MEMORANDUM

July 24, 2009

TO : BOARD OF SCHOOL DIRECTORS

FROM : STANLEY J. MAJEWSKI, JR., BOARD SECRETARY

SUBJECT : REGULAR MONTHLY MEETING – JULY 27, 2009

The Regular Meeting of the Board of School Directors of the Bethlehem Area School District for July will be held on ***Monday, July 27, 2009, at 7:00 p.m. in the Auditorium of East Hills Middle School, 2005 Chester Road, Bethlehem, PA 18017.*** The agenda is attached.

SJM:bac

Att.

pc: Dr. Lewis
Mr. Washington

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania

MISSION STATEMENT

The Bethlehem Area School District, in partnership with the home and community, is committed to providing a safe and supportive environment in which each student will attain the knowledge, skills, and attitudes necessary to become a productive citizen and lifelong learner in our technologically demanding and culturally diverse society.

A G E N D A
REGULAR MEETING – July 27, 2009

1. Roll Call
2. Pledge of Allegiance
3. Silent Meditation
4. Courtesy of the Floor to Visitors (30 minutes allowed)
5. Approval of Minutes
   March 11, 2009 – Special Board Meeting
   March 11, 2009 – Public Budget Hearing
6. Approval of Committee Minutes
   February 2, 2009 - Board Finance Committee Meeting
   April 6, 2009 – Board Finance Committee Meeting
   June 15, 2009 – Board Curriculum Committee Meeting
   July 13, 2009 – Board Human Resources Committee Meeting
   July 13, 2009 – Board Facilities Committee Meeting
   July 20, 2009 – Board Curriculum Committee Meeting
7. Financial Report/Payment of Bills
8. President's Communication/Special Meetings
9. Superintendent's Report/Federal Program Update
10. Unfinished Business
11. Recommendations of the Administration
12. Recommendation of the Board
13. Reports of Committees
14. New and Miscellaneous Business
15. Courtesy of the Floor to Visitors (30 minutes allowed)
16. Adjournment

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° Information Item Only

1. *Open Enrollment Guidelines for Broughal Middle School*

INFORMATION:

At the May 11, 2009, Board Curriculum Committee Meeting, the board requested additional details related to open enrollment at Broughal Middle School. The following details were provided in June:

- During the 2009-2010 school year, the district will not enact an open enrollment policy at Broughal.
- During the 2010-2011 school year, the open enrollment policy would begin, with a target of bringing in a cohort of 25 students in grade 6 and another 25 students in grade 7.
- During the 2011-2012 school year, the open enrollment policy would extend to a new cohort of 25 students in grade 6, an additional 25 students in grade 7, bringing this number to 50, and an additional 25 students in grade 8, who would join the original 25 students from grade 7, bringing this number to 50.

The students would be chosen through a lottery system and would be limited to the numbers and levels indicated above. The administration reserves the right to alter the numbers based upon staffing. Per Board Policy 206, requests for open enrollment will not be accepted earlier than June 2 or later than August 1. Such requests would be made in writing to the principal of Broughal Middle School. Parents would need to provide transportation for their children. Additionally, upon leaving Broughal Middle School at the end of grade 8, students would enter the high school that serves the attendance area of their legal residence.

Also, in accordance with Board Policy 206, once a student has been accepted into Broughal under the open enrollment option, that student would not be permitted to transfer to another building within the district at any time during that school year.

RECOMMENDATION:

That the Board of School Directors approves the proposed open enrollment guidelines for Broughal Middle School as stated above.

2. *Options for Offering Mandarin Chinese through Seton Hill University*

INFORMATION:

The Board of School Directors reviewed the option for offering Mandarin Chinese at the Board Curriculum Committee Meeting on Monday, July 20, 2009. At that time, the board directed the administration to place this item on the agenda with the opportunity for further discussion. The attached guidelines provide specific guidelines on how the program would be implemented.

RECOMMENDATION:

That the Board of School Directors authorizes the administration to join the Language Institute through Blended Schools Network in order to offer a Dual Enrollment option of Mandarin Chinese as described in the attached guidelines for students who are interested in studying the language.

GUIDELINES FOR OFFERING MANDARIN CHINESE

Bethlehem Area School District (BASD) has the opportunity to offer Mandarin Chinese through Seton Hill University in conjunction with blended schools network. Students could participate in this course as they participate in other dual enrollment courses. To put this into place, certain guidelines must be followed:

1. As with any college courses taken by BASD students, the schedule for the course would follow the schedule set by Seton Hill University.
   a. Students would be required to be online at specific times, three times per week for 50 minutes each time.
   b. Lessons are archived in the event a student would need to revisit a lesson, or if a student were to be absent one day.
   c. Students would not have to be at a certain computer. They could access the class from home if necessary.

2. The classes are taught by an adjunct professor of Seton Hill, and the rigor in the curriculum is for a college course.

3. The district would need to provide a teacher or a teacher assistant to oversee the students while the lesson is in session. This would be budget neutral.

4. Costs for the course would be as follows:
   a. The cost to the district is a $300 flat, yearly fee for a Language Institute Membership.
   b. The cost to the student is $630 if enrolled by July 31. After this date, the cost is $655.
   c. The district's procedure for invoicing is: Families pay tuition, fees, and book expenses up front. They then submit those receipts to the Office of Minority Affairs, Federal Programs, and Grants. After PDE notifies the district as to the percentage of reimbursement through Dual Enrollment, families are reimbursed by BASD (for tuition, fees, and books) at the rate the state allows - IF the student successfully completes the course. Blended Schools Network has a different procedure in that the district is invoiced, so families would need to pay the district up front. The district would then prepare a check, and pay Seton Hill. All other procedures would follow as normal.
   d. Students could take the Mandarin Chinese course for a cost of $400 if they do not wish to receive college credit. None of this amount would be reimbursable through Dual Enrollment.

5. Implementation (Provided Dual Enrollment funding is approved):
   a. The district would begin the course in fall 2009, for two or three interested students at each high school.
   b. For spring 2010, the district would work on having a full class enrolled.

3. *Approval of the Bethlehem Area School District Concession Stand Proposal*

INFORMATION:

The high school booster clubs developed a proposal for the operation of the Bethlehem Area School District Concession Stands. This proposal was reviewed by the administration and presented to the board at the June 15, 2009, Board Curriculum Committee Meeting. Revisions were made and additional information supplied to the board, which was reviewed at the July 20, 2009, Board Finance Committee Meeting.

RECOMMENDATION:

That the Board of School Directors approves the attached Bethlehem Area School District Concession Stand Proposal.

Bethlehem Area School District Stadium Concessions
Operational Plan

The following is a proposal for operation of the Bethlehem Area School District Stadium (BASD) Concessions. This will be a joint venture between the booster clubs of Liberty and Freedom High Schools.

Rationale

In an effort to maximize the profitability of the concession stands at the Bethlehem Area School District Stadium, a joint venture between the booster clubs of Freedom and Liberty High Schools is being proposed. The goal is to create an equitable and manageable concessions operation that both functions in a transparent manner and maximizes direct benefits to students and student-athletes within the Bethlehem Area School District. This proposal will be in effect for all public events held at Frank Banko Field at the BASD Stadium.

Location

- Concession Space is outlined by the two existing stands within BASD Stadium. Both stands are currently equipped with district owned property, contractual and leased property, and property purchased through the current BASD concession account.

- The District will assess the booster clubs an annual fee of $9,000 to defray the cost of: utilities, facility rental, replacement costs of existing equipment, and the insurance premium for summer athletics coverage.

Personnel

- Each Booster Club will provide a Concession Manager. The Concession Manager's job description is as follows:

    - Order supplies and merchandise for resale.

    - Stock products for resale.

    - Organize volunteers to work concession stands at all games played in the stadium.

    - Write checks, make deposits, and maintain accounting records for all sales and disbursements.

    - Maintain an income statement and balance sheet for the respective offices and organizations.

The Booster Clubs will use a Modified Accrual accounting system.

Fiscal Breakdown and Counting Responsibilities

- The Booster Clubs will be responsible for maintaining a joint business checking account with a local financial institution. Checks will require two signatures, one officer from each Booster Club. Until such time as the Liberty High School Booster Club attains 501-C-3 status, the Liberty High School Principal or Liberty High School Athletic Director shall sign checks as the representative of Liberty High School. At such time as the Liberty High School Booster Club attains 501- C-3 status, then an officer of the Liberty High School Booster Club may sign checks. All revenues and disbursements should be maintained in this account. Net proceeds of the operation of game business should be used as determined by the Principals, Athletic Directors, and the respective booster clubs to support the needs of our athletic teams and our student body. All financial records shall be audited annually by a mutually agreed upon public accounting firm, at the expense of the booster clubs.

- Use of outside vendors must be pre-approved by the Principals, Athletic Directors, and site managers in conjunction with the Bethlehem Area School District. All outside products and vendors must meet BASD specifications and contractual obligations. In addition, they must meet all requirements of Bethlehem City Code, and must agree to a negotiated item and cost structure with profit sharing prior to commencing business.

- This joint organization will hold exclusive rights to all concessions offered in the BASD Stadium during all seasons as defined previously in this document. In addition, this entity will hold exclusive rights to any activity or event deemed not directly associated with the BASD or the respective High Schools during the remainder of the year.

Supervision of Concession Manager and Oversight Procedures

- The Concession Managers will be under the direct supervision of the Principals and Athletic Directors of both High Schools.

- Counting of monies will occur at the conclusion of each event held in the stadium. The counting and reconciling of start up/closing monies will be conducted at a site to be determined by the administration.

- Counting for each event must occur with the following people present.

    1. Concession Managers.

    2. Site Manager of event or designee(s)

    3. Can also include oversight from Principals or Athletic Directors from either high school at any time.

    4. At least two people must be present at all times during counting procedures.

The proposal was reviewed by all parties, and the Board of School Directors approved this proposal at the July 27, 2009, Regular Board Meeting.

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Loretta Leeson, President of the Board of School Directors

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Stanley Majewski, Jr., Board Secretary

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Ellie DeStasio, Freedom Booster Club Representative

_____

Deborah Davis, Liberty High School Booster Club Representative

4. *Student Discipline – #0969965 – Adjudication*

INFORMATION:

The Board of School Directors of the Bethlehem Area School District has received and reviewed the following information regarding misconduct by one student in violation of District Policy 233.

RECOMMENDATION:

That the Board of School Directors adopts the proposed adjudication relating to Student Number 0969965.

5. *Student Discipline - #0958915 - Petition*

INFORMATION:

The Board of School Directors of the Bethlehem Area School District has received and reviewed the following petition to return from expulsion from one student.

RECOMMENDATION:

That the Board of School Directors adopts the petition relating to Student Number 0958915.

6. *Student Discipline - #0949114 – Waiver*

INFORMATION:

The Board of School Directors of the Bethlehem Area School District has received and reviewed the following Waiver of Expulsion Hearing and Stipulation regarding misconduct by one student in violation of District Policy 233.

RECOMMENDATION:

That the Board of School Directors adopts the waiver relating to Student Number 0949114 .

7. *Approval of Revisions to the Student Code of Conduct*

INFORMATION:

The administration conducted meetings to review revisions to the Student Code of Conduct at the conclusion of the 2008-2009 school year. In addition, a board member also met with the administration to recommend language clarification to the Student Code of Conduct. All of these revisions were compiled and reviewed with the entire board at the Board Curriculum Committee Meeting on July 20, 2009. It was determined at the meeting that the board agreed to go ahead with the revisions as presented, but that a Task Force should be formed to perform a thorough rewrite of the Student Code of Conduct for the following school year.

RECOMMENDATION:

That the Board of School Directors approves the attached revisions to the Student Code of Conduct for the 2009-2010 school year.

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania

K-12 STUDENT CODE OF CONDUCT

INTRODUCTION

Students in the Bethlehem Area School District generally begin their formal education in kindergarten and continue to move through a graded system of schooling until they are graduated at the end of twelfth grade. One might liken that kindergarten child to someone embarking on a voyage of discovery, a voyage that will continue for years to come. One of the most important ideas for children to discover on that voyage is that *our democratic society is founded on the worth of each individual and the value of each individual's unique contribution to our society.*[1]

It is imperative that each student understand that one's life is governed by rules, whether those rules be for a family, a school, a community, or a whole country. It is a basic responsibility of citizens in a democracy to know and follow the rules. There is little hope for our communities and our schools if the hearts and minds of our children and youth cannot be touched by a call to something greater than themselves. When most people accept and comply voluntarily with the rules, democracy works and all of us can enjoy the benefits of a free society.

The vast majority of Americans share a respect for certain fundamental traits of character: honesty, compassion, courage, perseverance, etc. These are virtues. But because children are not born with this knowledge, they need to learn what these virtues are.[2]

We intend, via this Student Code of Conduct, to help our school district's children and youth see what the universal values are, what they look like, what they are in practice, how to better recognize them, and how they work within the context of school rules. Through this Code we intend to give our students specific reference points for acceptable behavior while in our schools.

OUR FRAMEWORK FOR CITIZENSHIP

Our Framework for Citizenship: Building a safe, caring and respectful learning community is based upon four *components-Universal Values, Excellence, Global Understanding, and Community Service.* Together these four guiding principles promote the education of the whole child using an integrated approach. Our goal is to teach children that they must demonstrate certain behaviors on a regular and ongoing basis and that traditional American values need to be learned and become an integrated part of their daily lives.

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[1] *Philosophy of Education,* No. 101, p. 1, School Board Policy Manual. 1983,
[2] Bennett, William. The Book of Virtues, introduction.

UNIVERSAL VALUES

Classroom experiences in the Bethlehem Area School District will emphasize learning character development and universal values. The first component, *Universal Values,* provides the foundation of this school district's direction.

Universal Values

- Courage: mental or moral strength
- Empathy: appreciating another's feelings by putting oneself in their place
- Friendship: mutual liking or attachment between friends.
- Honesty: speaking or seeking truth; sincerity.
- Integrity: incorruptibility; honor
- Kindness: being friendly or nice to others
- Loyalty: consistent devotion or allegiance; faithfulness
- Patience: endurance of hardship or trouble without complaint
- Patriotism: love for or devotion to one's country
- Persistence: continuing firmly and steadily in spite of opposition.
- Respect for Others and Self: holding in high regard; esteem
- Responsibility: moral, legal or mental accountability
- Self-Discipline: training that molds the moral character of oneself.
- Tolerance: acceptance of beliefs differing from one's own.
- Trust: reliance or faith
- Work Ethic: effort applied to produce a desired effect or result

EXCELLENCE

The second component, *Excellence, is* a natural consequence of a student's character development and of the universal values focus. Aiming for their very best becomes not an external push, but an internal desire of students. Students learn that they can make a positive contribution to their community and society by developing excellence in all things. An emphasis on the joy of learning creates a thirst for knowledge that brings lasting results in academic pursuits.

GLOBAL UNDERSTANDING

The third component, *Global Understanding,* is built on the first two. Students are helped to develop respect and appreciation for all peoples and beliefs. They learn to value the range of cultures, races, and individual characteristics.

COMMUNITY SERVICE

The last component, *Community Service,* encourages the students to become actively involved in activities of their choice which make the world a better place.[3]

In addition to the formal curriculum, students learn from a hidden curriculum—all the personal and social instruction that they acquire from their day-to-day schooling. Many of education's most profound and positive teachings are conveyed in that *hidden curriculum.* The everyday behavior of the staff and students cannot fail to have an impact on a student.

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[3] Ideas adapted from A *Bold Experiment in Teaching Values by* C. Cottom: Educational Leadership International, May, 1996.

If we want our children and youth to possess, at least to some degree, these traits of character...these virtues or values...we need to both teach and model exactly what those traits are and why they deserve so much attention. Aristotle wrote that…*good habits formed at youth make all the difference.*[4] In order to best convey these ideals and make a difference, the entire BASD community—students, parents, teachers, administrators, custodians, secretaries, aides, cooks, bus drivers and all others—must strive to provide everyday examples of them. It is much like a working philosophy that is framed and posted in some of our faculty rooms, "If you aren't modeling what you are teaching, then you are teaching something else."

I. GOOD DISCIPLINE - WHAT IS IT?

The dictionary defines *discipline* as "training that develops self-control, character, or orderliness and efficiency." With this definition in mind, the need for stressing good discipline will become obvious:

A. SELF -CONTROL

All students have rights. All students have responsibilities. Students have the right to receive equal educational opportunity in a safe and orderly learning environment. To protect this right, all students have the responsibility to control their personal desires. Students must examine their own behavior and how it will affect others. Self-control is the preferred method of assuring that the rights of all are protected.

B. CHARACTER

Your character is defined by your total pattern of behavior. You own your own behavior. The behavior you exhibit is yours. Defending your actions by describing the actions of others is unacceptable. Your own actions determine your reputation and also help to determine how people react to you now and in the future. Trust, respect, and true friendship of others must be earned. Your pattern of behavior or character determines how much trust, respect, and friendship you earn. You should make a genuine effort to develop or maintain good character.

C. ORDERLINESS AND EFFICIENCY

Learning is often difficult work. It is made even more difficult when unnecessary distractions exist or when plans are unnecessarily disrupted. Self-control and good character help to ensure that learning can be accomplished in an orderly and efficient manner.

The information in this Code of Conduct identifies your responsibilities as a student. Also identified are certain types of behavior which disrupt student learning. In order to ensure an effective learning environment, students are urged to fulfill their responsibilities and refrain from disruptive behavior. In summary, good discipline ensures each of the following:

1. The ability to make the best use of each student's educational opportunity.
2. The opportunity to receive education in a safe, orderly, and efficient environment.

[4] Bennett, op. cit., introduction.

3. The development of useful positive patterns of behavior which will be respected and appreciated now and in the future.

D. STUDENT RESPONSIBILITIES (Pennsylvania School Code)

1. Students have a responsibility to attend school regularly.
2. It is the responsibility of students to be aware of all rules and regulations for student behavior and conduct themselves in accord with them.
3. Students have a responsibility to express their ideas and opinions in a respectful manner so as not to offend or slander others.
4. Students have a responsibility to volunteer information in matters relating to the health, safety, and welfare of the school community and the protection of school property.
5. Students have a responsibility to dress and groom themselves so as to meet fair standards of safety and health and so as not to cause substantial disruption to the educational process.
6. Until a rule is waived, altered, or repealed, students are responsible for assuming the rule is in full effect.
7. Students are responsible for assisting the school staff in operating a safe school for all students enrolled in the school.
8. It is the responsibility of students to be aware of and comply with state and local laws.
9. Using public facilities and equipment with proper care is a student responsibility.
10. Submitting a proper excuse for absence from school is a student responsibility.
11. Students are responsible for being on time to all classes and other school functions.
12. Making all necessary arrangements for making up work when absent from school is a student responsibility.
13. It is a student responsibility to pursue and attempt to satisfactorily complete the courses of study prescribed by state and local authorities.
14. Students are responsible for avoiding inaccuracies in student newspapers or publications and indecent or obscene language.
15. No student has the right to interfere with the education of his fellow students. It is the responsibility of each student to respect the rights of teachers, administrators, and all others who are involved in the educational process.

II. CLASSIFICATION OF STUDENT MISCONDUCT

In order to protect the right of all students to receive the best education possible in a safe and orderly learning environment, certain types of behavior are prohibited. Student misconduct is classified in four (4) levels based upon place of occurrence, frequency of occurrence, and disruptive effect upon the safety and orderliness of the learning environment.

A. ATTENDANCE POLICY REGULATIONS

1. The following days of absence are classified as "noncumulative" and are not subject to Attendance Policy regulations related to the Student Code of Conduct:
    a. Suspensions from school.
    b. Illness verified by a physician's note submitted within three days of a student's return to school.
    c. Death in the family from the date of death until two days after the funeral unless otherwise authorized by the building principal or his designee. A signed parental note must be submitted within three days of the student's return to school.
    d. Designated religious holidays provided that a signed parental request is submitted prior to the holiday.
    e. School-sponsored activities.
    f. College visits for up to three total days per school year provided that a signed parental request is submitted prior to the visit(s).

2. The following days of legal excused absence are classified as "cumulative" and are not subject to Attendance Policy regulations related to the Student Code of Conduct:
    a. Preapproved family vacation(s) while school is in session within limits established by the District:

        Students at the elementary level will be permitted to take four (4) educational trips, up to a cumulative maximum of fifteen (15) school days during their tenure in elementary school. Educational trips may not exceed five (5) days per year.

        Middle School students will be permitted to take two (2) educational trips, up to a cumulative maximum of (10) school days during their tenure at the middle school level. Educational trips may not exceed five (5) days per year.

        High school students will be permitted to take two (2) educational trips, up to a cumulative maximum of (10) school days during their tenure at the high school level. Educational trips may not exceed five (5) days per year.

    b. Preapproved college visits beyond three days within a school year.

    c. Any absence for which a written parental excuse is submitted within three days of the student's return to school.

        (1) For elementary students, a maximum of ten days of cumulative absence verified by parent notes will be permitted during a school year. Beginning

with the eleventh day of elementary school student absence, a physician's note will be required unless authorized otherwise by the building principal.

(2) For middle and high school students, a maximum of seven days of cumulative absence verified by parent notes will be permitted during a school year. Beginning with the eighth day of secondary school student absence, a physician's note will be required unless authorized otherwise by the building principal.

The following cumulative absences are classified as "unexcused/unlawful" and are subject to Attendance Policy regulations related to the Student Code of Conduct.

a. Any day of absence for which neither a written parental or physician's note is submitted within three school days of a student's return from absence.

b. Any day of absence not excused by a physician's note after seven days of secondary school absence or ten days of elementary school absence unless authorized otherwise by the building principal or his designee.

c. School truancy which includes any unexcused or unlawful absence by students aged sixteen and under. Also classified as truancy is any unexcused absence by students aged seventeen and over.

d. Three unlawful absences result in parent receipt of a written notice of violation of the Compulsory Attendance Law and may result in prosecution before a district justice in accordance with Section 1333 of the Pennsylvania School Code. A written notice will also occur for all subsequent absences. Parents and guardians are subject to fines of up to $300 and possible arrest. Students may also have their driving privileges delayed or suspended.

e. Unlawful class absences exceeding 50% or more of any school day will be classified as an unexcused/unlawful absence for the day and result in Student Code of Conduct consequences as outlined on the Disciplinary Action Sequence Chart (pages 15-16).

f. Unlawful and unexcused absences will result in a grade of "F', "N", or "zero" for all school responsibilities and class work missed on that day.

4. Late to class and late to school are categorized as attendance infractions of the Student Code of Conduct.

a. Lateness to school due to physician's appointments, court appearances, or funerals are not subject to actions outlined in the Student Code of Conduct provided written verification is submitted when the student reports to school.

b. An administrative discipline referral will be acted upon beginning with the third occurrence of unexcused lateness to school or class.

c. Students who have reached the category of 3-5 sessions of detention on the third step for lateness to class will have any further occurrences considered as an act of defiance.

d. Students who have reached the category of 3-5 sessions of detention on the sixth step for lateness to school will have any further occurrences considered as an act of truancy and will result in minutes accumulating towards a violation of the Compulsory Attendance Law of the Pennsylvania School Code and be subject to prosecution before a district justice. 180 minutes of tardiness will be considered a full day of absence.

e. Students who fail to report for unexcused reasons to administratively assigned detention for an attendance violation will be considered to be guilty of defiance.

f. A schedule modification may be imposed in cases where attendance infractions primarily affect a particular course of study. Students withdrawn from courses are ineligible to earn credit for such courses during the current school year.

5. Unexcused class absence (class cutting) is categorized as a Level II infraction of the Student Code of Conduct.

   a. Unexcused class absence includes any class missed without authorization for 50% or more of the scheduled class time.

   b. Unexcused class absence will result in a grade of "F", "N", or "zero" for all school responsibilities and class work missed.

   c. A schedule modification may be imposed in cases where attendance infractions primarily affect a particular course of study. Students withdrawn from courses are ineligible to earn credit for such courses during the current school year.

6. Truancy is classified as a Level Ill infraction of the Student Code of Conduct.

   a. Each day of truancy beginning with the third day is a violation of the Compulsory Attendance Law of the Pennsylvania School Code and subject to prosecution before a district justice.

   b. Students truant on multiple occasions will be assigned to in-school suspension, Saturday detention, or an extended school year.

   c. Students truant from school will receive a grade of "F", "N", or "zero" for all school responsibilities and class work missed on that day.

7. Travel to an unauthorized area is classified as a Level Ill infraction of the Student Code of Conduct and includes students who leave the school grounds or who travel to an unsupervised or restricted area within the building without authorization.

8. Administrative discretion may be employed in the enforcement of all attendance regulations.

B. LEVEL I INFRACTIONS

Level I infractions include behaviors which disrupt the learning environment and occur within the classroom.

1. Each classroom teacher or team of teachers will provide or involve students in the development of a Class Management Plan. The plan will include a list or description of expected student behaviors and/or prohibited student behaviors within the class and consequences for failing to adhere to the procedures. Class Management Plans will be shared with parents.

   a. Consequences implemented by the teacher in the Class Management Plan may include but are not limited to:

      - conference with student, conference with parent
      - conference with guidance staff
      - student detentions
      - student contract

- modified instructional programming
- specially-designed assignments
- denial of class privileges

b. This Class Management Plan will be reviewed in advance and endorsed by a building administrator.

c. All special education students who exhibit behavioral problems which violate aspects of the Student Code of Conduct will have a revision of their Individualized Educational Plan (IEP) which will include a Behavior Management Plan prepared by district staff with the involvement and agreement of the parent or guardian. Special education students identified as Seriously Emotionally Disturbed must have an IEP that includes a Behavior Management Plan. This plan is developed at the initial conference and is revised as needed.

2. Students who violate the classroom regulations will first be dealt with by the classroom teacher according to the Class Management Plan or Behavioral Management Plan incorporated in their Individualized Educational Plan.

3. Students will be referred to an administrator when, despite efforts of the teacher to change the student behavior, the student continues to demonstrate a pattern of misconduct, refusing or neglecting to follow the directions of the teacher.

C. LEVEL II INFRACTIONS

Level II infractions include prohibited behaviors during school, during school-sponsored activities on and off school property, and while students travel to and from school by district transportation.

Each school may define additional types of student misconduct to be included as Level II infractions and the consequences for those infractions.

1. Misconduct which meets the definition of a Level II infraction may be referred to an administrator for appropriate action within guidelines established by the building administration.

2. Continued class misconduct is also classified as a Level II infraction and may be referred to an administrator after the teacher has completed the Level I interventions outlined in the teacher's Class Management Plan.

3. Violations of student dress regulations are classified as Level II infractions. Student dress regulations are required to ensure safety or to avoid disruption of the educational process. Student dress must adhere to standards which show respect for oneself and the larger school community.

   a. Students shall not wear or display clothing, symbols, pins, or other paraphernalia (1) advertising alcohol, tobacco, and other controlled substances; (2) displaying inappropriate words or pictures; (3) derogatory to any ethnic group; or (4) which may cause disruption to any school, class or activity.

   b. Students are not permitted to wear revealing clothing which offends the sense of common decency, as judged by those entrusted with providing a positive school environment. Revealing clothing includes, but is not limited to, clothing that reveals the midriff, halter-like tops, see-through blouses or shirts, short shorts, and cut-off shorts.

c. The wearing of caps, hats, jackets, coats, and other outerwear is prohibited inside the school building unless authorized by an administrator. All such clothing items must be stored in lockers or designated areas during the school day.

d. Shoes, sneakers or other appropriate footwear must be worn in school at all times unless otherwise specified by an adult authority.

e. Students shall not wear any clothing items or clothing accessories which, in the view of an administrator, represent a safety hazard or danger to school property.

f. Students will be informed of any special dress regulations which exist in specialized school programs or activities and will be expected to abide by such regulations.

4. The possession, furnishing, or selling of unauthorized items and materials on school property is classified as a Level II infraction.

   a. Such items include but are not limited to electronic, entertainment, and communication devices.

   b. All such items will be confiscated, forwarded to an administrator, and returned only to a parent or guardian.

   c. All cellular telephones and other communication devices must be deactivated and must be stored in lockers or other administratively designed areas during the regular school day. Students are prohibited from receiving and/or transmitting voice messages or text messages as well as activating any other communication device functions except in unique circumstances with prior approval from an administrator. The school district assumes no responsibility for lost or stolen cellular telephones or communication devices.

5. Students who violate the District's Transportation Policy guidelines will be addressed appropriately within the Level II or III category of the Student Code of Conduct. (See Appendix, p. 40)

6. Defiance is a Level II infraction. Defiance is defined as the willful failure or refusal to follow instructions or directions of an adult authority on school property or during school-sponsored activities.

7. Students who exceed the category of 3-5 sessions of detention for a Level II infraction will have any subsequent occurrences of the same infraction categorized as Insubordination, a Level III infraction.

8. After a student has committed five incidents from any combination of Level II infractions, any further Level II infractions may be acted upon as insubordination by the building administrator.

9. A student may be granted an additional Level II infraction category if twenty (20) school days have elapsed since his/her last infraction.

   No student may be permitted to exceed eight (8) Level II infractions. All subsequent infractions will be categorized as insubordination.

D. LEVEL III INFRACTIONS

Level III infractions include prohibited behaviors during school, during school-sponsored activities on and off school property, and while students travel to and from school by district transportation.

Level III infractions and consequences will be consistent throughout the Bethlehem Area School District. All Level III infractions must be referred to an administrator as expediently as possible.

1. Level III infractions include but are not limited to the following types of behavior:

a. Activating False Fire Alarms
In addition to the school penalty imposed, students may also be prosecuted under Section 4905 of the Pennsylvania Penal Code which includes a penalty of up to five years imprisonment.

b. Damage/Destruction of School and/or Personal Property
Willful behavior which damages/destroys property belonging to the school district or to any students, employees, representatives, or visitors of the school district. When it is determined that students are responsible for the destruction of school or personal property, the full cost of materials and labor to repair or replace the damaged property will be the responsibility of the student(s) causing the damage/destruction.

c. Disrespect
Willful behavior which without reasonable cause is designed to lessen the reputation, honor, or public opinion of any individual. Any use of profanity and/or obscenity specifically directed at an employee of the school district will be categorized as disrespect.

d. Drugs/Alcohol

(1) The use, possession, transmission or attempted transmission, or being under the influence of drugs or alcohol or substances purported to be drugs or alcohol.

(2) In addition to the school penalty imposed, the student will be referred to the proper state or local authorities should the student behavior violate the laws of the Commonwealth of Pennsylvania. The sale, distribution, or attempted sale or distribution of drugs, or alcohol or substances purported to be drugs or alcohol will be classified as a Level IV infraction. Violators will be subject to a formal expulsion hearing before the Board of School Directors.

(3) Students will be referred to the Student Assistance Team and may be required to obtain treatment from proper medical or health facilities before receiving permission to re-enter school.

(4) Any drug and/or alcohol products found on school property or during school sponsored activities will be confiscated.

(5) The use of drug detection dogs may assist school authorities in locating illegal substances in accordance with the District's Locker Search Policy (see Appendix).

e. Endangerment

Willful, improper behavior which may cause injury or harm to another individual or create an environment where injury or harm would be likely to occur. Should injury or harm to an individual actually occur, the behavior will be considered as an assault.

f. Extortion

Willful behavior which causes any individual to relinquish a personal possession or individual right as a result of threat or fear of violence or personal injury.

g. Fraud/Cheating

Misrepresentation of the truth including deceptive completion of school responsibilities.

h. Insubordination

Repeated acts of defiance or behavior as set forth in II.C.7 or II.C.8.

i. Physical Assault

Any behavior which causes physical harm or injury to another individual, except in cases of self-defense. In addition to school penalty imposed the victim may choose to hold the student liable for payment of damages. The student may be referred to civil authorities. In the case of serious physical harm or injury, as defined as, but not limited to, broken bones, possible internal injuries, severe lacerations and bleeding, or loss of consciousness, the behavior shall constitute a Level IV infraction, the student may be suspended for 10 days and recommended for expulsion.

j. Profanity/Obscenity

Any behavior which visually and/or verbally presents ideas which are considered offensive to and/or inappropriate for maintaining an effective school environment.

k. Theft/Larceny

The taking of property belonging to the school district or any employee, student, representative, or visitor of the school district without permission. In addition to the school penalty imposed, the student will be liable for restitution and may be referred to civil authorities. Additionally the theft of district property/equipment may be immediately referred by the building principal to the Superintendent of Schools for consideration as a Level IV offense and an expulsion hearing before the Board of School Directors of the Bethlehem Area School District.

l. Threats/Harassment/Bullying

(1) Intentional behavior that results in trouble, worry, or torment to another individual for no beneficial purpose. This includes but is not

limited to expressions of an intent, actual or attempts, to injure or harm an individual or their property.

(2) Dependent upon the actual or apparent nature and intent of the threat, the disciplinary action sequence may be modified in order to protect the health, safety, and welfare of the school community. The modification may include disciplinary action up to and including expulsion from school.

(3) Students who express, in any manner, any statement(s) which indicate a planned intent to injure or harm another individual will, after consultation with the Director of Operations or Director of Student Services, be referred to proper state or local authorities should the student behavior appear to violate local, state, or federal law.

(4) Students who make threats to injure or harm others may be subject to search of their person, personal belongings, or vehicles, as well as district-supplied lockers.

(5) Technology based harassment/bullying through computer, texting, cell phone communication, or other technologies shall also be subject to consequences under this policy.

(6) Incidents of harassment/bullying as defined by the District's Harassment and Bullying Policy will result in consequences determined to be appropriate within Student Code of Conduct guidelines defined by the administrator.

m. Tobacco

(1) The use, possession, sale or distribution of tobacco products or assisting in the use, possession, sale or distribution of tobacco products on school property or during school-sponsored activities.

(2) In addition to the school penalty imposed, all tobacco products found on school property or during school-sponsored activities in the possession of students will be confiscated.

(3) Students in violation of the prohibition will also be issued a citation by a school administrator and be subject to a $50 fine and court costs by a district justice in accordance with state law.

n. Computer, Network, and Internet Use

Violation of the Computer, Network, and Internet Use Policy ~~will~~ may be acted upon appropriately within the Level III infractions included in the Student Code of Conduct. (For further detail see the District's *Computer, Network, and Internet Use Policy* included in the Appendix, p. 34)

2. Level III infractions resulting in serious personal injury to any person or substantial damage to property, or which otherwise results in significant actual harm to the health, safety, or welfare of the school community may constitute a Level IV infraction and may be immediately referred by the building principal to the Superintendent of Schools for consideration of referral for an expulsion hearing before the Board of School Directors of the Bethlehem Area School District.

3. Habitual offenders of Level III infractions may be referred to the Board of School Directors of the Bethlehem Area School District for an expulsion hearing. Habitual offenders may be defined as either:

    a. Students who have exceeded the category of 5-10 days of suspension during the current school year for a specific Level III infraction.

    b. Students who have exceeded five (5) separate suspensions during the current school year for any combination of Level III infractions.

E. LEVEL IV INFRACTIONS

Level IV infractions include behaviors which represent an immediate danger to the safety and well being of the total school community.

1. Students cited for Level IV infractions will be suspended from school for ten (10) school days and referred by the building principal to the Superintendent of schools for an expulsion hearing before the Board of School Directors of the Bethlehem Area School District.

2. Level IV infractions include but are not limited to the following types of behavior:

    a. Possession of a weapon as defined in Section 1317.2 of the Public School Code including, but not limited to any firearm, explosive, knife, or unauthorized cutting instrument; or possession of a replica of a weapon and/or look alike objects.

        (1) Unless recommended otherwise by the Superintendent of Schools, any student found to be in violation of a Level IV infraction as defined in Section 1317.2 of the Public School Code will be expelled from the District for no less than one year.

        (2) The Board of School Directors must approve any recommendation of the Superintendent of Schools for an expulsion of less than one year for a Level IV infraction involving a weapon as defined in Section 1317.2 of the Public School Code. The Board of School Directors may enact an expulsion of any term from one year to a permanent expulsion.

    b. Assault upon a district employee.

    c. Habitual offenders of District regulations

        (1) Exceeding the level of 5-10 days of suspension consequence during the current school year for a specific Level III infraction.

        (2) Exceeding five (5) separate suspensions during the current school year for any combination of infractions.

    d. Any offense of such a serious nature, as determined by the administration, that expulsion of a student is justified.

    e. Infractions resulting in serious personal injury to any person or substantial damage to property, or which otherwise results in actual harm to the health, safety, or welfare of the school community may be immediately referred by the

building principal to the Superintendent for consideration of referral for an expulsion hearing before the Board of School Directors of the Bethlehem Area School District. In addition, any criminal offense substantially interfering with or negatively affecting the health, safety, and/or welfare of the school community may result in an expulsion hearing.

III. DISCIPLINARY ACTION SEQUENCE

A. GUIDELINES

The guidelines outlined on the Disciplinary Action Sequence Chart represent expected consequences for violations of the Student Code of Conduct. The sequence, however, may be modified if, in the judgment of an administrator, alternative or additional action(s) will serve the best interest of the student and/or school environment.

All the provisions of the Student Code of Conduct shall be interpreted and applied in accordance with all state and federal laws pertaining to students with disabilities.

B. IMPLEMENTATION

In implementing the Disciplinary Action Sequence Chart, the following guidelines will be followed:

1. The infractions are listed in the column on the left side of the chart.

2. The numbers across from each infraction represent occurrences of the same infraction. For example, the number "1" indicates the first offense, the number "2" indicates the second offense, etc.

3. The consequence for each offense is listed directly above the number of each occurrence as a range of either detentions or suspensions.

4. Student Detention Session:

    a. Students assigned a session of detention(s) will be required to report to a designated location at times to be specified by a building administrator. Students will be expected to use detention time to study, complete assignments, or read curriculum-related materials.

    b. Unless authorized otherwise by an administrator, the serving of administratively assigned detention will take precedence over all other school activities or events.

5. Suspension from School:

    a. Students suspended from school will be removed from the regularly scheduled instructional program.

    b. Suspension is exclusion from school for a period of from one to ten consecutive school days. Students suspended will be removed from the regular school program, and assigned to a designated location in school, or assigned to a designated location out of school during the term of the suspension, which may include the students' home for an out of school suspension.

    c. Suspension may be issued by the principal or designee in charge of the school.

d. No student shall be suspended until the student has been informed of the reasons for the suspension and given an opportunity to respond.

e. Prior notice of the intended suspension need not be given when it is clear that the health, safety, or welfare of the school community is threatened.

e. After giving the student notice of the intended suspension, the school will immediately attempt contact of the parent/guardian to notify the parent of the suspension, its cause, its duration, the expected restrictions on the student during the suspension, and that a written confirmation will be mailed to the home.

f. In those cases where the parent cannot be reached, every effort should be made to keep the child in school until the end of the school day unless the nature of the offense is so severe that other arrangements are necessary. Written notice will be provided to the student. The student will be expected to deliver the written notice to the parent. Written notice will also be mailed to the parent.

g. When a student is suspended, the student and the parent/guardian shall be required to attend an informal hearing. The purpose of the informal hearing is to enable the student to meet with the appropriate school official to explain the circumstances surrounding the incident for which the student is being suspended for the parent or the student to show why the student should not be suspended. The informal hearing is meant to encourage the student's parents or guardian to meet with the administrator to discuss ways by which future offenses can be avoided. The informal hearing includes the following due process requirements:

(1) Notification of the reasons for the suspension shall be given in writing to the parents or guardian and to the student.

(2) Sufficient notice of the time and place of the informal hearing shall be given.

(3) A student has the right to question any witnesses present at the hearing.

(4) A student has the right to speak and produce witnesses on his own behalf.

(5) The district shall offer to hold the informal hearing within the first five days of the suspension.

i. Suspensions may not be made to run consecutively beyond the ten school day period.

j. Students shall have the responsibility to make up exams and work missed while being disciplined by suspension and shall be permitted to complete these assignments within guidelines established by each school.

k. Suspension from school of exceptional students will be in accordance with due process requirements as defined by state regulations.

6. Expulsion from School

a. Expulsion is removal of a student from the regular school program for a period of time exceeding ten school days up to, and including, permanent removal from school.

b. Unless a written agreement ("Waiver of Expulsion Hearing and Stipulation") is endorsed by the District, parent/guardian, and student, expulsions require a prior formal hearing. The hearing may be held before the Board of School Directors, a duly authorized committee of the Board, or a qualified hearing examiner appointed by the entire School Board. The formal hearing includes the following due process requirements:

(1) Notification of the charges shall be sent to the student's parent(s) or guardian(s) by certified mail.

(2) Sufficient notice of the time and place of the hearing must be given.

(3) The hearing shall be held in private unless the student or parent/guardian requests a public hearing.

(4) The student has the right to be represented by counsel.

(5) The student has the right to be presented with the names of witnesses against the student, and copies of the statements and affidavits of those witnesses.

(6) The student has the right to request that any such witnesses appear in person and answer questions or be cross-examined.

(7) The student has the right to testify and present witnesses on his own behalf.

(8) A record must be kept of the hearing, either by a stenographer or by tape recorder. The student is entitled, at the student's expense, to a copy of the transcript or audiotape. However, a copy will be provided at no cost to a student who is indigent.

(9) The hearing must be held in the time required by law.

c. During the period prior to the hearing and prior to a decision of the Board, the student shall be placed in his normal class unless it is determined, after an informal hearing, that a student's presence in his normal class would constitute a threat to the health, safety, or welfare of others. The student may not be excluded from school for more than 15 school days without a formal hearing unless mutually agreed by all parties. Any student so excluded shall be provided with alternative education, which may include home study.

d. Where a student disagrees with the results of a hearing, an appeal may be taken to the Court of Common Pleas.

e. Students who have been expelled who are less than 17 years of age are still subject to the compulsory school attendance law, and they must be provided an education.

(1) The initial responsibility for providing the required education rests with the student's parent(s) or guardian(s), through placement in another school, through tutorial or correspondence study, or through another educational program approved by the Superintendent of Schools.

(2) If the parent(s) or guardian(s) are unable to provide for the required education they must, within 30 days, submit to the school district written evidence so stating. The District then has the responsibility to make some provision for the student's education. If 30 days pass

without the district receiving satisfactory evidence that the required education is being provided to the student, it must again contact the parent/guardian and pending the parents' or guardian's provision of such education, the District must make some provision for the student's education.

(3) Expelled students assigned to the District's Lifeskills/Academic Maintenance Program (L/AMP) will be required to adhere to all procedures and guidelines established specifically for this program.

(4) L/AMP attendance regulations require students to notify a program. representative in advance of any absences from class.

C. IN SCHOOL SUSPENSION PROGRAM

1. The primary purpose of the Bethlehem Area School District's Student Code of Conduct is to provide a safe and efficient learning environment in order to accomplish our educational goals. The In School Suspension Program is designed to provide academic support and direction to those students whose current behavior interferes with our educational mission but who are capable and willing to become productive students.
2. Student Participation
   a. Students in grades 6-10 who commit acts of misconduct resulting in suspension according to regulations outlined in the Student Code of Conduct will be assigned to the District's In School Suspension Program for the duration of the suspension, space permitting. Students who commit acts of misconduct which pose an immediate threat to the safety and welfare of the school community will be ineligible for the program and be assigned out-of-school suspension.
   b. Secondary schools may assign students to building-based, in-school suspension for the first and second suspensions of students.
3. Goals of the In School Suspension Program

   The student's program of academic studies will be maintained to the extent possible for the duration of the suspension.

4. Organizational Structure
   a. Staffing

      An In School Suspension Program facilitator will be responsible for monitoring and maintaining records of the attendance, and academic program.

   b. Program Schedule

      (1) The In School Suspension Program will operate on an independent time schedule.

      (2) Students eligible for district transportation services will be notified by their sending school.

   c. Attendance Regulations

      (1) Any student who is absent from the In School Suspension Program must complete all days assigned prior to returning to the home school.

      (2) All attendance regulations in effect in the secondary schools are also in effect during a student’s assignment to CA/MP.

(3) Students who arrive late to CA/MP may be subject to detention at the home school, Saturday detention, extended days assigned to CA/MP, or dismissal from CA/MP.

D. ALTERNATIVE ACTIONS

1. In addition to the detentions and days of suspension indicated in the Disciplinary Action Sequence Chart, alternative action may also be taken by an administrator for violation of the Student Code of Conduct.
2. In each incident, the administrator will decide on an individual basis if alternative action will best meet the needs of the student, the school district, and/or the employees of the school district.
3. Alternative actions may replace and/or accompany the action indicated in the Disciplinary Action Sequence Chart for each violation of the Student Code of Conduct.
4. Alternative actions which may be taken include but are not limited to:
    a. civil and/or criminal prosecution
    b. denial of privileges
    c. design of a unique student educational program
    d. design of a student behavioral program
    e. design of a student work or service program
    f. inclusion in the Saturday detention program
    g. liability for damages or financial loss
    h. parent conference
    i. participation in a conflict resolution program
    j. referral to alternative education program
    k. referral to appropriate local, county, and/or state agencies and/or institutions
    l. referral to counselor
    m. referral to Instructional Support Team (IST)
    n. referral to psychiatric and/or psychological service staff
    o. referral to Student Assistance Program (SAP) staff
    p. scheduling of a parenting improvement course.

5. Students who have violated the Student Code of Conduct should not expect to receive only a warning when referred to an administrator. This policy will be explained in its entirety at the beginning of the student's school year.

E. DISCIPLINARY ACTION SUMMARY

A Disciplinary Action Summary will be maintained for students violating the Student Code of Conduct.

1. The summary will include all infractions committed by the student during the current school year. Consequences for student misconduct are not cumulative from year to year. A new summary will be developed at the beginning of each school year
2. The summary will be forwarded with student records when a student transfers to schools within the Bethlehem Area School District.

3. The summary will be forwarded with student records when the student earns promotion to the next grade.
4. Also forwarded will be student discipline referrals for any misconduct resulting in school suspension. In addition, student suspension reinstatement contracts and personal improvement plans will also be forwarded with student records.

F. SUSPENSION REINSTATEMENT PROCESS

1. Upon returning from any suspension, the student is required to complete a Student Contract or Personal Improvement Plan prior to reinstatement. The intent of this contract or plan is to improve student behavior.
2. Parents must accompany students upon their return to their regular school program from all suspensions. During the suspension reinstatement hearing:
    a. The administrator imposing the suspension will review the reason(s) for the suspension.
    b. The administrator will also review the student's discipline record and explain the consequences which will occur for further violations of the Student Code of Conduct.
    c. The administrator will advise the parent of any current student obligations related to the Student Code of Conduct or lack of academic performance.
    d. The administrator will assure that an appropriate Student Reinstatement Contract or Personal Improvement Plan is completed and advise the student and parent of the monitoring process which will be employed upon the student's return to school.
    e. When directed by the administrator, the counselor will review or assist in the development of the contract or improvement plan and establish a schedule for consulting with the student.
3. Students who fail to abide by conditions outlined in the suspension reinstatement contract may be cited for insubordination by an administrator when efforts by the counselor and teaching staff have proven unsuccessful in changing student behavior.

G. IMPOSITION OF STUDENT CODE OF CONDUCT CONSEQUENCES

1. Students who transfer to a different school within the Bethlehem Area School District will be required to fulfill Student Code of Conduct consequences at the school in which the student enrolls.
2. Students who withdraw from the Bethlehem Area School District will be required to fulfill Student Code of Conduct consequences upon re-entry into the District. Student expulsion hearings may be conducted for students who withdraw from the District.
3. Students concluding the regular school year with Student Code of Conduct consequences yet to be fulfilled will be required to fulfill the consequences following conclusion of the regular school year.

IV. SUMMARY

For the majority of students in the Bethlehem Area School District, good discipline is not a problem. Most students have already learned to respect the rights of others and to take seriously the educational opportunity the school represents. This Student Code of Conduct is not designed to either alarm or restrict those students.

To those students who already demonstrate good discipline, the Student Code of Conduct, hopefully, assures them a safe and positive school environment in which to learn.

For those students who have yet to develop the self-control and character needed for success, the Student Code of Conduct provides a series of guidelines. The guidelines will, hopefully, assist these students to more clearly understand the rights of others and themselves.

Behavior is a series of decisions and choices. It is hoped students will make those behavioral decisions and choices with the overall major purpose of school in mind-to prepare for the future by developing into a better person today.

NOTIFICATION OF NONDISCRIMINATION

It is the policy of the Bethlehem Area School District not to discriminate on the basis of race, color, national origin, sex, disability, age, religion, veteran status or any other legally protected classification in its educational and vocational programs, activities, or employment as required by Title VI, Title IX, Section 504.

POLIZA DE DERECHOS IGUALES Y OPORTUNIDADES El Distrito Escolar de Bethlehem no discriminara en sus programs educacionales, programas vocacionales, 0 practicas de empleos, basado en su raze, color, nacionalidad sexo, incapacidad, edad, religion, status de veterano u otras clasificaciones legalmente protegidas. Esta notificacion esta de acuerdo con lag leyes estatales y federales, incluyendo Titulo VI, litulo IX, Seccion 504.

APPENDIX

- Attendance Policy
- Computer, Network, and Internet Use Policy.
- Gangs
- Locker Search Policy
- Summarization of Drug and Alcohol Administrative Guidelines.
- Transportation Policy

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania

ATTENDANCE POLICY

The Board of School Directors requires that school-aged pupils who are enrolled in the schools of this district attend school regularly in accordance with the laws of the state. The educational program offered by this district is predicated upon the presence of the pupil and requires continuity of instruction and classroom participation.

Attendance shall be required of all students during the days and hours that school is in session, except that a principal or teacher may excuse a student for temporary absence when they receive satisfactory evidence of such mental, physical or other urgent condition which may reasonably cause the student's absence.

The Board considers the following conditions to constitute reasonable cause for absence from school:

- illness
- quarantine
- recovery from accident
- required court appearance
- death in the family

All absences occasioned by the observance of the student's religion on a day approved by the Board as a religious holiday shall be excused and no student so excused shall be deprived of an award or eligibility to compete for an award or the opportunity to make up a test given on that day.

Attendance need not always be within the school facilities, but a student will be considered to be in attendance if present at any place where school is in session by authority of the Board, or at the place where the student is receiving approved tutorial instruction or health care, or at the place where the student it engaged in an approved and properly supervised work/study or career education program, or at home when the student is receiving approved homebound instruction.

The Board shall consider each student assigned to a program of independent study to be in regular attendance for the program, provided the student is under the guidance of a staff member so assigned and reports weekly to such staff member the place in which the student is conducting study and regularly demonstrates progress toward the objectives of the course of study.

Repeated infractions of Board policy regarding attendance may constitute such misconduct and disobedience as to warrant the suspension or expulsion of the student from the regular school program.

It shall be the policy of the Board to consider the effectiveness and appropriateness to the pupil's needs of the educational program that is offered each child who is habitually and repeatedly absent from such program. The Board authorizes the superintendent to suspend a student from a particular class or from school in accordance with the policies of the Board if sincere efforts by the staff and parents cannot rectify the pattern of absence. The superintendent is authorized to establish the criteria to implement this policy.

The Board will excuse the following students from the requirements of attendance at the schools of this district:

- On certification by a physician or submission of other satisfactory evidence and on approval of the Department of Education, children who are unable to attend school or apply themselves to study for mental, physical or other reasons so urgent as to preclude regular attendance;

- Students enrolled in nonpublic or private schools in which the subjects and activities prescribed by law are taught, except that such students and students attending college and also enrolled in the schools shall be counted as being in attendance in this district;

- Students 16 or 17 years of age, whose enrollments in a private trade or business school have been approved;

- Children 15 years of age and 14 years of age who have completed sixth grade and who are engaged in farm work or private domestic service under duly issued permits; and

- Children 16 years of age, regularly employed during the school session and holding a lawfully issued employment certificate.

The Board may excuse the following students from the requirements of attendance at school:

- Students receiving private instruction from a properly qualified tutor,

- Homebound children, and

- Students enrolled in special schools conducted by the Colonial Intermediate Unit 20 or by the Department of Education.

The Board may report to appropriate authorities infractions of the law regarding the attendance of students under age 17. The Board shall issue notice to those parents and guardians who fail to comply with the statutory requirements of compulsory attendance that such infractions of the statute will be prosecuted.

Requirements for a Written Parental Explanation for a Student's Legal Absence

1. Parents are required to submit a written explanation for the legal absence of their child within three (3) days from the date of the child's return to school. Failure to provide such written explanation or failure of the child to present the excuse to the principal will result in the absence being declared unexcused and/or unlawful, as provided in Section 1329 of the School Laws and Section 113-411 of the School Administrator's Handbook (March 20, 1970).

   a. The mere fact that a parent provides a written explanation does not qualify the absence as excused. The absence must be for a legal reason as determined by the principal and/or teacher, according to law.

2. When it is known that a parent(s) cannot read or write, the principal or teacher may accept a verbal excuse. However, the verbal excuse shall be documented in writing as to the date of the absence, the reason and the name of the parent contacted. This documented note is to be signed by the person from the school who had contacted the parent.

3. In those cases where a child has an excessive number of absences verified only be a verbal communication, a home visit shall be made by the attendance officer and/or the home-school visitor to secure the "mark" of the parent on a written excuse provided by the school.

4. If the dominant language in a student's home is not English and the parent(s) are able to read and write in another language, they shall be required to submit a written explanation in that language, as required in Item 1 above.

The superintendent shall develop procedures for the attendance of students which:

- Ensure a school session in conformity with requirements of the State Board,
- Govern the keeping of attendance records in accordance with rules of the State Board,
- Impose on truant students such incremental disciplinary measures as appropriate for
- infractions of school regulations, but no such penalty may have an irredeemably negative effect on the student's record beyond that which naturally follows absence from school activities,
- Identify the habitual truant, investigate the cause(s) of behavior, and consider modification of the educational program,
- Ensure that students who are excused absent for any reason have an opportunity to make up work they missed, and
- Issue written notice to a parent or guardian who fails to comply with the compulsory attendance statute within three days of the any proceeding brought under that statute. Such notice shall inform the parent or guardian of the date(s) on which the absence occurred, that the absence was unexcused and in violation of law, that the parent must be so notified and informed of liability under law, and that further violations during the school term will be prosecuted without notice.

Upon written request of the parent(s), the Board shall release from attendance a student participating in a religious instruction program acknowledged by the Board. Such instruction shall not require the child's absence from school for more than 36 hours per school year and its organizers must inform the Board of the child's attendance record. The Board shall not provide transportation to religious instruction.

The Board will recognize other justifiable absences for part of the school day. These will include medical or dental appointments, court appearance, or family emergency.

Pennsylvania School Code of 1949

Student absences are generally governed under the definition and authority of Section 1329 of the Pennsylvania School Code of 1949. This section permits student absences to be considered excused in cases of illness, quarantines, recovery from an accident, required court attendance, death in the family, or any "other urgent reason" justifying a temporary absence. Absences covered under Section 1329 must be directly related to the child's inability to attend school due to reasons cited above and not merely for the convenience of the family.

Absences will generally be recognized as cumulative or noncumulative. Cumulative absences refer to days that contribute to the allotted number of days a student may be absent (10 for elementary school and 7 for middle and high school). Noncumulative absences are absences that do not contribute to the specified 7 or 10 days.

Definitions of Absences

Cumulative Absences

Excused absences include:

- A maximum of 10 days of absence for elementary students during a school year verified by a parent note. All absences beyond the tenth day of absence will require a physician's note.
- A maximum of 7 days of absence for middle school and high school students during a school year verified by a parent note. All absences beyond the seventh day of absence will require a physician's note.
- Preapproved family vacation while school is in session per School Board Policy-five days within two occasions.
- Preapproved college visits beyond three days.
- Any absence in which a written excuse is submitted within three school days of a student's return.

Unexcused/unlawful absences include:

- Any day for which a written excuse is not submitted within three school days of a student's return from an absence, including notes from physicians.
- Any absence not excused by a physician's note after 7 absences verified by parental excuses in the middle and high school and 10 absences verified by parental excuses in elementary school had already been received.
- Truancy-Unlawful absence (Age 16 and under) and Unexcused absence (Age 17 and over).

Noncumulative Absences

- Suspensions from school
- Illness verified by a physician's note submitted within three days of a student's return- Any absence in which a physician's note is submitted is not included in the 7 days permitted for parental excuses in middle and high school or the 10 days permitted for parental excuses in elementary school.
- Death in the family-from date of death until two days after the funeral unless otherwise authorized by the building principal.
- Religious holidays
- School-sponsored activities
- Preapproved college visits up to three days

ATTENDANCE VIOLATIONS

Late to Class, Late to School, Unexcused Class Absences

The Student Code of Conduct defines attendance violations as late to class, late to school, and unexcused class absences.

Late to class and late to school will result in an administrative discipline referral upon the third occurrence. Unexcused class absences will result in an administrative discipline referral upon the first occurrence.

When a student has committed three attendance violations of any combination of late to class, late to school, or unexcused class absences, the next violation will be considered an act of defiance.

Continued attendance violations may result in the student being classified as a habitual offender as defined in the Student Code of Conduct which may result in expulsion from the Bethlehem Area School District.

Late to Class

- First and second unexcused late to class-To be addressed by classroom teacher intervention.

- Unexcused lateness exceeding 50% or more of one class period will be considered an unexcused absence from class and will result in a "0" (Zero) grade for the work in that class on that day.

Late to School

- The following lates to school will not result in disciplinary action:

    - Illness and appointments verified by a physician's note
    - Court appearances
    - Funeral for family member

- First and second unexcused late to school-Warning to be issued

- Students who arrive late and do not report to homeroom or procure a late slip from the office, student service center, or vocational-technical school will be charged with an unexcused/unlawful absence which will result in a "0" (Zero) grade for all class work that day.

Unexcused Class Absence

- Unlawful and unexcused absences or unexcused class absences will result in a "0" (Zero) grade for all class work missed that day.

TRUANCY

- Any day for which a student is confirmed truant will result in the student being cited for a violation of Student Code of Conduct, Level III infraction #383 - Truancy confirmed.

- Three unlawful absences will result in written notice of violation of the Compulsory Attendance Law and may result in prosecution pursuant to Section 1333 of the Pennsylvania School Code.

- Unlawful and unexcused absences or unexcused class absences will result in a "0" (Zero) grade

- Unexcused class absences exceeding 50% or more of any school day will result in an unexcused/unlawful absence for the day.

- In each incident the administrator will decide on an individual basis if alternative action will best meet the needs of the student, the school district, and/or the employee of the school district.

Educational/Vacation Tours and Trips, Grade K-12

Requests by parents to have their children excused from school for educational/vacation trips must be evaluated under the authority of Regulations of the State Board of Education, Chapter 11, Pupil Attendance, Section 11.26, "Educational Tours and Trips, Not School Sponsored."

"Upon receipt of a written request from the parents of the pupils involved, pupils may be excused from school attendance to participate in an educational tour or trip provided during the school term at the expense of the parents when such tour or trip is so evaluated by the District Superintendent or designee and pupil participants therein are subject to direction and supervision of an adult personage acceptable to the District Superintendent or designee and to the parents of the pupils concerned."

1. Students at the elementary level will be permitted to take four (4) educational trips, up to a cumulative maximum of fifteen (15) school days during their tenure in elementary school. Educational trips may not exceed five (5) days per year.

2. Middle School students will be permitted to take two (2) educational trips, up to a cumulative maximum of (10) school days during their tenure at the middle school level. Educational trips may not exceed dive (5) days per year.

3. High school students will be permitted to take two (2) educational trips, up to a cumulative maximum of (10) school days during their tenure at the high school level. Educational trips may not exceed five (5) days per year.

4. Parental requests which go beyond the number of days or trips allowed must first be approved by the building principal and then referred to the superintendent or his designee for final permission.

5. Any days taken beyond the maximum of five (5) days permitted for educational trips in a given year may be considered unexcused and unlawful for students under the age of seventeen (17) and unexcused for students seventeen (17) years of age and over. Appropriate legal action may be taken where applicable

6. The following will be taken into consideration by the principal in granting permission for the trip:
    a. The student's academic standing,
    b. The student's attendance record,
    c. The effect the absence will have on the student's educational welfare, and
    d. Exceptionality of the request.

7. The Application for Permission for Student Excusal Due to an Educational Trip or Tour must be submitted to the principal ten (10) school days prior to the trip.

8. It will be the student's responsibility to contact teachers and make up assignments missed.

9. Permission will not be granted for trips/tours during the district's standardized testing periods, the state's testing periods, and the secondary school examination periods at the end of the first and second semesters.

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania
Computer, Network, and Internet Use Policy
Revised, ~~April~~ **June** 2005

Philosophy

The main mission for the Bethlehem Education Network (BEN) is to provide for its staff and students a safe means to learn to find, retrieve, manage, share, publish, and create information resources. For this mission to succeed, all staff must foster an environment of guidance and supervision for student computer/network use. Such an environment can provide students with supervised access to information, management, communication, and publishing resources, while maintaining a secure environment for the flow of confidential information, the protection of computing resources, and the protection of the rights of other computer users.

The Internet is the global computer network that provides access to the educational resources of museums, libraries, universities, companies, and governmental agencies that are valuable for school use. Unfortunately, on this global network it is impossible to prevent students from encountering controversial or offensive materials. BASD believes that the valuable educational experiences available on this worldwide network far outweigh the possibility that users may encounter material that is not consistent with the educational goals of the district. It is the BASD policy that the issue of inappropriate material be approached primarily from a guidance, supervision and access perspective, as opposed to an unworkable censorship approach. Students will access these resources for specific educational purposes under the guidance and supervision of the faculty.

This policy shall follow three (3) general approaches to encourage the productive educational use of its computer and network resources:

1. All network users will need to formally learn the technical, ethical and legal issues that arise from a school, district, and worldwide network.

2. It is the students' responsibility to use the new technologies according to the direction of their teachers, their parents/guardians, and this policy. Students will be responsible for their actions in this area as specified in this policy, in the Technology Plan, and in the Student Code of Conduct.

3. It is the teachers' responsibility to use new technologies as part of their classroom instruction and preparation, when appropriate, to use technology for the purpose of this policy, and to provide clear guidelines, direction, and supervision for the use of the new technologies with their students. It is also the staff's responsibility to protect the confidentiality of computer-accessible student information.

Policy

The District's main mission for the Bethlehem Education Network (BEN) is to provide for its students a means to access information resources around the school and around the world. For

this mission to succeed teachers must foster an environment of guidance and supervision for student computer/network use. Such an environment can provide students with supervised access to a world of resources while maintaining a secure environment for the flow of confidential information, the protection of computing resources, and the protection of the rights of other computer users.

BASD policy follows three general approaches to encourage the productive educational use of its computer and network resources:

A. All network users will need to formally learn the technical, ethical, and legal issues that arise from a school-, district-, and worldwide network.

B. It is the student' responsibility to use the new technologies according to the direction of their teachers, their parents and this policy. Students will be responsible for their actions in this area as specified in his policy and in the Student Code of Conduct.

C. It is the teacher's responsibility to provide clear guidelines, direction, and supervision for the use of the new technologies with their students.

This Board policy shall prohibit the following activities:

1. Using school computers for non-educational purposes inconsistent with the objectives of the district.

2. Attempting to modify, harm or destroy data of another user or to modify, harm or destroy computer hardware, software, or configuration. Individuals and/or their families are responsible for any cost to restore vandalized systems to normal operation.

3. Disclosing to an unauthorized person a BEN password or any password for any district program, computer, or network. Students and staff are not permitted to use, or try to use, anyone else's account, or try in any way to obtain the password for another user's account. Seeking unauthorized access to any network-accessible resource is prohibited.

4. Attempting to defeat or bypass virus protection or security software on any district computer or network. Students and staff may not try to access unauthorized computer files or network services.

5. Accessing, disclosing, or posting confidential student or staff information in violation of Board policy or local, state, or federal law.

6. Harassing others or infringing upon their rights by sending annoying, profane, threatening, or libelous messages. This includes material deemed offensive by district policy and by local, state, and federal law. Disguising or attempting to disguise the identity of an account or a computer is prohibited.

7. Unauthorized monitoring or tampering with another's electronic files or communications, or reading, copying, changing, or deleting another's files or software.

8. Using a BEN account commercially (to run a business), for commercial advertising, for political lobbying, for excessive personal use, or for any purpose that violates the Board policy or local, state, or federal laws.

9. Violating intellectual property rights by illegal copying, retrieving, or sending copyrighted material, or violating software licensing agreement and copyright laws.

10. Violating any terms of our Internet Service Provider's Acceptable Use Policy. The contract with our Internet Service Provider requires compliance with their policy. Individual schools, grades, departments, libraries, or classrooms may have additional rules that govern student computer use. These rules are in addition to, rather than instead of, the rules on this document.

No. 218.3

SECTION: PUPILS
TITLE: GANGS
ADOPTED: January 14, 2008
REVISED:

BETHLEHEM AREA SCHOOL DISTRICT

218.3. GANGS

1. Purpose

The Board recognizes the importance of providing a safe learning and working environment for students, employees, and visitors and that the presence of gang activity threatens the safety of the school environment.

2. Definition

For purposes of this policy, a **gang** shall be defined as three (3) or more individuals with a common interest, bond, or activity which are associated with criminal activities or whose purpose includes the commission of illegal acts; and who refer to themselves by a group name or designation. This definition shall also include what is commonly known as a hate group.

3. Authority

The Board prohibits gang activity on school property or at any school-sponsored activity or during the time the student is traveling to or from school.

4. Guidelines

The following guidelines are deemed closely related to gang activity and are prohibited:

1. Wearing, possessing, using, distribution, displaying or selling of any clothing, jewelry, emblem, badge, symbol, sign, tattoos or manner of grooming, or other item which indicates or implies membership in, or affiliation with, any gang and/or is representative of any gang.
2. Commission of any act or omission, or the use of any speech, either verbal or nonverbal (gestures, handshakes, etc.), which indicates or implies membership in or affiliation with any gang, and/or is representative of any gang.
3. Use of any speech, or committing any act or omission in furtherance of the interests of any gang or gang activity, including, but not limited to:
    a. Soliciting others for membership in any gangs.
    b. Requesting any person to pay for protection or otherwise intimidating or threatening, hazing, or harassing any person.
    c. Committing any illegal act or violation of school district policies.
    d. Inciting another person to act with physical violence upon any other person or to cause damage to property.

e. Painting, writing or otherwise inscribing gang-related graffiti, messages, insignias or signs on school property.

Implementation

A school or school district employee shall report all suspected signs of gang activity to his/her administrator. In determining whether acts are gang related, administrators are to exercise discretion and judgment based upon current circumstances in their school and surrounding neighborhood and the definition of gang set forth in this policy.

No student may engage in the above whether or not s/he is connected with a gang.

The administration shall devise a schedule of penalties for engaging in activities in violation of this policy as included in the Student Code of Conduct.

Notification of this policy shall be given to all students and employees.

Gang clothing, jewelry, emblems, badges, symbols or signs shall be identified by school administrators. District administrators shall consult with police, the district attorney, the district's office of student services or any other organization, as needed, to help them determine what is gang-related. All incidents of suspected gang-related activity shall be communicated to the appropriate law enforcement agency.

Administration shall report all incidents consistent with procedural guidelines.

References:

School Code – 24 P.S. Sec. 510

GANG ACTIVITY POLICY GUIDELINES

Students should associate with peers who engage in safe, respectful, and responsible behaviors. Students must not participate in gang activity. Gangs are defined as three or more individuals with a common interest, bond, or activity which are associated with criminal activities or whose purpose includes the commission of illegal acts and who refer to themselves by a group name or designation. This definition shall also include what is commonly know as a hate group.

The following guidelines are deemed closely related to gang activity and are prohibited:

1. Wearing, possessing, using, distributing, displaying or selling of any clothing, jewelry, emblem, badge, symbol, sign, tattoos, manner of grooming, or other item which indicates or implies membership in, or affiliation with, any gang and/or representative of any gang.

2. Commission of any act or omission, or the use of any speech, either verbal or nonverbal (gestures, handshakes, etc.), which indicates or implies membership in or affiliation with any gang, and/or is representative of any gang.

3. Use of any speech, or committing any act or omission in furtherance of the interest of any gang or gang activity including, but not limited to:

    a. Soliciting others for membership in any gangs.

    b. Requesting any person to pay for protection or otherwise intimidating or threatening, hazing, or harassing any person.

    c. Committing any illegal act or violation of school district policies.

    d. Inciting another person to act with physical violence upon any other person or to cause damage to property.

    e. Painting, writing, or otherwise inscribing gang-related graffiti, messages, insignias, or signs on school property.

Gang activity consequences shall be assigned by the Administrator after assessing whether any acts or behavior is gang related. Consequences may range from Level II to Level IV infractions. Additionally, students may be immediately referred by the building principal to the Superintendent of Schools for consideration of an expulsion hearing before the Board of School Directors of the Bethlehem Area School District.

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania

LOCKER SEARCH POLICY #226

The board recognizes students' need to store books, clothing and other personal property safely in school; and the district may provide lockers or other storage space for this purpose. No locker or other assigned in school storage space may be used to store any substance or object which is prohibited, or which constitutes a threat to the health, safety or welfare of the occupants of the school building or the safety of the building itself.

By making lockers or other in-school storage space available for use by students, the district does not relinquish control over the lockers or other space, and students have no expectation of privacy in their locker or any other storage space assigned to them. Student lockers or other storage space may be searched at any time at the discretion of the district. The district may authorize or undertake such searches regardless of whether the district has reason to believe that prohibited material, or evidence of a violation of law or school policy, will be found in any particular locker.

Student lockers or other in-school storage space shall be secured against incursion by other students only by a lock or other device provided by the district, to which the district shall maintain the key and/or combination. Students may not secure lockers or any other in-school storage space with personal locks or other devices.

The district will enter or conduct searches of lockers or other in-school storage space assigned to students as follows:

1. The district retains the right to search by any means the student locker or other in- school storage space provided to the students for their convenience.
2. The district may enter any student locker or other in-school storage space to repair it or for routine sanitation inspections. The district may also enter any student locker or other in-school storage space for other administrative reasons, including to retrieve books and/or other materials when students are absent.
3. The district will conduct unannounced general inspections of students lockers or other in-school storage space with or without articulable suspicion. Such searches may be conducted by any means including searches conducted with the assistance of trained sniffer dogs.

The superintendent shall develop procedures for implementing this policy which require the following:

1. Student lockers and other in-school storage space may be searched without prior warning to the student, and without the student's presence.
2. Unannounced general searches shall be conducted at the direction of the superintendent.
3. All entry into student lockers or other in-school storage space, other than unannounced general inspections of this policy, shall be at the direction of the building principal. In the event that the principal is absent from the building or otherwise unavailable, a person temporarily in charge of the building may direct that the search be conducted.

4. The principal or person temporarily in charge of the building, or his or her designee, shall be present whenever a student's locker is opened by the district.
5. At least two representatives of the school shall be present whenever a student's locker is opened.
6. The principal shall be responsible for the prompt recording in writing of each locker inspection, said record shall include persons present during the search, objects found, disposition of the objects and circumstances surrounding the search.
7. Personal items belonging to students may be confiscated by the principal when evidence exists that the items may contain prohibited material. Due process requirements will be complied with in the confiscation of personal items.
8. The principal shall be responsible for the safekeeping and proper disposal of any substance, object or material found to be stored in a student's locker in violation of school policy or the existing law, which shall include prompt delivery to law enforcement authorities, where appropriate.
9. Materials found in locker searches may be used in disciplinary and other proceedings against the student.

Bethlehem Area School District
Bethlehem, Pennsylvania

TRANSPORTATION POLICY

Bus Transportation Policy

The transportation policy has been set forth by the Bethlehem Area School District's Board of School Directors. Elementary children who live beyond one (1) mile from their school and secondary students who live beyond two (2) miles from their school are eligible for transportation. Bus schedules may vary somewhat dependent on weather and traffic conditions.

We request parents to have their children use the bus as assigned by the Transportation Department in September. We will not make any changes unless there is a great imbalance in the number of students on one or more buses.

Students will be expected to use the same stop and bus for the school year.

Students who are eligible for bus transportation and wish to use this service *cannot* have the option of occasionally walking home instead of using the bus.

Bus Conduct and Safety Code

The following conduct is to be adhered to by all students who use the Bethlehem Area School District transportation system.

1. Be ready to board the bus five minutes prior to pickup time and line up to enter the bus in an orderly manner.
2. Be careful in approaching the school bus stop.
3. Wait until the bus is at a complete stand still before attempting to enter.
4. Remain off the road at all times and behave in a safe manner while waiting for the bus.
5. Ride only the bus to which assigned. Board and get off at assigned bus stop.
6. Assist in keeping the bus safe and sanitary as possible at all times.
7. Practice courtesy to fellow students, assist bus driver whenever possible, particularly with small children.
8. Never stick hands, arms or any other part of the body out of windows or doors.
9. Students are to remain in their seats while the bus is in motion.
10. Never experiment or tamper with the bus or any of its equipment.
11. Be careful not to leave items such as lunches, clothing, books, etc. on the bus.
12. Noise on the bus must be kept at a minimum. Loud talking, or creating any disturbances are not allowed.
13. Roughhousing or throwing objects in or from the bus is prohibited.
14. State law prohibits transportation of musical instruments unless carried in a case on the knees of the student. Personal possessions may not be in the aisle.

15. Carrying of water pistols or other objects that can create disturbances is strictly forbidden.
16. Use of obscene language is not permitted.
17. Smoking by the students or the driver is not permitted on school buses.
18. Eating is not permitted on the bus.
19. Pets are not permitted on the bus.
20. Remain quiet when the bus is approaching railroad crossing and until bus has passed the railroad.
21. The driver is in complete charge of the bus. Students who risk the safety of others by their misbehavior may lose the privilege of riding the bus.
22. Obey school bus driver and in case of emergency remain on bus unless otherwise instructed by the individual in authority.
23. When necessary to cross road after getting off bus, cross immediately in front of bus, and look both ways to make sure that traffic is not approaching.
24. If a student violates any of the above rules and regulations and loses the bus privilege, the student or his or her parent will have to provide transportation to school. In such cases, the law still requires attendance at school. There will be parental arrest for nonattendance.
25. If a student intentionally damages seats or other parts of the bus, the student will be required to pay for replacement.

Disciplinary Action Sequence for Bus Misconduct

1. Each bus driver will review with students the list or description of expected student behaviors and/or prohibited behaviors.
2. Consequences to be implemented by the bus driver may include, but are not limited to, a conference with the student and assigned seating on the bus.
3. Students will be referred to building administrator when, despite efforts of the driver to change the student behavior, the student refuses or neglects to follow the directions of the driver. Such noncompliance will be classified as bus misconduct.
4. Bus misconduct is classified as a Level II infraction by the Student Code of Conduct and will be acted upon within guidelines outlined on the Disciplinary Action Sequence Chart.
5. Any student misconduct while awaiting, traveling on, or departing a bus which meets the definition of a Level III or Level IV infraction will be acted upon within guidelines outlined on the Disciplinary Action Sequence Chart of the Student Code of Conduct.
6. Students suspended due to bus misconduct will be suspended from riding the bus. Students suspended from riding the bus are required to attend school and must assume responsibility for their own transportation to and from school at regularly scheduled times.

Bethlehem Area School District
Bethlehem, Pennsylvania

HARASSMENT AND BULLYING POLICY

The Bethlehem Area School District strives to provide a safe, positive learning environment for students. Therefore, the District will not tolerate harassment in any form.

The District prohibits all forms of harassment of students by all district students and staff members, contracted individuals, vendors, volunteers, and other individuals in the schools, during school-sponsored activities, and while being transported to/from school.

Complaints of harassment shall be investigated promptly by school personnel and corrective action will be taken when allegations are substantiated.

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

1. is sufficiently severe, persistent, and pervasive that it affects an individual's ability to participate in or benefit from an educational program, or activity or creates an intimidating, threatening or abusive educational environment.
2. has the purpose or effect of substantially or unreasonably interfering with an individual's academic performance.
3. otherwise adversely affects an individual's learning opportunities.

For the purpose of this policy, sexual harassment shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, graphic, electronic transmissions, or physical conduct of a sexual nature.

Examples of conduct that may constitute sexual harassment include but are not limited to sexual flirtation, advances, toughing or propositions, verbal abuse of a sexual nature, graphic or suggestive comments about an individual's dress or body, sexually degrading words to describe an individual, references to sexual activities, overt sexual conduct, or any conduct that has the effect of unreasonably interfering with a student's ability to learn or creates an intimidating, hostile or offensive learning environment.

Bullying will be considered to be any intentional behavior that results in trouble, worry, or torment to another individual for no beneficial purpose. This includes but is not limited to expressions of an intent to injure or harm an individual or their property.

COMPLAINT PROCEDURE

A student who believes he or she has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the appropriate building administrator or any other school staff member. The administrator will assist the student in completing a "Student Complaint" in order to provide details related to the incidents.

The appropriate building administrator will conduct an investigation of the incident and determine the appropriateness of imposing consequences as outlined in the Student Code of Conduct as a result of the finding of the investigation.

The appropriate building administrator will also cooperate with police authorities in investigating the incident should the student and/or the student's parent/guardian decide to file a criminal complaint regarding the incident(s).

If it is concluded that a student has knowingly made a false complaint under this policy, the student shall be cited for "fraud" in accordance with the Student Code of Conduct.

APPEAL PROCEDURE

If a student is not satisfied with a finding of no violation of the policy or with the corrective action recommended upon completion of the investigation by the building administrator, the student may submit a written appeal to the building Principal and/or Director of Student Services within fifteen (15) school days of the administrative decision.

The Principal and/or Director of Student Services shall review the investigation and obtain additional information as necessary to render a decision.

The Principal and/or Director of Student Services shall prepare a written response to the appeal within fifteen (15) school days.

If a student remains dissatisfied following a review by the Principal and/or Director of Student Services, additional appeals may then be filed to the Superintendent of Schools and President of the Board of School Directors who will respond to the appeal in a timely manner.

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania

DISCIPLINARY ACTION SEQUENCE CHART

CODE OF CONDUCT VIOLATIONS

No.	ATTENDANCE INFRACTIONS	Sessions of Detentions (List referral dates) 0-3	0-4	0-5	1-3	2-4	3-5
201	Lateness to Class						
203	Lateness to School						
204	ID Badge Violation						

- Lateness to class and lateness to school will each be referred beginning with the third incident.
- Any student who has reached the level of 3-5 detentions for lateness to class or ID Badge violations will have further consequences considered as an act of defiance.
- Any student who has reached the category of 3-5 detentions for lateness to school will have any further occurrences considered as an act of truancy.

Level I Infractions – Class Regulations and Consequences as determined by the Classroom Management Plan

No.	LEVEL II INFRACTIONS	Sessions of Detention 0-3 Offense #1	2-4 Offense #2	3-5 (g) Offense #3
205	Arrival misconduct	1	2	3
210	Assembly misconduct	1	2	3
215	Bus misconduct	1	2	3
220	Cafeteria misconduct	1	2	3
225	Continued classroom misconduct	1	2	3
230	Defiance	1	2	3
235	Dismissal misconduct	1	2	3
240	Dress code violation	1	2	3
245	Hall misconduct	1	2	3
250	Lavatory misconduct	1	2	3
255	Loitering	1	2	3
258	Playground misconduct	1	2	3
260	School activity misconduct	1	2	3
265	Study period misconduct	1	2	3
270	Unauthorized items	1	2	3
272	Unexcused class absence	1	2	3
275	Other: To be determined by building administrator	1	2	3
	_____			
	_____			

Any student who has reached the level of 3-5 sessions of detention for a Level II infraction will have any further occurrences considered as an act of insubordination a Level III offense

No.	LEVEL III INFRACTIONS	Sessions of Detention 3-5	Sessions of Suspension 1-3	2-4	3-5	5-10 (a, f
300	Activating false fire alarm	-	-	-	-	1
305	Cafeteria misconduct	-	1	2	3	4
310	**Computer, Network, and Internet Use Policy Violation**	**1**	**2**	**3**	**4**	**5**
315	Destruction of school/personal property *(Less than $10.00 in value)*	1	2	3	4	5
320	Destruction of school/personal property *($10.00 or more in value)*	-	-	1	2	3
325	Disrespect	-	1	2	3	4
330	Drugs/Alcohol Violation	-	-	-	-	1(c)
335	Endangerment	1	2	3	4	5
340	Extortion	-	-	1	2	3
345	Fraud/Cheating	1	2	3	4	5
350	Insubordination	1	2	3	4	5
355	Physical Assault (d)	-	-	1	2	3
360	Profanity/Obscenity	1	2	3	4	5
365	Theft/Larceny *(less than $10.00 in value)*	1	2	3	4	5
370	Theft/Larceny *($10.00 or more in value)*	-	-	1	2	3
375	Threats/Harassment/Bullying (f)	1	2	3	4	5
380	Tobacco Violation	1	2	3	4	5
383	Truancy confirmed	1	2	3	4	5
384	Unauthorized areas	1	2	3	4	5
385	Other: (d) To be determined by building administrator	1	2	3	4	5

The numbers within the chart indicate where the first offense and subsequent offenses within a category would be classified.

No.	LEVEL IV INFRACTIONS	Days of Suspensions (e) 10
400	Assault of a district employee	
405	Dangerous Objects/Weapons (b)	
	HABITUAL OFFENDER OF SCHOOL REGULATIONS	
410	Exceeding Level III consequences (a)	
415	Exceeding Five (5) Suspensions	
420	Other: (d) _____	

Alternative Actions: _____

*Explanation to Notes

(a) Any Student who has reached the category of 5-10 sessions of detention during the current school year for a Level III infraction will be referred to the Board of School Directors for possible expulsion from school upon any further occurrences of the same infraction.

(b) Possession of firearms, explosives, knives, unauthorized cutting instruments; or possession of a replica of a weapon and/or look alike objects results in a mandatory ten-day suspension and referral for an expulsion hearing.

(c) Alternative actions consistent with the Drug and Alcohol Policy of the Bethlehem Area School District may also be imposed as outlined in the policy.

(d) Infractions resulting in serious personal injury to any person or substantial damage to property, or which otherwise results in actual harm to the health, safety, or welfare of the school community may be immediately referred by the building principal to the Superintendent of Schools for consideration of a referral for an expulsion hearing before the Board of School Directors of the Bethlehem Area School District. In addition any criminal offenses substantially interfering with or negatively affecting the health, safety, and/or welfare of the school community may result in an expulsion hearing.

(e) In addition to a mandatory 10 day suspension from school, all Level IV infractions will result in referral to the Board of School Directors for an expulsion hearing.

(f) The Discipline Action Sequence may be modified as outlined in the guidelines defined for Level III infractions.

(g) Any Student who has reached the category of 3-5 sessions of detention during the current school year for a Level II infraction will have any further occurrences of the same infraction considered as an act of insubordination (a Level III offense).

The guidelines outlined on the Discipline Action Sequence Chart represent expected consequences for violations of the Student Code of Conduct. The sequence, however, may be modified if, in the judgment of an administrator, alternative or additional action(s) will serve the best interest of the student and/or school environment.

8. *Dual Enrollment*

INFORMATION:

The Pennsylvania Department of Education has announced the availability of funds for a Dual Enrollment Program. This program is locally administered and allows high school students to concurrently enroll in postsecondary courses and to receive both secondary and postsecondary credit for the coursework. A Dual Enrollment Program is run through a partnership between the school district and eligible postsecondary institutions.

The Bethlehem Area School District has successfully participated in the Dual Enrollment Program for the past three years.

RECOMMENDATION:

That the administration be authorized to submit an application for the Dual Enrollment Program for the 2009-2010 school year in the amount of $107,166.

9. *Marvine Family Center*

INFORMATION:

The Commonwealth of Pennsylvania, Department of Public Welfare, is requesting the Family Centers Continuation Grant Applications for 2009-2010. Since its inception in 1992, the Pennsylvania Family Center Initiative has been a vehicle for integrating and providing services to help children and families become healthy, safe, and self sufficient.

The Bethlehem Area School District has received funding for the Marvine Family Center since 1994 to provide an array of health, social services, and educational programs for children and families. The district was awarded a three-year grant covering 2008-2011; however, we must apply for a continuation grant each year.

RECOMMENDATION:

That the administration be authorized to submit the Marvine Family Center continuation grant to the Pennsylvania Department of Welfare for the 2009-2010 school year, in the amount of $324,524.

10. *No Child Left Behind Act (NCLB), Title I*

INFORMATION:

The Bethelehem Area School District is entitiled to receive $3,083,066 for the 2009-2010 school year under the above federal legislation. The Title I program has received the following allocations over the last three years:

2006-2007 - $3,342,928
2007-2008 - $3,455,513
2008-2009 - $3,320,860

RECOMMENDATION:

That the administration be authorized to submit an application under the No Child Left Behind Act, Title I funds in the amount of $3,083,066 for the 2009-2010 school year. This reflects a decrease in the amount of $237,794 for the 2009-2010 school year.

11. *No Child Left Behind Act (NCLB), Title II, Part A*

INFORMATION:

The Bethlehem Area School District is entitled to receive $36,394 for the 2009-2010 school year under the above federal legislation. NCLB Title II, Part A, Eisenhower Professional Development and the Class Size Reduction Initiative have been combined into one program that focuses on preparing, training, and recruiting high-quality teachers.

RECOMMENDATION:

That the administration be authorized to submit an application under the No Child Left Behind Act, Title II, Part A funds in the amount of $36,394 for the 2009-2010 school year.

12. *The Pennsylvania Pact (PA-Pact)*

INFORMATION:

In an effort to simplify the application process for school districts, the Pennsylvania Department of Education has created a consolidated application for the Basic Education funding (BEF) increase, Accountability Block Grant (ABG), and Educational Assistance Program (EAP).

BEF increases and ABG and EAP allocations for every LEA have been calculated by the state. Districts will develop programs and detail expenditures by funding source as follows:

- Increases in BEF up to and including 4.1 percent
- Increases in BEF above 4.1 percent
- Accountability Block Grant
- Educational Assistance Program

RECOMMENDATION:

That the administration be authorized to submit a Pennsylvania Pact grant application for BEF, ABG, and EAP funds for the 2009-2010 school year.

13. *Project 720*

INFORMATION:

The Bethlehem Area School District has the opportunity to continue the implementation of its high school reform strategies for both high schools under Project 720. The goal with Project 720 is to create high school environments that are student-centered, results-focused, data-informed, and personalized in a way that is seamlessly supported by systems, resources, technology, and shared leadership. The Bethlehem Area School District will submit a Project 720 grant for a third year for level funding.

RECOMMENDATION:

That the administration be authorized to develop and submit a continuing application for Project 720 to the Pennsylvania Department of Education in the amount of $89,901 for the 2009-2010 school year.

14. *Conference/Staff Trip Attendance*

RECOMMENDATION:

That the following conferences for staff be approved:

July 15-17, 2009
Reading Apprenticeship Leadership Training
Schnecksville, Pennsylvania $9,721.68
Title I – Supplemental Grant

July 20-24, 2009
LaSalle University Summer Institute: Teaching AP Chemistry
Philadelphia, Pennsylvania 705.00
State/Project 720 Grant

15. *Resignations*

RECOMMENDATION:

Administrative

1.	NAME:	**Thomasik, Thomas**
	ASSIGNMENT:	Manager, Human Resources
	REASON:	Retirement
	EFFECTIVE:	July 31, 2009

15. *Resignations*

RECOMMENDATION:

Instructional

1. NAME: **Chruscial, Allison**
   ASSIGNMENT: Broughal, Grade 6 Teacher
   REASON: Personal
   EFFECTIVE: June 10, 2009

2. NAME: **Coy, Amanda**
   ASSIGNMENT: Thomas Jefferson, Special Education Teacher
   REASON: Personal
   EFFECTIVE: July 18, 2009

3. NAME: **Echenberg, Nancy**
   ASSIGNMENT: Freemansburg, Grade 4 Teacher
   REASON: Retirement
   EFFECTIVE: June 10, 2009

4. NAME: **Hrousis, Despina**
   ASSIGNMENT: Clearview, Grade 4 Teacher
   REASON: Personal
   EFFECTIVE: July 7, 2009

5. NAME: **McClure, Sara**
   ASSIGNMENT: Liberty, Health and Physical Education Teacher
   REASON: Personal
   EFFECTIVE: June 10, 2009

6. NAME: **Mickus, Ann**
   ASSIGNMENT: Freedom, Mathematics Teacher
   REASON: Personal
   EFFECTIVE: June 10, 2009

7. NAME: **Reaman, Denise**
   ASSIGNMENT: Freedom, English Teacher
   REASON: Personal
   EFFECTIVE: June 13, 2009

15. *Resignations*

RECOMMENDATION:

Instructional (continued)

8.	NAME:	**Smith, Joanne**
	ASSIGNMENT:	District-wide, (.6) School Nurse
	REASON:	Personal
	EFFECTIVE:	June 26, 2009

15. *Resignations*

RECOMMENDATION:

Noninstructional

1.	NAME:	**Albright, Gary**
	ASSIGNMENT:	Freedom, C-1 Custodian
	REASON:	Personal
	EFFECTIVE:	August 14, 2009
2.	NAME:	**Martucci, Karen**
	ASSIGNMENT:	Nitschmann, 0-3 Secretary/Clerk, 12 months
	REASON:	Retirement
	EFFECTIVE:	August 7, 2009

15. *Resignations*

RECOMMENDATION:

Miscellaneous

1.	NAME:	**Altimare, James**
	ASSIGNMENT:	Broughal, Intramural Supervisor/Athletic Director
	REASON:	Personal
	EFFECTIVE:	July 12, 2009
2.	NAME:	**Young, Vivian**
	ASSIGNMENT:	Bus Driver
	REASON:	Personal
	EFFECTIVE:	June 10, 2009

16. *Terminations*

RECOMMENDATION:

Instructional

1.	NAME:	**XXX-XX-1380**
	ASSIGNMENT:	Freedom, Guidance Counselor
	REASON:	Termination
	EFFECTIVE:	July 27, 2009

17. *Leave of Absence*

RECOMMENDATION:

Instructional

1.	NAME:	**Sterns, John**
	ADDRESS:	Bethlehem
	ASSIGNMENT:	Northeast, Health and Physical Education Teacher
	REASON:	Sabbatical Leave of Absence
	EFFECTIVE:	August 24, 2009, until the end of the day on January 21, 2010

18. *Nominations for Appointment*

RECOMMENDATION:

Instructional

1.	NAME:	**Aoun, Maya**
	ADDRESS:	Allentown
	COLLEGE, DEGREE:	Moravian College, B.A.
	ASSIGNMENT:	Freemansburg, Grade 3 Teacher
	STATUS:	Long-term Substitute
	SALARY:	$40,800 (Bachelor's, Step 1)
	EFFECTIVE:	August 24, 2009, terminating at the end of the 2009-2010 school year, or upon the return of S. Nelson
2.	NAME:	**Beiber, Susan**
	ADDRESS:	Emmaus
	COLLEGE, DEGREE:	Pennsylvania State University, B.A. Lehigh University, M.B.A. Cedar Crest College, Certification
	ASSIGNMENT:	Liberty, English Teacher
	EXPERIENCE:	1 year, Bethlehem 4 years, Pennsylvania
	STATUS:	Long-term Substitute
	SALARY:	$50,421 (Master's +45, Step 6)
	EFFECTIVE:	August 24, 2009, terminating at the end of the 2009-2010 school year, or upon the return of D. Poore
3.	NAME:	**Blanco, Amanda**
	ADDRESS:	Alburtis
	COLLEGE, DEGREE:	Kutztown University, B.S.
	ASSIGNMENT:	Freemansburg, (.6)/Thomas Jefferson, (.4) Academic Integration Specialist
	EXPERIENCE:	1 year, Bethlehem 1 year, Pennsylvania
	STATUS:	Long-term Substitute
	SALARY:	$41,400 (Bachelor's, Step 3)
	EFFECTIVE:	August 24, 2009, and terminating at the end of the 2009-2010 school year, or upon the return of L. Werkheiser

18. *Nominations for Appointment*

RECOMMENDATION:

Instructional (continued)

4.	NAME:	**Brobst, Jamie**
	ADDRESS:	Whitehall
	COLLEGE, DEGREE:	Delaware Valley College, B.S.
	ASSIGNMENT:	Liberty, Biology Teacher
	STATUS:	Long-term Substitute
	SALARY:	$40,800 (Bachelor's, Step 1)
	EFFECTIVE:	August 24, 2009, terminating at the end of the 2009-2010 school year, or upon the return of K. Anderko
5.	NAME:	**Del Prado, Nicole**
	ADDRESS:	Zionsville
	COLLEGE, DEGREE:	Kutztown University, B.S. Wilkes University, M.Ed.
	ASSIGNMENT:	Liberty, Special Education, Learning Support Teacher
	EXPERIENCE:	6 years, Bethlehem 1 year, Colorado
	STATUS:	Professional Employee
	SALARY:	$48,785 (Master's, Step 8)
	EFFECTIVE:	August 24, 2009
6.	NAME:	**Frederick, Lauren**
	ADDRESS:	Bethlehem
	COLLEGE, DEGREE:	Pennsylvania State University, B.S.
	ASSIGNMENT:	Liberty, Health and Physical Education Teacher
	EXPERIENCE:	2 years, Bethlehem
	STATUS:	Long-term Substitute
	SALARY:	$41,400 (Bachelor's, Step 3)
	EFFECTIVE:	August 24, 2009, and terminating at the end of the 2009-2010 school year, or upon the return of M. Laubach

18. *Nominations for Appointment*

RECOMMENDATION:

Instructional (continued)

7.	NAME:	**Garcia, Daniel**
	ADDRESS:	Bethlehem
	COLLEGE, DEGREE:	East Stroudsburg University, B.S.
	ASSIGNMENT:	Freemansburg, Grade 4 Teacher
	EXPERIENCE:	1 year, Bethlehem
	STATUS:	Temporary Professional Employee
	SALARY:	$41,100 (Bachelor's, Step 2)
	EFFECTIVE:	August 24, 2009
8.	NAME:	**Hoffman, Karen L.**
	ADDRESS:	Emmaus
	COLLEGE, DEGREE:	Kutztown University, B.S. Gratz College, M.Ed.
	ASSIGNMENT:	Liberty, Chemistry Teacher
	STATUS:	Professional Employee
	SALARY:	$48,799 (Master's +15, Step 7)
	EFFECTIVE:	August 24, 2009
9.	NAME:	**Leeson, Maureen**
	ADDRESS:	Bethlehem
	COLLEGE, DEGREE:	DeSales University, B.S.
	ASSIGNMENT:	Liberty, Chemistry Teacher
	EXPERIENCE:	1 year, Bethlehem
	STATUS:	Temporary Professional Employee
	SALARY:	$41,100 (Bachelor's, Step 2)
	EFFECTIVE:	August 24, 2009
10.	NAME:	**Patti, Nicole**
	ADDRESS:	Easton
	COLLEGE, DEGREE:	Moravian College, B.A.
	ASSIGNMENT:	Liberty, Mathematics Teacher
	EXPERIENCE:	1 year, Bethlehem
	STATUS:	Temporary Professional Employee
	SALARY:	$42,200 (Bachelor's +15, Step 2)
	EFFECTIVE:	August 24, 2009

18. *Nominations for Appointment*

RECOMMENDATION:

Instructional (continued)

11. **Pazzaglia, Kristen**
NAME:
ADDRESS: Hellertown
COLLEGE, DEGREE: Pennsylvania State University, B.S.
University of New Mexico, Certification
ASSIGNMENT: Broughal, (.4) French Teacher
EXPERIENCE: 1 year, New Mexico
STATUS: Temporary Professional Employee
SALARY: $16,880 (Bachelor's +15, Step 2)
EFFECTIVE: August 24, 2009

12. **Pfingstl, Danielle**
NAME:
ADDRESS: Allentown
COLLEGE, DEGREE: Kutztown University, B.S.
ASSIGNMENT: Liberty, English Teacher
EXPERIENCE: 1 year, Bethlehem
STATUS: Long-term Substitute
SALARY: $41,100 (Bachelor's, Step 2)
EFFECTIVE: August 24, 2009, and terminating at the end of the 2009-2010 school year, or upon the return of S. Barlok

13. **Ruhf, Thomas**
NAME:
ADDRESS: Bethlehem
COLLEGE, DEGREE: Moravian College, B.A.
ASSIGNMENT: Freedom, Social Studies Teacher
EXPERIENCE: 1 year, Bethlehem
STATUS: Long-term Substitute
SALARY: $41,100 (Bachelor's, Step 2)
EFFECTIVE: August 24, 2009, and terminating at the end of the 2009-2010 school year, or upon the return of K. Sobrinski

18. *Nominations for Appointment*

RECOMMENDATION:

Instructional (continued)

14.

NAME:	**Silliman, Debra**
ADDRESS:	Bethlehem
COLLEGE, DEGREE:	Centenary College, B.A.
ASSIGNMENT:	Thomas Jefferson, Grade 1 Teacher
EXPERIENCE:	2 years, Bethlehem
STATUS:	Long-term Substitute
SALARY:	$42,523 (Bachelor's +15, Step 3)
EFFECTIVE:	August 24, 2009, and terminating at the end of the 2009-2010 school year, or upon the return of M. Miller

15.

NAME:	**Swartz, Bradley**
ADDRESS:	Bethlehem
COLLEGE, DEGREE:	Moravian College, B.S.
ASSIGNMENT:	Freedom, Mathematics Teacher
EXPERIENCE:	1 year, Bethlehem
STATUS:	Long-term Substitute
SALARY:	$41,100 (Bachelor's, Step 2)
EFFECTIVE:	August 24, 2009, and terminating at the end of the 2009-2010 school year, or upon the return of A. Jones

16.

NAME:	**Truby, John**
ADDRESS:	Bethlehem
COLLEGE, DEGREE:	Shippensburg University, B.S.
ASSIGNMENT:	Nitschmann, Social Studies Teacher
EXPERIENCE:	2 years, Bethlehem
STATUS:	(.7) Temporary Professional Employee/(.3) Long-term Substitute
SALARY:	$41,400 (Bachelor's, Step 3)
EFFECTIVE:	August 24, 2009, with the (.3) Long-term Substitute position terminating at the end of the 2009-2010 school year, or upon the return of J. Wallasea

18. *Nominations for Appointment*

RECOMMENDATION:

Instructional (continued)

17.	NAME:	**Trump, Jonathan**
	ADDRESS:	Allentown
	COLLEGE, DEGREE:	Kutztown University, B.S.
	ASSIGNMENT:	Freemansburg, Grade 5 Teacher
	EXPERIENCE:	1 year, Bethlehem
	STATUS:	Long-term Substitute
	SALARY:	$41,100 (Bachelor's, Step 2)
	EFFECTIVE:	August 24, 2009, and terminating at the end of the 2009-2010 school year, or upon the return of S. Winfelder

18. *Nominations for Appointment*

RECOMMENDATION:

Miscellaneous

The following salaries are for the 2008-2009 school year and will be adjusted for the 2009-2010 school year, consistent with Article XXVII of the Collective Bargaining Agreement between the Board of School Directors and the Bethlehem Education Association.

1. **Coaches**

Freedom High School

Baseball			
Head Coach	**D'Amico, Nicholas**	Continuing	$5,962.00
Assistant Coach (.5)	**Burcin, Robert**	Continuing	1,938.00
Assistant Coach	**Schmitt, Eric**	Continuing	3,876.00
Boys Basketball			
Head Coach	**Stellato, Joseph**	Continuing	7,338.00
Assistant Coach	**Mosser, Thomas**	Continuing	4,770.00
Assistant Coach	**Ortiz, Luis**	Continuing	4,770.00
Assistant Coach	**Vajda, Jason**	Continuing	4,770.00
Girls Basketball			
Head Coach	**Calabrese, Gerald**	Continuing	7,338.00
Assistant Coach	**Garza, Ronald**	Continuing	4,770.00
Assistant Coach	**Roth, James**	New	4,050.00
Cheerleading			
Head Coach	**Zito, Alicia**	Continuing	4,220.00
Assistant Coach	**Anderson, Nicole**	Continuing	2,743.00
Assistant Coach	**Herrera, Pamela**	Continuing	2,743.00
Cross Country			
Head Coach	**Jordan, Diane**	Continuing	5,045.00
Assistant Coach	**Dos Santos, Jose A.**	Continuing	3,279.00
Field Hockey			
Head Coach	**Innarella, Charis**	Continuing	5,962.00
Assistant Coach	**Halper, Jaime**	Continuing	3,876.00
Assistant Coach	**Wetmore, Marilyn**	Continuing	3,691.00
Football			
Head Coach	**Roeder, Jason**	Continuing	9,173.00
Assistant Coach (.5)	**Feltmann, Robert**	Continuing	2,981.00
Assistant Coach (.5)	**Haberl, Jeffrey**	Continuing	2,981.00
Assistant Coach (.5)	**Hornbacker, Timothy**	Continuing	2,981.00
Assistant Coach	**Laird, Geoffrey**	Continuing	5,962.00

18. *Nominations for Appointment*

RECOMMENDATION:

Miscellaneous (continued)

1. **Coaches (continued)**

Freedom High School

Football (continued)

Assistant Coach (.5)	**Owens, Arthur**	Continuing	$2,981.00
Assistant Coach	**Reph, Benjamin**	Continuing	5,962.00
Assistant Coach (.5)	**Ruhf, Thomas**	New	2,531.50
Assistant Coach (.5)	**Sculley, Michael**	Continuing	2,981.00
Assistant Coach	**Shimko, Todd**	Continuing	5,962.00
Assistant Coach (.5)	**Swartz, Bradley**	Continuing	2,981.00
Golf			
Head Coach	**Evans, Michael**	Continuing	4,220.00
Rifle			
Head Coach	**Court, Larry**	Continuing	4,220.00
Boys Soccer			
Head Coach	**Peters, Karl**	Continuing	5,962.00
Assistant Coach	**Dragotta, Michael**	Continuing	3,876.00
Assistant Coach	**Wasilick, Raymond M.**	Continuing	3,876.00
Girls Soccer			
Head Coach	**Halper, Jamie**	Continuing	5,962.00
Girls Softball			
Head Coach	**Hollinger, Dennis**	Continuing	5,962.00
Assistant Coach	**Borger, Nora**	Continuing	3,876.00
Boys Tennis			
Head Coach	**Evans, Michael**	Continuing	4,220.00
Girls Tennis			
Head Coach	**Sigmon, Mark**	Continuing	4,220.00
Boys Volleyball			
Head Coach	**Yanek, John**	Continuing	4,220.00
Girls Volleyball			
Head Coach	**Yoo, Joseph**	Continuing	4,220.00
Assistant Coach	**Dando, Timothy**	Continuing	2,743.00
Wrestling			
Head Coach	**McIntyre, Richard**	Continuing	7,338.00
Assistant Coach	**Ackerman, Colin**	Continuing	4,770.00
Assistant Coach	**Dellatore, Scott**	Continuing	4,770.00

18. *Nominations for Appointment*

RECOMMENDATION:

Miscellaneous (continued)

1. **Coaches** (continued)

Liberty High School

Baseball			
Head Coach	**Pitsilos, Andrew**	Continuing	$5,962.00
Assistant Coach	**Rusnak, Jack**	Continuing	3,876.00
Assistant Coach	**Sule, Christopher**	Continuing	3,876.00
Boys Basketball			
Head Coach	**Landis, Chad**	Continuing	7,338.00
Assistant Coach	**D'Emilio, Christopher**	New	4,050.00
Assistant Coach	**Kashner, Michael**	Continuing	4,770.00
Assistant Coach (.5)	**Venanzi, Michael**	Continuing	2,385.00
Assistant Coach (.5)	**Yasso, George**	Continuing	2,385.00
Girls Basketball			
Assistant Coach	**McDonald, Sherri**	Continuing	4,770.00
Assistant Coach	**Mikulski, Kelly**	Continuing	4,770.00
Assistant Coach	**Yencho, Amy**	Continuing	4,770.00
Cheerleading			
Head Coach	**Barlok, Sara**	Continuing	4,220.00
Assistant Coach	**Crandall, Mika**	Continuing	2,743.00
Assistant Coach	**Wallaesa, Lynann**	Continuing	2,743.00
Cross Country			
Assistant Coach	**Stoyko, Alison**	Continuing	3,279.00
Field Hockey			
Head Coach	**Omdahl, Mary Kathryn**	Continuing	5,962.00
Assistant Coach	**Docalovich, Patricia**	Continuing	3,876.00
Assistant Coach	**Flanley, Catherine**	New	3,291.00
Football			
Head Coach	**Moncman, Timothy**	Continuing	9,173.00
Assistant Coach	**Brown, David**	Continuing	5,962.00
Assistant Coach (.5)	**Donahue, Timothy**	Continuing	2,981.00
Assistant Coach	**McClarin, Robert**	Continuing	5,962.00
Assistant Coach (.5)	**McNulty, Patrick**	Continuing	2,981.00
Assistant Coach	**Michael, Barry**	Continuing	5,962.00
Assistant Coach	**Senneca, Matthew**	Continuing	5,962.00
Assistant Coach	**Serratelli, James**	Continuing	5,962.00
Assistant Coach (.5)	**Shuler, Jeremy**	Continuing	2,981.00
Assistant Coach (.5)	**Yasso, George**	Continuing	2,981.00

18. *Nominations for Appointment*

RECOMMENDATION:

Miscellaneous (continued)

1. **Coaches (continued)**

Golf			
Head Coach	**Bradley, Steven**	Continuing	$4,220.00
Rifle			
Head Coach	**Miller, Jody**	Continuing	4,220.00
Boys Soccer			
Head Coach	**Horvath, Jason**	Continuing	5,962.00
Assistant Coach	**Sarkozy, Kalman**	Continuing	3,876.00
Girls Soccer			
Head Coach	**Horvath, Jason**	Continuing	5,962.00
Assistant Coach	**Michael, Erin**	Continuing	3,876.00
Assistant Coach	**Terry, Daniel**	Continuing	3,876.00
Girls Softball			
Head Coach	**Giering, Richard**	Continuing	5,962.00
Assistant Coach	**Lewis, Gerald**	Continuing	3,876.00
Assistant Coach (.5)	**Malacsics, Lauren**	Continuing	1,938.00
Assistant Coach (.5)	**Sterner, Amanda**	Continuing	1,938.00
Swimming			
Head Coach	**Foust, Reik**	Continuing	7,109.00
Boys Tennis			
Head Coach	**Schnalzer, Leo**	Continuing	4,220.00
Girls Tennis			
Head Coach	**Schnalzer, Leo**	Continuing	4,220.00
Track			
Head Coach	**Bush, Kevin**	Continuing	7,109.00
Assistant Coach	**D'Emilio, Christopher**	Continuing	4,621.00
Boys Volleyball			
Head Coach	**Ammary, Neiad**	Continuing	4,220.00
Girls Volleyball			
Head Coach	**Rohn, Virginia**	Continuing	4,220.00
Assistant Coach	**Maioriello, Melissa**	Continuing	2,743.00
Wrestling			
Head Coach	**Karam, Joseph**	Continuing	7,338.00
Assistant Coach (.5)	**Cabrera, Richard**	Continuing	2,385.00
Assistant Coach (.5)	**Henning, Derron**	Continuing	2,385.00

18. *Nominations for Appointment*

RECOMMENDATION:

Miscellaneous (continued)

1. **Coaches (continued)**

Broughal Middle School

Boys Basketball			
Head Coach	**Hatch, Eric**	Continuing	$3,669.00
Assistant Coach	**Williams, Jeremy**	Continuing	2,386.00
Girls Basketball			
Head Coach	**Altimare, James**	Continuing	3,669.00
Assistant Coach	**McKellin, Janice**	Continuing	2,386.00
Cheerleading			
Head Coach	**Snell, Sarah**	Continuing	2,293.00
Assistant Coach	**Watson, Tammy**	Continuing	1,491.00
Cross Country			
Head Coach	**Chruscial, Brant**	Continuing	2,293.00
Field Hockey			
Head Coach	**Sakelarides, Erin**	Continuing	2,293.00
Assistant Coach	**Moschak, Michelle**	Continuing	1,491.00
Football			
Head Coach	**Hatch, Eric**	New	3,669.00
Soccer			
Head Coach	**Altimare, James**	Continuing	2,293.00
Assistant Coach	**McKellin, Janice**	Continuing	1,491.00
Softball			
Head Coach	**Chruscial, Brant**	Continuing	2,293.00
Assistant Coach	**Newhard, Heather**	Continuing	1,491.00
Girls Volleyball			
Assistant Coach	**Check, Joanne**	Continuing	1,491.00
Intramurals			
Supervisor	**John, George**		3,464.00

18. *Nominations for Appointment*

RECOMMENDATION:

Miscellaneous (continued)

1. **Coaches (continued)**

East Hills Middle School

Boys Basketball			
Head Coach	**John, George**	Continuing	$3,669.00
Assistant Coach	**Metz, Timothy**	Continuing	2,386.00
Girls Basketball			
Head Coach	**Keim, Janelle**	Continuing	3,669.00
Assistant Coach	**Ferry, Shannon**	Continuing	2,386.00
Cheerleading			
Head Coach	**Stelmak, LeeAnn**	Continuing	2,293.00
Assistant Coach	**Amato, Kristin**	Continuing	1,491.00
Cross Country			
Head Coach	**Ayre, Jonathan**	New	1,948.00
Field Hockey			
Head Coach	**Saeger, Jessica**	Continuing	2,293.00
Football			
Head Coach	**Nawrocki, Matthew**	Continuing	3,669.00
Assistant Coach	**Litsch, Erich**	New	2,385.00
Soccer			
Head Coach	**Pearson, Robert**	Continuing	2,293.00
Assistant Coach	**Nawrocki, Matthew**	Continuing	1,491.00
Softball			
Head Coach	**Hokenson, Eric**	Continuing	2,293.00
Assistant Coach	**Goldberg, Stefanie**	Continuing	1,491.00
Girls Volleyball			
Head Coach	**Ferry, Shannon**	Continuing	2,293.00
Assistant Coach	**Kruk, Christine**	Continuing	1,491.00
Intramurals			
Supervisor	**John, George**		3,464.00

18. *Nominations for Appointment*

RECOMMENDATION:

Miscellaneous (continued)

1. **Coaches (continued)**

Nitschmann Middle School

Boys Basketball			
Head Coach	**Wills, Jr., James**	Continuing	$3,669.00
Assistant Coach	**Terry, Daniel**	Continuing	2,386.00
Girls Basketball			
Head Coach	**Wertman, Courtney**	Continuing	3,669.00
Assistant Coach	**Rodenbach, Scott**	Continuing	2,386.00
Cheerleading			
Head Coach	**DeStasio, Jennifer**	Continuing	2,293.00
Assistant Coach	**Guerrieri, Tori**	Continuing	1,491.00
Cross Country			
Head Coach	**Shay, Erin**	Continuing	2,293.00
Field Hockey			
Head Coach	**Hipp, Kelly**	Continuing	2,293.00
Assistant Coach	**Atkinson, Shannon**	Continuing	1,491.00
Football			
Head Coach	**Karb, John**	Continuing	3,669.00
Assistant Coach (.5)	**Truby, John**	Continuing	1,192.50
Assistant Coach (.5)	**Villani, Michael**	Continuing	1,192.50
Soccer			
Head Coach	**Rodenbach, Scott**	Continuing	2,293.00
Assistant Coach	**Atkinson, Shannon**	Continuing	1,491.00
Softball			
Head Coach	**Thear, Tanya**	Continuing	2,293.00
Assistant Coach	**Getz, Julie**	Continuing	1,491.00
Girls Volleyball			
Head Coach	**Frankenfield, Andrea**	New	2,293.00
Intramurals			
Supervisor	**Muller, Laurie**		3,464.00

18. *Nominations for Appointment*

RECOMMENDATION:

Miscellaneous (continued)

1. **Coaches (continued)**

Northeast Middle School

Boys Basketball			
Head Coach	**Landino, Richard**	Continuing	$3,669.00
Assistant Coach	**Rodriguez, Ramon**	Continuing	2,386.00
Girls Basketball			
Head Coach	**Soto, Rebecca**	Continuing	3,669.00
Assistant Coach	**Seaman, Stephanie**	Continuing	2,386.00
Cheerleading			
Head Coach	**Elekes, Jodey**	Continuing	2,293.00
Assistant Coach	**Wallace, Kelsey**	Continuing	1,491.00
Cross Country			
Head Coach	**Klose, Connie**	Continuing	2,293.00
Field Hockey			
Head Coach	**Buchanan, Karen**	Continuing	2,293.00
Assistant Coach	**Brewster, Karen**	Continuing	1,491.00
Football			
Head Coach	**Sisle, Stuart**	Continuing	3,669.00
Assistant Coach	**Gross, Jason**	Continuing	2,385.00
Soccer			
Head Coach	**Fenner, LeRoy**	Continuing	2,293.00
Assistant Coach	**Buskirk, Michael**	Continuing	1,491.00
Softball			
Head Coach	**Unger, Jamie**	Continuing	2,293.00
Assistant Coach (.25)	**Bowman, Catherine**	Continuing	372.75
Assistant Coach (.25)	**Shive, Linda**	Continuing	372.75
Girls Volleyball			
Head Coach	**Shive, Linda**	Continuing	2,293.00
Assistant Coach	**Cieslak, Kathy**	Continuing	1,491.00
Intramurals			
Supervisor	**Shive, Linda**		3,464.00

18. *Nominations for Appointment*

RECOMMENDATION:

Miscellaneous (continued)

2. **Summer Community Service**
Coordinator
Seip, Diane
SALARY: $32.04 per hour, not to exceed 50 hours

3. **Summer Guidance Counselors**
Freedom High School

Feigley, William	**Lynde, Christian**
Hercik, Michael	**McGoff, Tara**
Lohenitz, Loretta	**Stone, Colleen**
Longacre, Jeffrey	**Strockyj, Sonia**

Liberty High School

Adelsberger, Tammy	**Ortiz, Natalie**
Buck, Randy	**Rodriguez, Elizabeth**
Clewell, Sheryl	**Vázquez, Elizabeth**
Dinsmore, Patricia	**Vázquez, Kristin**
Kehler, Bruce	**Wuchter, Travis**
Matthews, Amy	

SALARY: To be paid per diem rate, not to exceed 65 days collectively per school

4. **Summer School – Elementary**
Fountain Hill Elementary School
Teacher Assistants
Lynn, Patricia
Meckes, Cassandra
SALARY: $15.22 per hour

5. **Summer School – Special Education**
Calypso Elementary School
Teacher
Hoff, Regina

Fountain Hill Elementary School
Teacher
Piker, Erin

18. *Nominations for Appointment*

RECOMMENDATION:

Miscellaneous (continued)

5. **Summer School – Special Education (continued)**
Spring Garden Elementary School
Teacher
Klingborg, Charlotte Susan

Liberty High School
Teacher
Heard, Jeffrey
SALARY: $32.04 per hour

6. **Summer School – Special Education**
Spring Garden Elementary School
Teacher Assistants
Clark, Jacquetta
Shupe, Teresa
SALARY: $15.22 per hour

7. **Summer School – Special Education**
Spring Garden Elementary School
Teacher Assistant - Substitute
Fehnel, Ann Marie
SALARY: $7.15 per hour

8. **Summer Transportation**
Bus Monitors

Boyko, Dolores	**Maiello, Ray**
Castro, Maribel	**Martin, Jessica**
Cherry, Tracy	**McGouldrick, Ann**
Drake, Janine	**Sanders, Troy**
Leinbach, Mary	

SALARY: $10.04 per hour

18. *Nominations for Appointment*

RECOMMENDATION:

Substitutes

Instructional

Dredge, Margaret
Bethlehem

Flavelle, Julie
Easton

Mickus, Ann
Bethlehem

Wescoe, Richard
Bethlehem

18. *Nominations for Appointment*

RECOMMENDATION:

Substitutes

Noninstructional

Arnold, Chrissy
Easton

Germick, Eileen
Hellertown

Hall, Eullanda
Allentown

Marzouk, Adel
Easton

Solivan, Lillian
Bethlehem

Zeccardo, Nina
Easton

19. *Reassignments*

RECOMMENDATION:

Noninstructional

1.	NAME:	**Rhiel, Janice**
	FROM:	Nitschmann, (.75) Secretary/Clerk, 12 months
	TO:	Nitschmann, 1.0 Secretary/Clerk, 12 months
	SALARY:	$19.30 per hour
	REASON:	Successful Candidate
	EFFECTIVE:	July 28, 2009

20. *Revisions to Board Policy Number 219 – Student Complaint Policy – Fourth Reading*

INFORMATION:

The board recognizes that students have the right to request redress of complaints. In addition, the board believes that the inculcation of respect for established procedures is an important part of the educational process. Accordingly, individual and group complaints shall be recognized and appropriate appeal procedures shall be provided. The board and its employees will recognize the complaints of students, provided that such complaints are submitted according to the guidelines established by Board policy.

The first reading of the revisions to Board Policy Number 219 – Student Complaint Policy were reviewed with the Board of School Directors at the June 15, 2009, Board Human Resources Committee Meeting. The second reading was reviewed with the Board of School Directors at the June 22, 2009, Regular Board Meeting but was pulled and noted voted on. The third reading was reviewed at the July 13, 2009, Board Human Resources Committee Meeting.

RECOMMENDATION:

That the Board of School Directors approves the attached revisions made to Board Policy Number 219 – Student Complaint Policy.

BETHLEHEM AREA SCHOOL DISTRICT

1st Reading: June 15, 2009-Board HR Committee Meeting
2nd Reading: June 22, 2009-Regular Board Meeting
3rd Reading: July 13, 2009-Board HR Committee Meeting
4th Reading: July 27, 2009-Regular Board Meeting

SECTION: PUPILS

TITLE: STUDENT COMPLAINT PROCESS

ADOPTED: November 15, 2004

	219. STUDENT COMPLAINT PROCESS
1. Purpose	The Board recognizes that students have the right to request redress of complaints. In addition, the Board believes that the inculcation of respect for established procedures is an important part of the educational process. Accordingly, individual and group complaints shall be recognized, and appropriate appeal procedures shall be provided.
2. Definition	For purposes of this policy, a **student complaint** shall be one that arises from actions that directly affect the student's participation in an approved educational program.
3. Authority	The Board and its employees will recognize the complaints of students, provided that such complaints are submitted according to the guidelines established by Board policy.
4. Guidelines	First Level - The student should first make the complaint known to the staff member most closely involved or, if none is identifiable, a guidance counselor; and both shall attempt to resolve the issue informally and directly. Second Level - if the matter cannot be resolved satisfactorily at the first level, the complainant with the building principal or the employee's immediate supervisor shall discuss it. The student shall be afforded the opportunity to be heard personally and may have the assistance of his/her parent(s)/guardian(s). For complaints that must move beyond the first step, the student shall prepare a written statement of his/her complaint which shall set forth: 1. Specific nature of the complaint and a brief statement of relevant facts. 2. Manner and extent to which the student believes s/he has been adversely affected. 3. Relief sought by the student. 4. Reasons why the student feels entitled to the relief sought.

Third Level - If a satisfactory solution is not achieved by discussion with the building principal or immediate supervisor, a conference shall be scheduled with the Superintendent or designee. The principal or supervisor will provide to the Superintendent or designee a report that includes the specific nature of the complaint, and a brief statement of relevant facts, how the complainant has been affected adversely, the action requested, and the reasons why such action should be taken.

Fourth Level - Should the matter not be resolved by the Superintendent or designee or is beyond his/her authority and requires Board action, the student may appeal to the Board of School Directors. The Board may

(1) Decline to address the matter
(2) They may provide the complainant with its written decision after reviewing all material relative to the case
(3) Provide a verbal response when time is of the essence or
(4) Grant a hearing before the Board or a committee of the board

References:

School Code – 24 P.S. Sec. 510

21. *Quotations for the $5,800-$15,200 Cost Category*

INFORMATION:

Quotations were solicited for:

Virginia Grahame Baker compliant drain covers for Freedom and Liberty High Schools

The lowest responsible quotation was D. G. March & Associates/Enviromat Company, Inc., P. O. Box 88, Birchrunville, PA 19421, at a cost not to exceed $9,996.

The following vendors also were contacted:

If It's Water, Inc.	$ 10,392.86
Deep Run Aquatic Services, Inc.	11,040.00

Cabinet Code: **NF**
Account Code: **10-2600430-000-000-NF-0000**
Budgeted: **$110,000**

22. *Sale of Monocacy Building*

INFORMATION:

The Board of School Directors is interested in obtaining sealed bids for the sale of the Monocacy Building and related property located at 815 Main Street, Bethlehem.

RECOMMENDATION:

That the Board of School Directors approves the attached Terms and Conditions of the Sealed Bid for the Sale of the Monocacy Building.

TERMS AND CONDITIONS OF SEALED BIDS

MONOCACY BUILDING

815 MAIN STREET, BETHLEHEM, PA

BE IT RESOLVED THAT, the Monocacy Building will be offered for sale by sealed bids on Tuesday, September 8, 2009, at 2:00 p.m.

Situated at 815 Main Street, Bethlehem, Northampton County, Pennsylvania, the land and buildings constructed on the land (hereafter "Premises"), will be offered for sale by sealed bids by the Bethlehem Area School District (hereafter "Seller"). Notice of the sale by sealed bids to be given as provided by law, said Premises to be sold under the following terms and conditions:

1. The sealed bids shall be opened at the Premises on Tuesday, September 8, 2009, at 2:00 p.m.

2. The sealed bids shall be with reserve.

3. The highest approved bidder shall be declared by the Bethlehem Area Board of School Directors to be the purchaser. The purchaser shall pay (10%) of the purchase price knockdown in certified check payable to the Bethlehem Area School District.

4. Subject to the approval of the Board of School Directors (hereafter "Board") of the Bethlehem Area School District, the highest or successful bidder for said Premises shall be the Purchaser of the same and shall pay the balance of the purchase price in cash within ninety (90) days from the date of acceptance of the bid, at which time possession shall be delivered to the Purchaser.

5. Purchaser shall execute the Bid and Real Estate Agreement of Sale in the form attached to the Notice immediately following opening of sealed bids on September 8, 2009.

6. Good and marketable title shall be conveyed by Special Warranty Deed, free and clear of all liens, but subject to zoning ordinances and municipal regulations limiting or regulating the use and enjoyment of the Premises, and such restrictions on title as may appear of record.

7. The Purchaser will pay all Pennsylvania and local real estate transfer taxes due and owing on the property transfer. Seller will pay for preparing the deed. All other costs associated with the transfer of title, including recording costs, title search costs, title insurance costs, or surveys if required by Purchaser, shall be borne and paid by Purchaser.

8. If the purchaser fails to fulfill these conditions, Seller may, upon notice to the Purchaser, declare the contract void, retain the down money as liquidated damages, and resell the property, or in the alternative, may retain the down money as part payment of the purchase price and proceed for specific performance of the contract. In either case, Seller may retain possession and use of the premises pending payment of the balance of the purchase price without compensation to the Purchaser.

9. The condition of the said Premises, as of the time of knockdown shall complete the obligation of the Seller to the structure and property. The Premises are being sold "AS IS".

10. If Seller is unable to convey good and marketable title, free and clear of all liens, in accordance with this Agreement, the sole obligation of Seller shall be to refund Buyer's down payment made hereunder. After making such refund, this agreement shall wholly cease and terminate and neither party shall have any further claim against the other. Seller shall not be required to bring any action or proceeding or otherwise to bear any expense to render the title to the premises marketable. Purchaser, nevertheless, may accept such title as Seller is able to convey, without reduction of the purchase price or any credit or allowance against the same and without any other liability on the part of Seller at Purchaser's option. Acceptance of a deed by Purchaser shall be deemed to be acknowledgement of full performance and discharge of every agreement and obligation on the part of Seller to be performed pursuant to the provisions of this Agreement.

11. The covenants and stipulations hereof extend to and bind the heirs, executors, administrators, successors and assigns of the parties. This shall be deemed to be a Pennsylvania contract.

12. For any further information you need on the building or the bid process, please contact Stanley J. Majewski, Jr., Assistant to the Superintendent for Finance and Administration.

The Terms and Conditions of Sealed Bids for the sale of the Monocacy Building was approved by the Bethlehem Area School District Board of Directors at the July 27, 2009, Regular Board Meeting.

_____

Loretta Leeson, President of the Board of School Directors

_____

Stanley Majewski, Jr., Board Secretary

23. *Termination of the Employee Computer Loan Program*

INFORMATION:

The Bethlehem Area School District had an employee computer loan program for approximately two decades. The loan program provided employees up to $2,000 for the purchase of computer technology related to their job function, in an attempt to further their technology skills. The loans were repaid to the school district over two years through payroll deductions. The school district will transfer to the General Operating Fund the $100,000 of start-up capital. Since there continues to be outstanding loans, the return of the cash to the General Fund may require up to two years and will be accomplished as the loans are repaid.

RECOMMENDATION:

That the Board of School Directors agrees to terminate the employee computer loan program and directs the administration to transfer all operating cash provided for the program to the General Operating Fund. It is understood that there are loans outstanding that will continue to be collected through payroll deduction or through invoicing if an employee terminates service prior to the full payment of their outstanding loan. The funds outstanding will be transferred to the General Fund in a timely manner once collected.

24. *Treasurer's Report*

RECOMMENDATION:

That the Board of School Directors approves the Treasurer's Report dated June 30, 2009.

BETHLEHEM AREA SCHOOL DISTRICT
Bethlehem, Pennsylvania

REPORT OF THE TREASURER
June 1 through June 30, 2009

BEGINNING CASH AND INVESTMENT BALANCE			
Wachovia Bank - Cash Management	1,988,800.28		
Bank of America - General Account	551,226.05		
Pennsylvania School District Liquid Asset Fund	1,235.09		
Wachovia - Worker's Comp Trust Fund	641,246.16		
Pennsylvania Local Government Investment Trust	77,828.82		
Pennsylvania State Treasurer Invest Program	1,152.81		
Wachovia Money Market	54,771.86		
Bank of America Money Market	1,636.07		
TD Bank Money Market	1,130.35		
Sovereign Bank Money Market	1,019.12		
PSDLAF - Term Investments	10,000,000.00		
PSDLAF - 2009B Bond Fund	10,822,339.94		
KNBT Bank - Scholarship Fund	45,971.98		
KNBT Bank - Scholarship Fund	112,000.00		
M&T Investment Group - 2007A Bond Fund	5,683,243.26		
TOTAL CASH AND INVESTMENT BALANCE		$	29,983,601.79
MONTHLY RECEIPTS			
Local Sources	3,523,279.59		
State Sources	10,511,315.03		
Federal Sources	1,399,047.38		
Other Financing Sources	125,000.00		
		$	15,558,642.00
MONTHLY DISBURSEMENTS			
Monthly Bills Paid	5,564,807.22		
Payroll	13,876,793.63		
Debt Service	1,633,914.13		
		$	21,075,514.98
TOTAL FUNDS AVAILABLE		$	24,466,728.81
ENDING CASH AND INVESTMENT BALANCE			
			Interest Rate
Wachovia Bank - Cash Management	2,079,345.24		0.750%
Bank of America - General Account	550,672.35		0.350%
Pennsylvania School District Liquid Asset Fund	2,539,931.75		varies .224 to .599%
Wachovia - Worker's Comp Trust Fund	641,257.09		0.020%
Pennsylvania Local Government Investment Trust	77,854.97		0.410%
Pennsylvania State Treasurer Invest Program	219,412.49		0.426%
Wachovia Money Market	-		
Bank of America Money Market	1,636.29		0.160%
TD Bank Money Market	-		
Sovereign Bank Money Market	-		
PSDLAF - Term Investments	2,000,000.00		see attachment
PSDLAF - 2009B Bond Fund	10,822,758.30		see attachment
KNBT Bank - Scholarship Fund	45,971.98		3.750%
KNBT Bank - Scholarship Fund	112,000.00		4.300%
M&T Investment Group - 2007A Bond Fund	5,375,888.35		3.530%
TOTAL CASH AND INVESTMENT BALANCE		$	24,466,728.81

Interest Received for June; to be posted in June accounting period $ 228,241.16

Respectfully Submitted,

Anne M. Morton
Treasurer

BETHLEHEM AREA SCHOOL DISTRICT
CD INVESTMENTS

Date Purchased	Amount Purchased	Interest Rate	Anticipated Interest	Maturity Date	Account	
May 27, 2009	$ 496,000.00	0.91%	$ 1,879.64	October 26, 2009	PSDLAF CD	2009B
May 27, 2009	$ 248,000.00	1.15%	$ 1,679.95	December 28, 2009	PSDLAF CD	2009B
May 27, 2009	$ 594,000.00	1.19%	$ 4,705.94	January 25, 2010	PSDLAF CD	2009B
May 27, 2009	$ 792,000.00	1.22%	$ 7,174.00	February 22, 2010	PSDLAF CD	2009B
May 27, 2009	$ 1,092,000.00	1.28%	$ 11,526.73	March 24, 2010	PSDLAF CD	2009B
May 21, 2009	$ 1,400,000.00	1.40%	$ 17,881.64	April 19, 2010	PSDLAF CD	2009B
May 21, 2009	$ 6,200,000.00	1.25%	$ 82,595.90	June 14, 2010	PSDLAF CD	2009B
May 21, 2009	$ 758.30	0.62%	$ 1.17	September 30, 2009	PSDMAX	2009B
June 17, 2009	$ 2,000,000.00	0.85%	$ 9,175.34	December 31, 2009	PSDLAF CD	PSDMAX
* 6/27/2008	$ 112,000.00				KNBT Scholarship	
* 8/28/2008	$ 45,971.98				KNBT Scholarship	

* Both CD's have been redeemed and investment details will be reflected on the July report as investments occurred in July

Bethlehem Area School District
Capital Reserve Fund
For the Period of June 1, 2009 thru June 30, 2009

Fund Balance at May 31, 2009			$	1,207,780.63
2008-2009 Revenue Received-Interest Income			$	-
2008-2009 Expenditures				
Financial Management System (software, hardware, support services)	$	27,244.62		
Roof Repairs				
Professional Services	$	2,501.57		
			$	29,746.19
Fund Balance at June 30, 2009			$	1,178,034.44

The following projects have been approved by the board but have not been completed:

Financial Management System	$	156,337.00		
Pro. Svs. Roof Repairs	$	10,006.27		
Pro. Svs. Alarm System	$	2,964.00		
Freedom Emergency Power	$	15,165.00		
Asa Packer Roof Repair	$	262,300.00		
Farmersville Roof Repair	$	340,130.00		
Freemansburg Roof Repair	$	92,450.00		
Asa Packer Fire Alarm System	$	58,385.00		
			$	937,737.27
Estimated Unencumbered Fund Balance			$	240,297.17

Bethlehem Area School District
2007A Bond Fund
For the Period of June 1, 2009 thru June 30, 2009

Beginning Balance-May 31, 2009	$	5,683,243.26
Change in Market Value	$	(32,354.91)
Reimbursement to the General Fund	$	275,000.00
Ending Balance-June 30, 2009	$	5,375,888.35

Note: Current month's activity will be provided next week.

Bethlehem Area School District
2009B Bond Fund
For the Period of June 1, 2009 thru June 30, 2009

Beginning Balance-May 31, 2009	$	10,822,339.94
Change in Market Value	$	418.36
Reimbursement to the General Fund		
Ending Balance-June 30, 2009	$	10,822,758.30

25. *Monthly Bills*

RECOMMENDATION:

That the bills, which have been reviewed as to correctness by the appropriate Business Office staff and verified by the treasurer, be approved for payment. A copy of the bill list is available in the Business Office of the Education Center, 1516 Sycamore Street, Bethlehem, Pennsylvania, for review.

26. *Approval of Agreement Regarding Tile Installation at Liberty High School*

INFORMATION:

During the construction phase at Liberty High School, ceramic tile was installed in the Student Activity Building, Commons Building, Memorial Gym, and Field House. Upon inspection of the tile after installation, cracked tile was discovered in all of these areas. The district was in contact with the general contractor and also the tile subcontractor regarding their findings. Meetings were conducted with all parties and an agreement was reached to resolve repairing the subject tile. The district suffered no financial loss and received an extended warranty. The attached agreement was developed.

RECOMMENDATION:

That the Board of School Directors approves the attached Agreement regarding cracked/creased tiles that were installed at Liberty High School during the construction project.

AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 2009, by and among the **BETHLEHEM AREA SCHOOL DISTRICT** (hereinafter "BASD") **and BORO CONSTRUCTION, INC.**, (hereinafter "BCI") **and DUGGAN & MARCON, INC.**, (hereinafter "D&M") is as follows:

WHEREAS, on May 31, 2005, BASD entered into a Contract with BCI as the general contractor for work to be performed by BCI for BASD at the Liberty High School (hereinafter "Project"); and,

WHEREAS, included within the work of the Project was the furnishing and installation of ceramic tile in various locations throughout the Project; and,

WHEREAS, BCI entered into a Subcontract with D&M whereby D&M would furnish and install the ceramic tile on the Project; and,

WHEREAS, after installation, cracked/creased tiles began to appear in various locations on the Project, including the student activity building, commons building, memorial gym and field house; and,

WHEREAS, M. Arif Fazil, P.E., of D'Huy Engineering, Inc., issued a letter dated January 13, 2009, to Bruce Shapiro, of BCI, which provided an update regarding the status of the cracked/creased ceramic tiles and the processing of BCI's Payment Application No. 42; and,

WHEREAS, a meeting was conducted on January 21, 2009, to review the ceramic tile situation, which meeting was attended by representatives of BASD, BCI, D&M, Spillman Farmer Architects, Garden State Tile, US Ceramic, and D'Huy Engineering, Inc., following which Mr. Fazil issued Minutes of the January 21, 2009 meeting; and,

WHEREAS, efforts were subsequently made to attempt to determine an acceptable solution to repairing the cracked/creased ceramic tile, which culminated in a meeting held July 14, 2009; and,

WHEREAS, an agreement was reached to resolve repairing the subject tile at the July 14, 2009 meeting, as is more fully set forth in the Meeting Minutes dated July 14, 2009, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference.

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements set forth herein and the exchange of other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties to this Settlement Agreement and Release do hereby agree as follows:

A G R E E M E N T

1. The aforesaid mentioned recitals are incorporated herein by reference as though the same were set forth herein at length.

2. D&M, as subcontractor to BCI, will perform the work set forth in Paragraphs 4(i), (ii), (iii) and (iv) of the July 14, 2009 Meeting Minutes, attached hereto as Exhibit "A", and further agrees to replace up to 400 additional cracked/creased tiles that are identified within a three year period from the date of completion of the replacement of the cracked/creased tiles, as set forth in Paragraph 4(iv) of the July 14, 2009 Meeting Minutes, attached hereto as Exhibit "A".

3. BASD agrees to perform the work set forth in Paragraph 4(v) of the July 14, 2009 Meeting Minutes, attached hereto as Exhibit "A".

4. Upon completion of the work to be performed by D&M, as set forth in Exhibit "A" attached hereto, to the satisfaction of BASD and D'Huy Engineering, Inc.:

(a) BASD will release all monies due to BCI that have been withheld because of the pending tile issue; and

(b) BCI will pay D&M all monies owed D&M by BCI upon receipt of BASD's payment to BCI.

5. The parties acknowledge that this Agreement is being reached in compromise of disputed claims and that nothing

in this Agreement shall constitute or be deemed an admission of liability on the part of any party hereto and nothing in this Agreement shall constitute evidence in any other proceeding, with the exception that this Agreement shall be admissible evidence in any proceeding to enforce the terms hereof.

6. If any party to this Agreement fails to comply with the terms set forth herein, any non-breaching party to the Agreement shall be entitled to petition the Court of Common Pleas of Northampton County, Pennsylvania, for the enforcement of the terms of this Agreement, and the non-breaching party shall be entitled to an award of reasonable counsel fees and costs against the breaching party.

7. This Agreement is to be governed by the laws of the Commonwealth of Pennsylvania, being the situs of the Project.

8. All terms and conditions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

9. The signatories to this Agreement hereby covenant, represent and warrant that they are of legal age, are under no disability, and have the mental capacity and authority to legally bind the entity on behalf of which they execute this Agreement.

10. This Agreement may be executed in multiple counterparts and facsimile signatures on the Agreement are and shall be enforceable for all purposes.

IN WITNESS WHEREOF, each of the parties to this Agreement, intending to be legally bound, for themselves, their assigns and successors, have caused this Agreement to be duly executed and attested by its proper officers, all as of the date and year first above written.

ATTEST: BETHLEHEM AREA SCHOOL DISTRICT

_____ BY: _____

Secretary Board President

WITNESS:

BORO CONSTRUCTION, INC.

_____

BY: _____
Authorized Agent

WITNESS:

DUGGAN & MARCON, INC.

_____

BY: _____
Authorized Agent

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EXHIBIT "A"

MEETING MINUTES

BETHLEHEM AREA SCHOOL DISTRICT
LIBERTY HIGH SCHOOL TILE
DEI PROJECT NO. 13401

July 14, 2009

ATTENDEES	REPRESENTING	E-MAIL
Stephen Fischer	Garden State Tile	safgst@aol
Diane McGinness	Garden State Tile	dmcginnessgstile@aol
Robert A. Fischer	Garden State Tile	rfischer@gstile.com
Frank Boyer	Duggan & Marcon (D&M)	fboyer@dugganandmarcon.com
Dean Sell	Duggan & Marcon (D&M)	dsell@dugganandmarcon.com
Bruce Shapiro	Boro Construction	bshapiro@boroconstruction.com
John Pappas	USG	jpappas@usg.com
Pat Ramey	USG	
Sal Verrastro	Spillman Farmer (SFA)	sverrastro@spillmanfarmer.com
Alejandro Garcia	Roca Tile Group	alejandro.garcia@laufen.com
Ken DeMarco	Roca Tile Group	kendemarco@hotmail.com
Jim Hanna	D'Huy Engineering, Inc. (DEI)	jgh@dhuy.com
Arif Fazil	D'Huy Engineering, Inc. (DEI)	maf@dhuy.com

PURPOSE:

The meeting was held to review the sample tile over tile shower area done by Duggan & Marcon as a method to repair the creased tile in the shower areas and also to agree upon a solution to repair the creased tile in the non-shower areas.

DISCUSSION:

1. D'Huy Engineering reported that the sample shower overlay in Boy's Shower Room SA 212A has not shown any cracks; however, the grout joints and pillowing are not acceptable. Duggan & Marcon said this is a function of the fact that the tile is a cut tile in which (1) 12 x 12 tile is cut down to make (4) 6 x 6 tiles. Garden State provided a sample of pressed tile that could be used instead. Duggan & Marcon confirmed that this will alleviate the appearance concerns. Garden State will confirm the compressive strength of the porcelain tile. Spillman Farmer and D'Huy Engineering selected the "Alcalan Luna" color from the two samples provided. Duggan & Marcon will install Schluter strips at the outside corners of the shower stalls and any other termination where trim pieces may be necessary.

2. DEI reported that per the attached page they had re-surveyed the tile areas and confirmed the following creased/cracked tile. The attachment also lists the tiles to be replaced in the summer of 2009.

3. There was discussion on the cause of the movement, the findings of the investigative report prepared by Procon Professional Consultants International dated March 16, 2009 and whether or not the gluing of the cement board onto the metal studs was a recommended installation. No conclusion or consensus was reached.

4. It was agreed that the following solution/agreement would be implemented.
    i. Duggan and Marcon will install pressed porcelain tile with minimum breaking strength of 350 psi and Schluter strips over the top of the existing tile in all shower stalls.
    ii. SFA, DEI and D&M will review all areas in locker rooms and identify any additional joints or movement retrofits that D&M can install to reduce any potential stresses on walls. D&M will install these where feasible.
    iii. D&M will replace all creased/cracked tile identified by DEI & SFA in areas other than shower stalls. In these areas tile will be installed with adhesive. The tile count is only for the identified tiles and not any tiles that may be damaged during the replacement process and require replacement. See attached survey sheet summary and footnote regarding any tiles that are left in place.
    iv. Immediately after the above is completed DEI will survey areas and identify any tile that is creased/cracked, D&M will replace. Once all areas are repaired, BASD will monitor walls and D&M will agree to replace up to 400 additional creased/cracked tiles that are identified within a three year period.
    v. BASD will have plumbing fixtures removed in shower areas to allow D&M to install tile. They will re-install fixtures after tile is replaced.
    vi. BASD will release all monies due to Boro Construction for the tile issue and Boro will in turn pay D&M for all monies owed once all the above work is completed.

5. DEI agreed to have BASD's solicitor prepare an agreement for review and approval by Boro, D&M and the BASD School Board.

Anyone taking exception to the statements in these Minutes, including omissions, shall notify DEI in writing within three days of receipt.

Respectfully submitted,

M. Arif Fazil, P.E.

Attachment

DISTRIBUTION:
Attendees
Dr. Joseph Lewis
Scott Gilliland
Domenic Sbrocchi
Donald Spry

LIBERTY HIGH SCHOOL
ADDITIONS and ALTERATIONS
DEI PROJECT #13401
Creased/Cracked Tile
Current Field Survey Summary Sheet
July 2009

	Dec 2008 Survey	July 2009 Survey	Current Total	Replace Amount
SA Natatorium Locker Room Showers	0	0	0	0
SA Locker Rooms				
Shower Areas	59	34	93	Tile overlay
Non-Shower Areas	54	17	71	71
SA Toilet Rooms	5	7	12	12
MG Toilet Rooms				
Shower Areas	0	11	11	0
Non-Shower Areas	42	99	141	141
CM Toilet Rooms	105	143	248	248
CM Stairs	4	21	25	25
Field House Showers	214	455	669	Tile overlay
Totals	**483**	**787**	**1270**	**497 ***

* There may be some select areas of tile that are not replaced after a field decision is made based on the fact that the crease in the tile is barely visible and more damage may be caused by replacing the tiles than having them remain in place. Any tiles not replaced will increase the 400 tile allowance by the same number for the next 3 years and the owner has the right to request their replacement.

July 27, 2009

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1. *Employee Hearing – June 9, 2009*

INFORMATION:

A hearing was requested with the Board of School Directors regarding an employee's proposed termination to determine whether or not the employee should be discharged pursuant to the provisions of Section 514 of the Public School Code of 1949 (24 P.S. Sec 51514). The employee hearing was held Tuesday, June 9, 2009. Four board members were present at the hearing.

RECOMMENDATION:

That the Board of School Directors terminate employee number xxx-xx-1655.