policy, the terms below have the following definitions:

**Advisor** is the person who assists the Complainant or Respondent during the hearing by conducting ~~cross-~~cross-examination of the other party on behalf of either the ~~complainant or respondent~~Complainant or Respondent. The party gets to select their advisor. Attorneys can serve as an advisor. If a party does not have an advisor, the school must provide one.

**Complainant** is an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Consent** exists when all parties exchange mutually understandable affirmative words or actions indicating their agreement to participate voluntarily in sexual activity. Consent must be informed, voluntary, and actively given. Resistance by the complainant is not required. Consent does not exist if the sexual act was by forcible compulsion which is the use of physical, intellectual, moral, emotional or psychological force. Consent does not exist if a person is threatened, unconscious, incapacitated due to the influence of

drugs and/or alcohol, or suffers from a mentally disability that makes them incapable of giving consent. Consent may be withdrawn by either party at any time. Once withdrawal of consent has been expressed through words or actions, sexual activity must cease. Pennsylvania defines the age of consent as age 16 or above. Children under age 13 cannot consent to sexual activity. Children between the age of 13-15 cannot consent to sexual intercourse with a person four or more years older than them.

~~Decision~~ **Decision-Maker** is the person or panel of people assigned by the Title IX Coordinator to conduct a fair and impartial review of all the facts and evidence in making a determination on the responsibility or non-responsibility of a Respondent on a complaint of sexual harassment or in reviewing an outcome on appeal. A decision maker or decision-making panel must be unbiased and trained on the policies and procedures under Title IX that are applicable to serving as an adjudicator.

**Delays or Extensions:** The overall time frame to conclude a grievance process must be “reasonably prompt”. A school can have good cause for any short-term delays or extensions, with written notice to the parties and an explanation for the delay or extension. Any delay or extension must be temporary or limited. Examples of good cause delays may include considerations such as concurrent law enforcement activity, the need for language assistance, or accommodation of disabilities.

**Formal complaint** is a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate (i.e. seeking admission or acceptance) in the education program or activity of the school district. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed in this policy.

**Informal resolution** is an option to resolve a formal complaint in a mediation or restorative justice manner. An informal resolution can only be offered as an option to the parties if a formal complaint is filed. Once a formal complaint is received, at any time prior to reaching a determination regarding responsibility the school may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. The Complainant and Respondent must each agree in writing that they want to participate in an informal resolution process. The District will provides to the parties a written notice disclosing: the allegations, the requirements of the informal resolution, an explanation that any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process. The informal resolution process is not available and cannot be offered to resolve any reported incident of an employee sexually harassing a student.

**Informal Resolution Facilitator** is the person assigned by the Title IX Coordinator to manage the Informal Resolution process. The information resolution facilitator must be

fair, impartial, and trained in Title IX policy and procedures, specifically those dealing with mediation and restorative justice best practices.

**Investigator** is the person(s) assigned by the Title IX Coordinator to conduct a prompt fair and impartial investigation into the formal complaint. Investigator must be unbiased and trained in Title IX policy and procedures.

**Respondent** is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Sexual harassment** is conduct on the basis of sex that satisfies one or more of the following:

- (1) Quid Pro Quo - An employee of the school conditioning the provision of an aid, benefit, or service of the school on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
- (3) Sexual Assault is defined as –an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
- (4) Dating violence is violence committed by a person—
  - (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - (i) The length of the relationship,
    - (ii) The type of relationship, and
    - (iii) The frequency of interaction between the persons involved in the relationship.
- (5) Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- (6) Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

**Standard of Proof:** The district will apply ~~a~~: [\[Insert the standard of review that the District determines they want to apply. Options are preponderance of the](#)

**evidence standard of proof, which is defined as “more likely than not.” or clear and convincing.]** The same standard of proof is applied for matters involving students and matters involving employees.

**Supportive measures** are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant regardless of whether a formal complaint has been filed or to the respondent after the filing of a formal complaint. Such measures are designed to restore or preserve equal access to the school’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the school’s educational environment, or deter sexual harassment. Supportive measures may include, but are not limited to, ~~counseling, extensions of deadlines, modifications of work or class schedules, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the school, and other similar measures.~~

1. Counseling.
2. Extensions of deadlines.
3. Modifications of work or class schedules.
4. Mutual restrictions on contact between the parties.
5. Changes in work or housing locations.
6. Leaves of absence.
7. Increased security and monitoring of certain areas of the school, and
8. Other similar measures.

Schools must keep confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the school to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

**Emergency removal.** Schools may remove a respondent from the school’s education program or activity on an emergency basis, provided that the school undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

**Administrative leave.** A school can place a non-student employee respondent on administrative leave during the pendency of a grievance process. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

### **Authority**

Title IX states “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any education program or activity receiving Federal Financial Assistance.”

In accordance with Title IX, the Board prohibits sexual harassment and discrimination on the basis of sex. Violations of this policy may result in disciplinary action in accordance with the Code of Student Conduct, Board policy, and applicable federal, state, and local law and regulations.

## **Guidelines**

### **Title IX Coordinator**

Title IX Coordinator is responsible for ensuring the prompt, equitable and supportive response to all reports received under this policy. Specifically, the Title IX Coordinator responsibilities include, but are not limited to:

1. Monitoring the school district’s compliance with Title IX, which includes explaining and providing supportive measures (to one or both parties);
2. Providing ongoing education and training on Title IX;
3. Overseeing, managing and directing the response to a reported complaint and, if applicable, investigation into any complaint that is covered under Title IX; and
4. Taking appropriate action to eliminate the harassing behavior, prevent its recurrence, and remedy its effect.

The school district has also designated a Deputy Title IX Coordinator who may assist the Title IX Coordinator in the discharge of these responsibilities.

Any questions regarding Title IX or the application of this policy can be directed to the Title IX Coordinator. The following person has been designated as the District’s Title IX Coordinator:

~~Dr. Craig Butler~~

[Lynn Cheddar](#)

~~Superintendent and~~ Title IX Coordinator

2097 Polk Valley Road

Hellertown, PA 18055

610-838-7001, ext. ~~1103~~ 1103

[Lynn.cheddar@svpanthers.org](mailto:Lynn.cheddar@svpanthers.org)

~~[Craig.butler@svpanthers.org](mailto:Craig.butler@svpanthers.org)~~

### **Reporting**

Any report of sex based discrimination or harassment will be taken seriously, addressed promptly and with sensitivity.

A student may report an incident of sexual discrimination or harassment verbally or in writing to any District employee. All reports shall be directed *immediately* to the Title IX Coordinator. All non-students can report any incident of sex based harassment to the Title IX Coordinator. Reports can be made at any time by phone, email, or by completing and submitting the Discrimination/Harassment Incident Reporting Form (*add hyperlink to form and attach form as a separate district policy document*).

Additionally, if the person who received a complaint of sexual harassment is a mandated reporter and has reasonable cause to suspect that a student is the victim of child abuse, the incident should immediately be reported to the appropriate agency as directed by state law. This mandated reporting obligation is *in addition* to a report being made to the Title IX Coordinator.

### Disciplinary Consequences

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

1. Loss of school privileges;
2. Permanent transfer to another school building, classroom or school bus;
3. Exclusion from school-sponsored activities;
4. Detention;
5. Suspension; and
6. Expulsion.

An employee who violates this policy shall be subject to appropriate disciplinary action consistent with the applicable Board policy, collective bargaining agreement, and/or individual contract, up to and including termination of employment.

### Retaliation

This policy prohibits retaliation against an individual who files a complaint in response to conduct that s/he reasonably believes violates this policy, or against an individual who participates or cooperates with an investigation, as provided by both Title IX of the Education Amendments of 1972 and Title VII of the Civil Rights Act of 1964. Anyone who experiences retaliation should report it to the Title IX Coordinator. Such retaliation, if founded, will result in the same disciplinary action applicable to one who engages in harassment. Reporting harassment will not affect the reporting individual's status with respect to either an employee's future employment or work assignments or a student's future academic opportunity, progress or record.

### False Accusations

Anyone who knowingly makes a false accusation of discrimination or harassment prohibited by this policy or knowingly provides false information in the course of an investigation of a complaint may be subject to the full range of administrative or

disciplinary consequences, including potential termination and/or expulsion. Complaints made in good faith, however, even if found to be unsubstantiated, shall not be considered a false accusation.

## Saucon Valley School District

### Administrative Regulation

#### Policy No. 103.2

#### Section 100 Programs

#### Title: Policy on Title IX/Non-Discrimination Based On Sex

### I. Response to Incident Report

Once the district receives a report of sexual harassment, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures. The Title IX Coordinator will consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

The Title IX Coordinator will notify the Director of Special Education should a student receiving special education services be identified as a complainant, respondent, or witness in an investigation under this policy.

### II. Grievance Process

The Grievance Process is the process by which a formal complaint of sexual harassment is addressed equitably and promptly under Title IX and in a manner that ensures due process for the complainant and the respondent. The district's Title IX policy ensures the fair implementation of the grievance process, which requires the following:

1. The Title IX Coordinator, Investigator, Informal Process Facilitator and/or Decision Maker(s) involved in the grievance process are unbiased, impartial and free from conflicts of interest in executing their role in the process.
2. Complainants and respondents are treated equitably by recognizing the need for complainants to receive remedies where a respondent is determined responsible and for respondents to face disciplinary sanctions only after a fair process determines responsibility.
3. An objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
4. Notice to the complainant, respondent and witnesses that they do not knowingly provide false information or statements and, if so, that individual would be subject to possible disciplinary action under district policy, employee or student code of conduct.

5. The presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
6. Reasonably prompt time frames for the conclusion of the grievance process.
7. Informs all parties of critical information about the school's procedures including the range of remedies and disciplinary sanctions a school may impose, the standard of proof applied by the district to all formal complaints of sexual harassment under Title IX, the district's appeal procedures, and the range of supportive measures available to both parties.
8. Protects any legally recognized privilege from being pierced during a grievance process.
9. Requires written notice of the allegations to both parties, including informing the parties of the right to select an advisor of choice.
10. Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

A school's treatment of a complainant, or a respondent, could constitute sex discrimination prohibited under Title IX. Under this policy, the grievance process will ensure that complainants and respondents receive due process and are treated equitably. An investigation will begin promptly following the receipt of a formal complaint with appropriate written notice being delivered to both the complainant and respondent and containing all required information as outlined under Title IX (i.e. stating the allegations, what district policies are alleged to have been violated, investigator (s), and overview of what to expect in the investigation process.) The standard of proof that will be applied, analyzing all of the relevant evidence in a grievance process, is [insert preponderance of the evidence or clear and convincing].

Following the stated requirements in the grievance process, the school will promptly initiate an inquiry into a formal complaint in a manner that:

1. Keeps the burden of proof and burden of gathering evidence on the school while protecting every party's right to consent to the use of the party's own medical, psychological, and similar treatment records;
2. Provides the parties equal opportunity to present fact and expert witnesses and other inculpatory and exculpatory evidence;
3. Does not restrict the parties from discussing the allegations or gathering evidence;
4. Communicates that the complainant can withdraw the formal complaint at any time prior to a final outcome determination by the decision-maker;
5. Communicates that the complainant and respondent are not required to participate in the grievance process;

6. Gives the parties equal opportunity in a *live hearing* to select an advisor of the party's choice (who may be, but does not need to be, an attorney);
7. Before reaching a determination regarding responsibility, required the decision-maker(s) to allow each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

### III. Investigation

Following the filing of a formal complaint, a prompt investigation will be initiated unless the parties voluntarily elect to participate in an informal resolution process. In initiating an investigation, the Title IX Coordinator will provide written notification (i.e. Notice of Investigation) to both parties. The notice of investigation will include:

1. Information regarding the grievance process;
2. Information regarding the informal resolution process;
3. The nature of the allegations;
4. Any additional district policies that are applicable based on the information known at that time;
5. The name(s) of the assigned investigator;
6. Request of each party to state if there is a reason why they believe the assigned investigator cannot be fair and impartial.
7. Notice that if any participant or witness knowingly provides false information, they could be subject to disciplinary action under the District's code of conduct

If, during the course of the investigation, facts are presented that suggest a possible violation of another section under this policy or any district policy, written notice will be provided to both parties of the additional allegation and potential policy violation.

The Title IX Coordinator will do the following to ensure fairness in the investigation process:

1. Provide written notice when a party's participation is invited or expected for an interview, meeting, or hearing;
2. Provide written notice to any participant (party or witness) of the date, time, location, other participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;
3. Provide both parties equal opportunity to review and respond to the evidence gathered during the investigation. Each party will have ten (10) school days to review all evidence and respond to the investigator before the completion of the investigation report;
4. Within twenty (20) school days of receipt of the complaint, ensure that an investigative report that fairly summarizes relevant evidence is created; and

5. At least ten (10) school days prior to a hearing (if a hearing is required under this section or otherwise provided) or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

**IV. Complaint Dismissal:** The Title IX Coordinator may dismiss a formal complaint in the following circumstances:

1. If the conduct alleged in the formal complaint does not meet the definition of sexual harassment as defined in this policy or did not occur in the school's education program or activity, or did not occur against a person in the United States, then the school must dismiss the formal complaint with regards to sexual harassment under Title IX. However, that alleged behavior can and will be reviewed under other district policies concerning code of conduct;
2. The district may dismiss the formal complaint or any allegations contained in the complaint, if at any time during the investigation or hearing the complainant notifies the Title IX Coordinator in writing that they would like to withdraw the formal complaint or any specific allegation;
3. The respondent is no longer enrolled or employed by the school; or
4. Specific circumstances prevent the school from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. The circumstances must be documented.

When a formal complaint or allegation is dismissed, the school will promptly send written notice of the dismissal and reason(s) simultaneously to the parties along with notification about the right to appeal the decision to dismiss the complaint or an allegation. Any appeal must be filed within fifteen (15) school days following the issuance of the dismissal notice.

**V. Informal Resolution Process**

After a formal complaint is filed, provided that the Title IX Coordinator has provided both parties with information about allegations and explained the informal resolution process, the parties can elect to resolve the complaint through an informal resolution process if each party voluntarily agrees to do so in writing. Complainant or respondent can decide to withdraw from the informal resolution process and resume the grievance process before the conclusion of the informal resolution process. Any complaint alleging that an employee sexually harassed a student is ineligible for the informal resolution process.

**VI. Complaint Outcome Determination**

Under Title IX, the district is not required to conduct a live "in person" hearing. [The outcome determination can be made through an administrative proceeding.](#) Once a Final Investigation Report has been issued, the Title IX Coordinator will determine if the

matter should be scheduled for an Administrative Outcome Determination or Live “In person” Hearing Outcome Determination. With or without a hearing, after the district has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker will allow each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answer, and allow for additional, limited follow-up questions from each party.

If there is a live hearing, the parties will have the opportunity to select an advisor of their choice, which may be an attorney. The party shall notify the Title IX Coordinator at least five (5) days before the scheduled hearing date if they have an advisor and their name or if they need an advisor to be provided by the District. In a live hearing, cross-examination by a party is permitted through their Advisor.

If there is an administrative review of the case, an Advisor is not necessary. For either outcome determination process, an unbiased decision maker or decision-making panel is assigned to adjudicate the matter. Written notice and information regarding the procedures for each process will be provided to the Complainant and Respondent at least ten (10) days prior to the scheduled date for the administrative review. Each party can pose questions in writing they have for the other party during this time to the decision maker. The decision maker will determine relevance and, if relevant, will direct the Title IX Coordinator to provide the questions to the other party for a response. For any question that a decision-maker does not allow, the decision-maker must state why the question was excluded or determined to be irrelevant.

## **VII. Outcome Determination**

A decision-maker or decision-making panel will issue a written outcome determination regarding responsibility simultaneously to the parties within ten (10) school days following the hearing/administrative review date. The Title IX Coordinator will notify the parties in writing about their right to appeal which must be filed within fifteen (15) school days following the issuance of the final outcome determination. The outcome determination regarding responsibility becomes final either on the date that the school provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

## **VIII. Sanctions**

The decision maker or decision-making panel will determine the sanction if, after deliberation, the respondent is found responsible. The range of available sanctions include, but are not limited to, written admonishment to expulsion or termination and are identical to any remedies available under Policy 218 – Student Discipline, the Student Code of Conduct. and application of law and regulations governing student or employee behavior. The complainant and respondent will be given the opportunity to provide a statement in writing regarding impact or mitigation to the Title IX Coordinator prior to the

date for the administrative outcome or live hearing. The Title IX Coordinator will provide the impact and mitigation statements of the parties to the decision maker(s) when requested by the decision maker(s) as a part of their deliberation on sanctions. Sanctions will be determined based on the totality of the information received including consideration for the safety of the school community.

## **XI. Appeal**

**Outcome Determination:** Each party has the right to appeal the outcome determination of the decision maker or decision-making panel. The basis for an appeal is:

1. To consider new evidence that was not reasonably available that could have affected the outcome,
2. A procedural error that substantially affected the outcome, and/or
3. Bias or Conflict of Interest of the Title IX Coordinator, Investigator or Decision Maker that affected the outcome.

Both parties will receive information on their right to appeal from the Title IX Coordinator when the outcome determination letter is delivered. If a party wishes to appeal, they must notify the Title IX Coordinator in writing about their appeal request. The Title IX Coordinator will provide written notice of the appeal process, who is assigned to review the case, and the bases for appeal. If an appeal is filed, an appeal decision maker or decision making panel will be assigned the matter for review. Both parties will be given an equal opportunity to submit written statements supporting or challenging the outcome. The appeal request must be made on or before fifteen (15) school days following the date the final outcome determination letter is issued.

### **Legal and Policy References:**

Title IX of the Educational Amendments of 1972, 20 U.S.C. §§1681-1688;  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2(a);  
EEOC Policy Guidelines on Sexual Harassment, 29 C.F.R. §1604.11;  
PA Human Relations Act, 43 Pa. Cons. Stat. Ann. § 951-960 (Purdon 1964 & Supp. 1991);

Pennsylvania Child Abuse Reporting §6311,  
<https://www.compass.state.pa.us/CWIS/Public/ReferralsLearnMore> ;

29 C.F.R. §1604.11  
20 U.S.C. 1092(f)(6)(A)(v)  
34 U.S.C. 12291(a)(10)  
34 U.S.C. 12291(a)(8)  
34 U.S.C. 12291(a)(30)

Human Relations Commission Guidelines on Sexual Harassment, 11 Pa. Bulletin No. 5 (Jan. 31, 1981).

Policy 103, 103.1, 104, 247, 249, 317, 417, 824

**SAUCON VALLEY EL SCH**

2085 Polk Valley Rd

Schoolwide Title 1 School Plan | 2020 - 2021

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**VISION FOR LEARNING**

SVES, A model of innovation, willing to take educational risks in a safe, and a supportive environment to continuously enhance learning so all students can achieve their potential when provided with opportunities and resources that target their individual learning needs.

## ESTABLISHED PRIORITIES

Priority Statement	Outcome Category
Our MTSS team needs to reconvene and continue its work to better define academic tiers, available supports, and process by which all stakeholders can evaluate student progress.	Essential Practices 3: Provide Student-Centered Support Systems
Using EdInsight to target specific subgroups in our data analysis and whether or not specific interventions need to change to ensure more consistent progress.	Essential Practices 3: Provide Student-Centered Support Systems
Using EdInsight to do the work of providing more comprehensive reports and tracking so more MTSS meeting time can be focused on student outcomes rather than attempting to mine data.	Essential Practices 3: Provide Student-Centered Support Systems

## ACTION PLAN AND STEPS

Evidence-based Strategy	
School based Multi-Tiered System of Supports (MTSS) Team	
Measurable Goals	
Goal Nickname	Measurable Goal Statement (Smart Goal)
Strengthening MTSS Process	Given implementation of EdInsight, at least 3 students per grade level (K-4), with at least one of the three from the identified subgroup will move from one performance category (basic, below basic) to the next highest given engagement with the ES's strengthened RtII/MTSS process.
Analyze and Improve Subgroups	Given implementation of EdInsight, at least 1 student per grade level (K-4) in the identified subgroup will move from one performance category (basic, below basic) to the next highest given engagement with the ES's strengthened RtII/MTSS process.
Data Analysis for MTSS	Given implementation of EdInsight, at least 3 students per grade

**Goal Nickname****Measurable Goal Statement (Smart Goal)**

level (K-4), with at least one of the three from the identified sub group, will move from one performance category (basic, below basic) to the next highest given engagement with the ES's strengthened RtII/MTSS process.

**Action Step****Anticipated Start/Completion****Lead Person/Position****Materials/Resources/Supports Needed**

Define tiers in terms of performance levels in conjunction with EdInsight and process.

2020-10-01 -  
2020-11-30

Michael  
Sakelarides

Time, EdInsight

Communicate definition of tiers, process and students within each tier.

2020-10-01 -  
2020-11-30

Michael  
Sakelarides

Time, EdInsight

Provide teachers PD in using EdInsight

2020-10-01 -  
2021-01-15

Michael  
Sakelarides,  
Lynn Cheddar

Time, EdInsight Personnel

Follow process, apply interventions and monitor progress for both individual students and identified subgroups.

2020-11-30 -  
2021-06-30

Michael  
Sakelarides

Time, EdInsight

Evaluate process and modify for upcoming year based on achievement data.

2020-11-30 -  
2021-08-02

Michael  
Sakelarides

Time, EdInsight, RtII/MTSS data.

**Anticipated Outcome**

Teachers/grade level teams will use data, specified process and interventions to improve student/subgroup achievement data.

**Monitoring/Evaluation**

Examination of achievement data and MTSS process data.

## PROFESSIONAL DEVELOPMENT STEPS AND TIMELINES:

Measurable Goals	Action Plan Name	Professional Development Step	Anticipated Timeline
<p>Given implementation of EdInsight, at least 3 students per grade level (K-4), with at least one of the three from the identified sub group will move from one performance category (basic, below basic) to the next highest given engagement with the ES's strengthened RtII/MTSS process. (Strengthening MTSS Process)</p>	<p>School based Multi-Tiered System of Supports (MTSS) Team</p>	<p>Provide teachers PD in using EdInsight</p>	<p>10/01/2020 - 01/15/2021</p>
<p>Given implementation of EdInsight, at least 1 student per grade level (K-4) in the identified subgroup will move from one performance category (basic, below basic) to the next highest given engagement with the ES's strengthened RtII/MTSS process. (Analyze and Improve Subgroups)</p>			
<p>Given implementation of EdInsight, at least 3 students per grade level (K-4), with at least one of the three from the identified sub group, will move from one performance category (basic, below basic) to the next highest given engagement with the ES's strengthened RtII/MTSS process. (Data Analysis for MTSS)</p>			

# ADDENDUM A: BACKGROUND INFORMATION TO INFORM PLAN

## Strengths

Our economically disadvantaged subgroup not only improved from the prior year, but was able to exceed the statewide growth standard.

74% of students met or exceeded the ELA goal, which also signified an increase from the previous year.

Focus on professional development and training to implement successful strategies regarding TDA questions in grade 4.

Grade levels focused on action planning based upon review of MAP and/or Dibels data to target specific areas for growth

Goal-setting in each grade level targeting specific areas for growth

Building-wide emphasis through instructing math a singular way

Collaboration amongst grade level stakeholders to align a scope and sequence, but to also identify and address areas of need

Ensuring a standards-aligned curriculum is taught from grades K-4

This area is not a focus on our plan at the elementary level.

\*not applicable to the plan

Curricular materials have been aligned to standards, and a scope and sequence was just revised last year with regards to phonological instruction in grades K-2.

## Challenges

This subgroup barely met the interim target goal by .3%, but also did not increase in their achievement performance from the prior year.

The overall academic score for the growth measure did improve from the previous year, but barely met the statewide growth standard.

Looking more closely at our subgroups and targeting more specific interventions and analysis of those groups' data

Establishing a system to better monitor student progress and the success of interventions on those students

Providing targeted mathematics interventions to those struggling to succeed

Finding the time for additional professional development with our math program, Math in Focus

Ensuring our students with disabilities are afforded the same level of opportunity and support in science as they receive in other core subjects.

This area is not a focus on our plan at the elementary level.

\*not applicable to the plan

Continuing to build upon and strengthen our MTSS to ensure we are appropriately identifying and supporting student needs.

## Strengths

We use a variety of assessments to enable all stakeholders to monitor student learning and inform programmatic decisions.

## Challenges

Provide more frequent, timely, and systematic feedback and support on instructional practices.

Providing appropriate supports for students in both the virtual and in-person settings during the pandemic year of 2020-2021.

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## Most Notable Observations/Patterns

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### Challenges

### Discussion Point

### Priority for Planning

Continuing to build upon and strengthen our MTSS to ensure we are appropriately identifying and supporting student needs.

The implementation for MTSS was started during the 2019-2020 school year. This is not a one-year implementation, and time was lost due to the COVID-19 closure.



Looking more closely at our subgroups and targeting more specific interventions and analysis of those groups' data

We need to allow the tools (shifting from Performance Tracker to EdInsight) to provide us with this data to analyze. Once comfortable with the new data warehouse, the able to target and drilldown will be much easier.



Establishing a system to better monitor student progress and the success of interventions on those students

We are currently shifting from one data warehouse to another, and jointly with MTSS, should address this in a much more systematic way.



## ADDENDUM B: ACTION PLAN

### Action Plan: School based Multi-Tiered System of Supports (MTSS) Team

Action Steps	Anticipated Start/Completion Date
Define tiers in terms of performance levels in conjunction with EdInsight and process.	10/01/2020 - 11/30/2020

Monitoring/Evaluation	Anticipated Output
Examination of achievement data and MTSS process data.	Teachers/grade level teams will use data, specified process and interventions to improve student/subgroup achievement data.

Material/Resources/Supports Needed	PD Step
Time, EdInsight	no

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Action Steps	Anticipated Start/Completion Date
Communicate definition of tiers, process and students within each tier.	10/01/2020 - 11/30/2020

Monitoring/Evaluation	Anticipated Output
Examination of achievement data and MTSS process data.	Teachers/grade level teams will use data, specified process and interventions to improve student/subgroup achievement data.

Material/Resources/Supports Needed	PD Step
Time, EdInsight	no

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**Action Steps****Anticipated Start/Completion Date**

Provide teachers PD in using EdInsight

10/01/2020 - 01/15/2021

**Monitoring/Evaluation****Anticipated Output**

Examination of achievement data and MTSS process data.

Teachers/grade level teams will use data, specified process and interventions to improve student/subgroup achievement data.

**Material/Resources/Supports Needed****PD Step**

Time, EdInsight Personnel

yes

**Action Steps****Anticipated Start/Completion Date**

Follow process, apply interventions and monitor progress for both individual students and identified subgroups.

11/30/2020 - 06/30/2021

**Monitoring/Evaluation****Anticipated Output**

Examination of achievement data and MTSS process data.

Teachers/grade level teams will use data, specified process and interventions to improve student/subgroup achievement data.

**Material/Resources/Supports Needed****PD Step**

Time, EdInsight

no

**Action Steps**

**Anticipated Start/Completion Date**

Evaluate process and modify for upcoming year based on achievement data.

11/30/2020 - 08/02/2021

**Monitoring/Evaluation**

**Anticipated Output**

Examination of achievement data and MTSS process data.

Teachers/grade level teams will use data, specified process and interventions to improve student/subgroup achievement data.

**Material/Resources/Supports Needed**

**PD Step**

Time, EdInsight, RtII/MTSS data.

no



## ADDENDUM C: PROFESSIONAL DEVELOPMENT PLANS

Measurable Goals	Action Plan Name	Professional Development Step	Anticipated Timeline
<p>Given implementation of EdInsight, at least 3 students per grade level (K-4), with at least one of the three from the identified sub group will move from one performance category (basic, below basic) to the next highest given engagement with the ES's strengthened RtII/MTSS process. (Strengthening MTSS Process)</p>	<p>School based Multi-Tiered System of Supports (MTSS) Team</p>	<p>Provide teachers PD in using EdInsight</p>	<p>10/01/2020 - 01/15/2021</p>
<p>Given implementation of EdInsight, at least 1 student per grade level (K-4) in the identified subgroup will move from one performance category (basic, below basic) to the next highest given engagement with the ES's strengthened RtII/MTSS process. (Analyze and Improve Subgroups)</p>			
<p>Given implementation of EdInsight, at least 3 students per grade level (K-4), with at least one of the three from the identified sub group, will move from one performance category (basic, below basic) to the next highest given engagement with the ES's strengthened RtII/MTSS process. (Data Analysis for MTSS)</p>			

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# PROFESSIONAL DEVELOPMENT PLANS

Professional Development Step	Audience	Topics of Prof. Dev
Insight into EdInsight	K-4 teachers	How to use EdInsight to access and analyze student data.
Evidence of Learning	Anticipated Timeframe	Lead Person/Position
Teachers will access, provide and discuss student data effectively.	10/01/2020 - 01/15/2021	Michael Sakelarides, Lynn Cheddar, EdInsight Coach

**Danielson Framework Component Met in this Plan:**

**This Step meets the Requirements of State Required Trainings:**

- 3d: Using Assessment in Instruction
- 1b: Demonstrating Knowledge of Students
- 1d: Demonstrating Knowledge of Resources
- 4a: Reflecting on Teaching
- 1b: Demonstrating Knowledge of Students
- 1d: Demonstrating Knowledge of Resources
- 3d: Using Assessment in Instruction
- 4a: Reflecting on Teaching

- Language and Literacy Acquisition for All Students
- Language and Literacy Acquisition for All Students

