



# **2024-2025 SCRANTON SCHOOL DISTRICT PARENT/STUDENT HANDBOOK**

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## **THE SCRANTON SCHOOL DISTRICT**

### **Mission, Vision, Beliefs**

*The Scranton School District, in partnership with the entire community, enables all students to achieve their full potential as they grow into responsible and productive citizens.*

#### **WE BELIEVE THAT:**

- Education in a safe and motivating environment is a shared responsibility of the entire community;
- Academic, interpersonal, and career exploration skills are keys to success in a technological global society;
- Diversity is to be recognized, encouraged, and celebrated;
- Standards-based curriculum and instruction ensure equitable learning opportunities for all children.

**MISSION:** The mission of the Scranton School District is to educate, inspire and empower students.

**VISION:** The vision of the Scranton School District is to educate students to their full potential and to prepare them to be successful in all aspects of their lives.

#### **CORE BELIEFS AND COMMITMENTS:**

- We believe that the best gift children can receive is a quality education.
- We believe that all children can learn to their full potential, and we respect their aspirations and goals.
- We believe in preparing our students to compete in a global society.
- We embrace the cultural diversity of our students and promote cultural awareness in education.
- We believe in a student-focused culture of continuous improvement and accountability.
- We believe in surrounding students with adults who are caring and nurturing, build self-esteem, foster ethics and responsibility, and teach ways to set and achieve goals.
- We believe in engaging, empowering and encouraging teachers and school leaders to employ instructional strategies that promote exploration and discovery, and to utilize differentiated learning strategies based on individual student needs.
- We believe that the involvement of all stakeholders is vital to enriching the educational experience and is critical to student success.
- We believe in providing a safe and secure learning environment where all students can achieve their goals.

**Scranton School District**  
*425 North Washington Avenue*  
*Scranton, PA 18503-1305*

**BOARD OF SCHOOL BOARD DIRECTORS**

**Ty Holmes, President**

Robert Casey

Danielle Chesek

Tom Borthwick

Marie Merkel

**Tara Yanni, Vice President**

Catherine Fox

Katie Gilmartin

Sean McAndrew

**SCHOOL DISTRICT SOLICITOR**

Attorney John Freund, III

**SCRANTON SCHOOL DISTRICT ADMINISTRATION**

**Erin Keating, Ed.D.**  
Superintendent of Schools

**Robert Gentilezza**  
Director of Compliance

**Robert DeLuca**  
Director of Leadership & Accountability

**Ann Grebeck**  
Director of Curriculum & Instruction  
Director of Federal Programs

**Kevin Kearney**  
School Safety & Security Coordinator

**Pat Laffey**  
Assistant to the Superintendent

**Tim Wolff**  
Director of Human Resources

**Robert Rucker**  
Director of Operations

**Ann Genett**  
Director of Special Education & Support Services

**Chris Summa**  
Director of IT

**OTHER SCRANTON SCHOOL DISTRICT ADMINISTRATIVE PERSONNEL**

**Julie Maloney**  
Supervisor of Transportation & Technology

**Kevin Kearney**  
School Safety & Security Coordinator

**Robert Butka**  
Cyber Academy Program Supervisor

**Maggie Cosgrove**  
Federal, State, ELP Program Coordinator

**Katona Miller**  
STEMM Program Supervisor

## PRINCIPALS

### ELEMENTARY

<b>John Adams Elementary</b> .....	<b>570-348-3655</b>
Mrs. Jennifer Bradley , Principal	
<b>Neil Armstrong Elementary</b> .....	<b>570-348-3661</b>
Mrs. Jennifer Bradley, Principal	
<b>John F. Kennedy Elementary</b> .....	<b>570-558-8970</b>
Mrs. Nora Phillips, Principal	
<b>Isaac Tripp Elementary</b> .....	<b>570-558-2700</b>
Mr. Brandon Budd, Principal	
<b>McNichols Plaza Elementary</b> .....	<b>570-348-3685</b>
Ms. Mina Ardestani, Principal	
<b>Robert Morris Elementary</b> .....	<b>570-348-3681</b>
Mr. Michael Coleman, Principal	
<b>William Prescott Elementary</b> .....	<b>570-348-3683</b>
Mr. Al O'Donnell, Principal	
<b>Charles Sumner Elementary</b> .....	<b>570-348-3688</b>
Mrs. Shannon Rucker, Principal	
<b>John Whittier Elementary</b> .....	<b>570-348-3690</b>
Mrs. Andrea Musto, Principal	
<b>Frances Willard Elementary</b> .....	<b>570-348-3692</b>
Mrs. Shannon Rucker, Principal	

### INTERMEDIATE SCHOOLS

<b>Northeast Intermediate School</b> .....	<b>570-348-3651</b>
Mr. Christopher Gentilezza, Principal	
Mr.. Jason Schlingman, Assistant Principal	
<b>South Scranton Intermediate School</b> .....	<b>570-348-3631</b>
Mr. Joseph Lalli Principal	
Mr. Casey Newcomer, Assistant Principal	
<b>West Scranton Intermediate School</b> .....	<b>570-348-3476</b>
Mrs. Angela Keating, Principal	
Mr. Rich Dempsey, Assistant Principal	

### HIGH SCHOOLS

<b>Scranton High School</b> .....	<b>570-348-3481</b>
Mr. John Coyle, Principal	

Mr. David Mitchell, Assistant Principal  
Mr. Michael Montoro, Assistant Principal

**West Scranton High School.....570-348-3616**

Ms. Renee Stevens, Principal  
Mr. Kenneth Murphy, Assistant Principal  
Mrs. Cory Crossin, Assistant Principal

**Scranton School District Cyber Academy .....570-558-6207**

Mr. Robert Butka, Principal

**AEDY**

**Electric City Academy.....570-558-2728**

Ms. Ann Genett, Director of Special Education and Support Services  
Mr. Dennis Engles, Principal  
Mr. Jeremy Guse, Program Director



Dates w/color – Refer to list for explanation.

3-4 Independence Day(district closed)

ALL SSD STAFF ON SUMMER 4 DAY WORK WEEK SCHEDULE EFFECTIVE 6/17/24.

INSTRUCTIONAL DAYS	
0	0

JULY '24						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

JANUARY '25						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

1 New Year's Day (district closed)  
 6-17 Winter Keystone Exam-WAVE 2 (window)  
 17 BP #2-Early Release  
 20 M.L. King Day (district closed)  
 24 Quarter 2 ends/End, semester 1-90-day mark

INSTRUCTIONAL DAYS	
21	95

6-7 Principals' Leadership Retreat  
 26 Professional Development Day for new teachers only!  
 27 Professional Development Day #1(PDD #1-no school for students)  
 28 Professional Development Day #2(PDD #2-no school for students)  
 29 First Day of School

5 DAY WORK WEEK EFFECTIVE 8/26/24-8/30/24

INSTRUCTIONAL DAYS	
2	2

AUGUST '24						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

FEBRUARY '25						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

10 Professional Development Day #4 (PDD #4-no school for students)  
 17 Presidents' Day (district closed)  
 28 Interim Progress Reports (IPR)-qtr. 3

INSTRUCTIONAL DAYS	
18	113

2 Labor Day(district closed)

INSTRUCTIONAL DAYS	
20	22

SEPTEMBER '24						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

MARCH '25						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

14 BP #3-Early Release

INSTRUCTIONAL DAYS	
21	134

1-31 PSAT Window  
 2 Interim Progress Reports (IPR)-qtr. 1  
 11 Professional Development Day #3 (PDD #3-no school for students)  
 14 Columbus Day (district closed)  
 25 BP #1-Early Release

INSTRUCTIONAL DAYS	
21	43

OCTOBER '24						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

APRIL '25						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

1 Quarter 3 ends/Midpoint semester 2  
 11 Early Release for PSSA building plan/security meeting, K-8 – Elementary & Intermediate  
 16 Early Release  
 17-21 Spring Break (no school for students – 17<sup>th</sup>/district closed 18<sup>th</sup> & 21<sup>st</sup>)  
 21-25 PSSA ELA Assessment window  
 28-30 PSSA Math/Science Assessment window

INSTRUCTIONAL DAYS	
19	153

5 Election Day (district closed)  
 4 Quarter 1 ends/Midpoint semester  
 11 Veterans Day (district closed)  
 12 Elementary Parent Conferences- Early Release – Elem  
 13 Elementary Parent Conferences (afternoon/evening)- Early Release Elem  
 14 Early Release for Elementary only!  
 18 Intermediate Parent Conferences (afternoon/evening)-Early Release  
 19 Early Release for Intermediate only!  
 27 Early Release  
 28-29 Thanksgiving Break (district closed)

INSTRUCTIONAL DAYS	
17	60

NOVEMBER '24						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

MAY '25						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

1-2 PSSA Math/Science Assessment window  
 2 Early Release for Keystone building plan/security meeting, 9-12 - High School Only  
 5 Interim Progress Reports (IPR)-qtr. 4  
 12-23 Keystone Exam-End of course (window)  
 20 Professional Development Day #5 (PDD #5-no school for students/Primary Election Day)  
 23-26 Memorial Day weekend (no school for students-23<sup>rd</sup>/district closed 26<sup>th</sup>)  
 30 BP #4-Early Release

INSTRUCTIONAL DAYS	
19	172

2 Thanksgiving Break (district closed)  
 3 Early Release ( pep rally schedule) for HS Keystone building plan/security meeting, High School Only  
 4-18 Winter Keystone Exam-WAVE 1 (window)  
 9 Interim Progress Reports (IPR)-qtr. 2  
 20 Early Release  
 23-31 Winter Break (no school for students-23<sup>rd</sup>, 26<sup>th</sup>, 27<sup>th</sup> & 30<sup>th</sup> /district closed 24<sup>th</sup>, 25<sup>th</sup> & 31<sup>st</sup>)

INSTRUCTIONAL DAYS	
14	74

DECEMBER '24						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

JUNE '25						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

11 Graduation #1-SHS-5 PM/Graduation #2-WSHS-7:30 PM. Last day of school for students (early release), Quarter 4 ends/End, semester 2-180-day mark  
 19 Juneteenth (district closed)

ALL SSD STAFF ON SUMMER 4 DAY WORK SCHEDULE EFFECTIVE 6/16/25.

INSTRUCTIONAL DAYS	
8	180

Board approved on 2-5-2024



**SCRANTON SCHOOL DISTRICT  
2024-25 CALENDAR**

PROFESSIONAL DEVELOPMENT DAY FOR NEW TEACHERS ONLY!	-	Monday, August 26, 2024 No school for students
TEACHER IN-SERVICE DAY (PDD-#1)	-	Tuesday, August 27, 2024 No school for students
TEACHER IN-SERVICE DAY (PDD-#2)	-	Wednesday, August 28, 2024 No school for students.
SCHOOLS OPEN	-	Thursday, August 29, 2024
LABOR DAY	-	Monday, September 2, 2024 District Closed.
TEACHER IN-SERVICE DAY (PDD-#3)	-	Friday, October 11, 2024 No school for students.
COLUMBUS DAY	-	Monday, October 14, 2024. District Closed
ELECTION DAY	-	Tuesday, November 5, 2024. District Closed.
VETERANS' DAY	-	Monday, November 11, 2024. District Closed.
THANKSGIVING VACATION	-	Thursday, November 28 through Monday, December 2, 2024-District Closed. Schools will reopen on Tuesday, December 3, 2024.
WINTER RECESS	-	Monday, December 23, 2024 through Wednesday, January 1, 2025. December 24, 25 & 31, 2024-District Closed. December 23, 26, 27 & 30, 2024-No school for students. Schools will reopen Thursday, January 2, 2025.
DR. MARTIN LUTHER KING DAY	-	Monday, January 20, 2025. District Closed.
TEACHER IN-SERVICE DAY (PDD-#4)	-	Monday, February 10, 2025. No school for students.
PRESIDENTS' DAY	-	Monday, February 17, 2025. District Closed.
SPRING RECESS	-	Thursday, April 17, 2025 through Monday, April 21, 2025. Thursday, April 17, 2025-No school for students. Friday, April 18, 2025 & Monday April 21, 2025-District Closed. Schools will reopen Tuesday, April 22, 2025.
PRIMARY ELECTION DAY TEACHER IN-SERVICE DAY (PDD-#5)	-	Tuesday, May 20, 2025 No school for students.
MEMORIAL DAY WEEKEND	-	Friday, May 23, 2025 and Monday, May 26, 2025 Friday, May 23, 2025- No school for students. Monday, May 26, 2025-District Closed. Schools will reopen Tuesday, May 27, 2025.
GRADUATION – SCRANTON HIGH	-	Wednesday, June 11, 2025 -5:00 p.m.
GRADUATION – WEST SCRANTON HIGH	-	Wednesday, June 11, 2025- 7:30 p.m.
SCHOOLS CLOSE	-	Last day of school for students.

Board approved on 2-5-2024



**SCRANTON SCHOOL DISTRICT  
2024-25 CALENDAR**

In the event that days must be used because of emergency conditions beyond the five approved FID schools will be scheduled to remain open in the order indicated below:

1. Thursday, April 17, 2025
2. Friday, May 23, 2025
3. Monday, April 21, 2025

The SSD 2024-25 school calendar provides for 180 pupil days and 185 teacher workdays that include FIVE Professional Development Days (PDD) In-service Days on Tuesday, August 27, 2024, Wednesday, August 28, 2024, Friday, October 11, 2024, Monday, February 10, 2025, and Tuesday, May 20, 2025. If weather or other emergencies require the closing of schools beyond the provisions indicated above, the school year will be extended beyond the June 11, 2025 closing date. PDD In-service Days are dependent upon approval by P.D.E.

The school calendar for the 2024-25 school year is based on one hundred eighty (180) days for students.

**TEACHING DAYS**

<b><u>FIRST SEMESTER</u></b>	<b><u>DATES OF QUARTER</u></b>	<b><u>IN QUARTER</u></b>
1 <sup>st</sup> Quarter	August 29, 2024 November 4, 2024	45
2 <sup>nd</sup> Quarter	November 6, 2024 January 24, 2025	45
<b>NUMBER OF DAYS FIRST SEMESTER</b>		<b><u>90</u></b>
<b><u>SECOND SEMESTER</u></b>		
3 <sup>rd</sup> Quarter	January 27, 2025 April 1, 2025	45
4 <sup>th</sup> Quarter	April 2, 2025 June 11, 2025	45
<b>NUMBER OF DAYS SECOND SEMESTER</b>		<b><u>90</u></b>
<b>TOTAL NUMBER OF INSTRUCTIONAL DAYS FOR THE YEAR</b>		<b><u>180</u></b>

		<b><u>NUMBER OF PUPIL DAYS PER MONTH</u></b>			
August	-	2	February	-	18
September	-	20	March	-	21
October	-	21	April	-	19
November	-	17	May	-	19
December	-	14	June	-	8
January	-	21			

NUMBER OF PUPIL DAYS - 180  
NUMBER OF TEACHER DAYS - 185

**NOTE:** Students will attend a maximum of 180 days and teachers will work a maximum of 185 days in accordance with the Collective Bargaining Agreement (CBA).

**Parent Conferences**  
Elementary-November 12-13, 2024  
Intermediate-November 18, 2024

**Interim Progress Reports (IPR)**  
Quarter 1-Wednesday, October 2, 2024  
Quarter 2-Monday, December 9, 2024  
Quarter 3-Friday, February 28, 2025  
Quarter 4-Monday, May 5, 2025

**Early Release for Building Plan Meetings**  
Quarter 1-Friday, October 25, 2024  
Quarter 2-Friday, January 17, 2025  
Quarter 3-Friday, March 14, 2025  
Quarter 4-Friday, May 30, 2025



Board approved on 2-5-2024



SCRANTON SCHOOL DISTRICT  
2024-25 CALENDAR

**PRELIMINARY PSSA & KEYSTONE TESTING WINDOWS 2024-24**

<b>DATE</b>	<b>ASSESSMENT</b>
April 21-April 25, 2025	PSSA-ELA Grade(s) 3-8
April 28-May 9, 2025	PSSA Math-Grade(s) 3-8/Science-Grade(s) 4 & 8/ Make-ups
Wave 1 Dec. 4-18, 2024	Keystone Exams WINTER-WAVE I
Wave 2 Jan. 6-17, 2025	Keystone Exams WINTER-WAVE II
May 12-23, 2025	Keystone Exams SPRING
March 10-May 2, 2025	PASA Math and Reading-Grade(s) 3-8, 11
March 10-May 2, 2025	PASA Science-Grade(s) 4, 8 & 11
January 3-February 23, 2025	ACCESS for ELLS- Grades K-12

TERMINOLOGY ON CALENDAR	MEANING		
DISTRICT CLOSED	STUDENTS OFF	STAFF OFF	MAINTENANCE OFF
NO SCHOOL FOR STUDENTS (HOLIDAY/VACATION)	STUDENTS OFF	STAFF OFF	MAINTENANCE WORKING
NO SCHOOL FOR STUDENTS (PDD/ACT 80)	STUDENTS OFF	STAFF WORKING	MAINTENANCE WORKING



## Scranton School District

425 North Washington Avenue  
Scranton, PA 18503

Mr. Robert Gentilezza  
Director of Compliance  
Phone: (272) 235-5524

### 2024-25 Scranton School District Quarterly Dates

Quarter 1-Thursday, August 29, 2024-Monday, November 4, 2024  
Quarter 2-Wednesday, November 6, 2024-Friday, January 24, 2025  
Quarter 3-Monday, January 27, 2025-Tuesday, April 1, 2025  
Quarter 4-Wednesday, April 2, 2025-Wednesday, June 11, 2025

### 2024-25 Quarterly Scranton School District Interim Progress Report (IPR) Dates

Quarter 1-Wednesday, October 2, 2024  
Quarter 2-Monday, December 9, 2024  
Quarter 3-Friday, February 28, 2025  
Quarter 4-Monday, May 5, 2025

### 2024-25 Scranton School District Elementary Parent Conference Dates

Tuesday, November 12, 2024  
Wednesday, November 13, 2024 (afternoon/evening)

### 2024-25 Scranton School District Intermediate Parent Conference Dates

Monday, November 18, 2024 (afternoon/evening)

Sincerely,

*Robert Gentilezza*

Director of Compliance  
Scranton School District

**SCRANTON SCHOOL DISTRICT**



**2024-25 SCRANTON SCHOOL DISTRICT IN-SERVICE MASTER SCHEDULE**

**FULL DAYS-PD**

***Monday, August 26, 2024 (new teachers only PD)-5 hrs.***

1. Tuesday, August 27, 2024-5 hrs.-PDD #1
2. Wednesday, August 28, 2024-5 hrs.-PDD #2
3. Friday, October 11, 2024-5 hrs.-PDD #3
4. Monday, February 10, 2025-5 hrs.-PDD #4
5. Tuesday, May 20, 2025-5 hrs.-PDD #5

**ACT 80-DAY (FULL DAY)**

1. N/A

**1 or 1.5 HOUR-TESTING BUILDING PLANS MEETINGS**

Tuesday, December 3, 2024-1.5 hr-WINTER-Keystone Exam Building Plan(9-12)/Certificate training-pep rally schedule

\*Friday, April 11, 2025-1 hr.-PSSA Building Plan(K-8)

\*Friday, May 2, 2025-1 hr.-Keystone Exam Building Plan(9-12)

**\*DISMISSAL TIMES ARE**

- ELEMENTARY-1 PM
- INTERMEDIATE-2 PM
- HIGH SCHOOL-1:25 PM

**1 HOUR-BUILDING PLAN MEETINGS**

1. Friday, October 25, 2024-1 hr.-BP #1
2. Friday, January 17, 2025-1 hr.-BP #2
3. Friday, March 14, 2025-1 hr.-BP #3
4. Friday, May 30, 2025-1 hr.-BP #4

**DISMISSAL TIMES ARE**

- ELEMENTARY-1 PM
- INTERMEDIATE-2 PM
- HIGH SCHOOL-1:25 PM

***Robert Gentilezza***

Robert Gentilezza  
Director of Compliance  
Scranton School District



**Scranton School District**  
 425 North Washington Avenue  
 Scranton, Pennsylvania 18503

**2024-25 SCRANTON SCHOOL DISTRICT TESTING CALENDAR**

**ELEMENTARY SCHOOL TESTING DATES**

**Pennsylvania System of School Assessment (PSSA) Testing Window 2024-25**

Assessment	Date(s)	Grade(s)
English Language Arts	April 21-25, 2025	3-4
Mathematics	April 28-May 2, 2025	3-4
Science	April 28-May 2, 2025	4

**Pennsylvania Alternate System of Assessment (PASA) Testing Window 2024-25**

Assessment	Date(s)	Grade(s)
Reading/Math	March 10-May 2, 2025	3-4
Science	March 10-May 2, 2025	4

**INTERMEDIATE SCHOOL TESTING DATES**

**Pennsylvania System of School Assessment (PSSA) Testing Window 2024-25**

Assessment	Date(s)	Grade(s)
English Language Arts	April 21-25, 2025	5-8
Mathematics	April 28-May 2, 2025	5-8
Science	April 28-May 2, 2025	8

**Pennsylvania Alternate System of Assessment (PASA) Testing Window 2024-25**

Assessment	Date(s)	Grade(s)
Reading/Math	March 10-May 2, 2025	5-8
Science	March 10-May 2, 2025	8

**Keystone Exam Testing Window 2024-25 (SPRING)**

Assessment	Date(s)	Grade(s)
Algebra I	May 12-23, 2025 (SPRING)	8

**HIGH SCHOOL TESTING DATES**

**Keystone Exam Testing Window 2024-25 (WINTER/SPRING)**

Assessment	Date(s)
Algebra I	December 4-18, 2024 (WAVE I)
Literature/Biology	January 6-17, 2024 (WAVE II)
Algebra I/Biology/Literature	May 12-23, 2025 (SPRING)

**Preliminary Scholastic Aptitude Test (PSAT) 2024-25**

Assessment	Date
PSAT/NMSQT	October 2-31, 2025

**Pennsylvania Alternate System of Assessment (PASA) Testing Window 2024-25**

Assessment	Date(s)	Grade
Reading/Math/Science	March 10-May 2, 2025	11

**AP Testing Window 2024-25**

Assessment	Date(s)
AP Subject	May 5-16, 2025

**Final Exam Window 2024-25**

Assessment	Date(s)
Course Subject	TBA

**DISTRICT ACCESS TESTING DATES (ALL GRADES)**

**ACCESS(WIDA) Testing Window 2024-25**

Assessment	Date(s)	Grade(s)
ACCESS	January 3-February 23, 2025	K-12

SCRANTON SCHOOL DISTRICT  
425 N Washington Ave  
Scranton, PA 18503

Dear Parents and Students:

The Scranton School District (SSD) has developed the Parent/Student Handbook in order to ensure that all parents, students, faculty, and staff are aware of all Scranton School District educational programs and policies. The SSD Parent/Student Handbook is posted on our website at [www.scrsd.org](http://www.scrsd.org). **Parents who do not have internet access or who prefer to have a paper copy should request a copy from their child's school. The following items require your immediate attention. You can find the sign off forms at the end of the handbook in Section D. The forms must be returned to your child's school by WEDNESDAY, SEPTEMBER 4, 2024:**

1. Policies Sign-Off Sheet
2. Scranton School District Acceptable Use Policy for Network and Internet Access
3. Media Release Form
4. Library Card Application
5. Scranton School District Academic Integrity Form
6. Scranton School District Military Questionnaire
7. Poverty Guidelines

Please contact your child's principal if you have any questions or concerns regarding the Parent/Student Handbook.

Thank you for choosing the Scranton School District and public education. We look forward to working with you and your child throughout the school year.

Sincerely,

**Erin Keating, Ed.D.**  
Superintendent of Schools  
Scranton School District

SCRANTON SCHOOL DISTRICT  
425 N Washington Ave  
Scranton, PA 18503

CEP Parent Letter

Dear Parent or Guardian:

We are pleased to inform you that the Scranton School District is implementing a provision known as the Community Eligibility Provision (CEP) for the 2024-25 school year. This program is available to schools/districts who are participating in the National School Lunch and School Breakfast Programs.

All enrolled students of the Scranton School District are eligible to receive a nutritional breakfast and lunch every day at the school at **no charge** to your household.

No further action is required of you. Your child(ren) will be able to participate in these meal programs without paying a fee or submitting an application.

Although your child will not be required to submit a meal application for eligibility in CEP, other programs, not related to the National School Lunch Program (NSLP) or the USDA, are impacted by the gathering of socioeconomic data.

**In place of the meal application we are asking you to fill out the attached Poverty Guidelines Form and return to your child's school.**

If we can be of any further assistance, please contact us at 272-235-5840

Sincerely,

Patrick Laffey  
Business Manager  
Scranton School District

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/USDA-OASCR%20P-Complaint-Form-0508-0002-508-11-28-17Fax2Mail.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **mail:**

U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410; or

2. **fax:**

(833) 256-1665 or (202) 690-7442; or

3. **email:**

[program.intake@usda.gov](mailto:program.intake@usda.gov)

This institution is an equal opportunity provider.



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**FAMILY EDUCATIONAL RIGHTS AND PRIVACY/PROTECTION OF PUPIL  
RIGHTS AMENDMENT NOTIFICATIONS**

**Notification of Rights under FERPA for Elementary and Secondary Schools**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

1. The right to inspect and review the student’s education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the school principal or appropriate school official a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. The school is not required to provide copies and may charge a fee if copies are requested.
2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate. Parents or eligible students may ask the school to amend a record that they believe is inaccurate. They should write to the School principal or appropriate school official, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the School discloses education records without consent to officials of another school district in which a student seeks to enroll.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is listed below:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington DC 20202-4605

### **Notification of Rights under the Protection of Pupil Rights Amendment (PPRA)**

PPRA affords parents and students who are 18 or emancipated minors (“eligible students”) certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams.

They include the right to:

- *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED) –
  1. Political affiliations or beliefs of the student or student’s parent;
  2. Mental or psychological problems of the student or student’s family;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;
  6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
  7. Religious practices, affiliations, or beliefs of the student or parents; or
  8. Income, other than as required by law to determine program eligibility.
- *Receive notice and an opportunity to opt a student out of* –
  1. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others;
  2. Any other protected information survey, regardless of funding; and
  3. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law.
- *Inspect*, upon request and before administration or use –
  1. Protected information surveys of students;
  2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  3. Instructional material used as part of the educational curriculum.

The Scranton School District will develop and adopt policies, in consultation with parents, regarding these rights as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The Scranton School District will directly notify parents and eligible students of these policies at least annually at the start of each school year and after any substantive changes. The Scranton School District will also directly notify parents and eligible students, in the School District Handbook, at least annually at the start of each school year of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.

- Any non-emergency, invasive physical examination or screening as described above.

*Parents/eligible students who believe their rights have been violated may file a complaint with:*

Family Policy Compliance Office  
US Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920

### **Notice and Consent/Opt-Out for Specific Activities**

The Protection of Pupil Rights Amendment (PPRA) requires the Scranton School District to notify you and obtain consent or allow you to opt out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas (“protected information surveys”):

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

This requirement also applies to the collection, disclosure or use of student information for marketing purposes (“marketing surveys”), and certain physical exams and screenings.

### **SCRANTON SCHOOL DISTRICT PARENT INVOLVEMENT POLICY**

The Scranton School District recognizes that a child’s education is a responsibility shared by the school and family. The school and parents must work together to support education. The district will work with parents to establish programs and practices to enhance parent involvement at each

Title I school.

Programs and practices will consist of but be limited to:

- Implementation of school/parent compacts
- Annual Parent Meeting
- Parent involvement workshops
- Attendance at parent conferences

The district supports professional development opportunities for staff members to enhance their understanding of parent involvement strategies.

Title I schools will receive parent involvement funds to support activities.

The effectiveness of the Title I Parent Involvement Policy will be reviewed annually.

## **VOLUNTEER POLICY 916**

### **Purpose**

The Board supports and encourages the participation of parents/guardians and community residents to enhance the educational, co-curricular and extracurricular programs of the district.

### **Authority**

The Board may adopt and enforce reasonable rules and regulations governing volunteers and their participation in the activities of the district.[\[1\]](#)

The Board prohibits discrimination on the basis of race, color, marital status, creed, religion, ancestry, handicap/disability, age, sex, sexual orientation or national origin in the school environment and all district programs for volunteers.[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)

The Board directs that all volunteers shall be informed of conduct that is prohibited and the disciplinary actions that may be applied for violation of Board policies, administrative regulations, rules and procedures.[\[1\]](#)

All volunteers shall be expected to maintain professional, moral and ethical relationships with district students that are conducive to an effective, safe learning environment.[\[7\]](#)

### **Definitions**

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

**Adult** - an individual eighteen (18) years of age or older.[\[8\]](#)

**Certifications** - refers to the child abuse history clearance statement; the state criminal history background check; and where applicable, the federal criminal history background check, required by the Child Protective Services Law.[\[9\]](#)[\[10\]](#)

**Direct volunteer contact** - the care, supervision, guidance or control of children and routine interaction with children.[\[8\]](#)

**Person responsible for the child's welfare** - a person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training or control of a child in lieu of parental care, supervision and control.[8]

**Routine interaction** - regular and repeated contact that is integral to a person's volunteer responsibilities.[8]

**Visitor** - a parent/guardian, adult resident, educator, official or other individual who is not a school employee or independent contractor, and who visits a school or attends or participates in an event or activity at a school, but whose role is less substantial than would be sufficient to meet the definition of volunteer for purposes of this policy.[11]

**Volunteer** – is an adult, whose role is more than that of a visitor, who voluntarily offers a service to the district without receiving compensation from the district. A volunteer is not a school employee.[10]

The two (2) classifications of volunteers are:

1. **Position Volunteer** - an adult applying for or holding an unpaid position with a school or a program, activity or service, as a person responsible for the child's welfare or having direct volunteer contact with children. Examples include, but are not limited to, field trip chaperones, tutors, coaches, activity advisor, recess or library aides, etc.
2. **Guest Volunteer** - an adult who voluntarily provides a service to the district, without compensation, who: (1) works directly under the supervision and direction of a school administrator, a teacher or other member of the school staff; and (2) does not have direct volunteer contact. Examples include, but are not limited to, volunteering to assist in classroom celebrations, school assemblies, or school concerts; reading to students; collecting tickets at sporting events; working concession stands; participating in "Career Day," etc.

### **Delegation of Responsibility**

The Superintendent or designee shall be responsible for the selection and management of volunteers and for ensuring compliance with Board policies, administrative regulations, rules and procedures.

At the discretion of the Superintendent or designee, a volunteer's service may be discontinued at any time.

The Superintendent or designee shall develop administrative regulations to implement this policy and manage the selection, use and supervision of volunteers.

### **Guidelines**

Each prospective position volunteer shall complete and submit a volunteer application.

The names of all position volunteers shall be submitted for approval by the Superintendent or designee. The names of all guest volunteers shall be submitted for approval by the building principal or designee. Upon approval, volunteers shall be placed on the list of approved volunteers. Approval shall be required prior to beginning service as a volunteer.

### **Certifications**

Prior to approval, all position volunteers shall submit the following information:

1. PA Child Abuse History Certification - which must be less than sixty (60) months old.[\[10\]](#)
2. PA State Police Criminal History Record Information - which must be less than sixty (60) months old.[\[10\]](#)
3. Disclosure Statement for Volunteers - which is a statement swearing or affirming the applicant has not been disqualified from service by reason of conviction of designated criminal offenses or being listed as the perpetrator in a founded report of child abuse.[\[9\]](#)[\[10\]](#)[\[12\]](#)

If a position volunteer has not been a resident of Pennsylvania during the entirety of the previous ten (10) year period, the position volunteer must also submit the following information:[\[10\]](#)

1. Federal Criminal History Report - issued at any time since the volunteer established residency. The Superintendent or designee shall review the information and determine if the information is disclosed that precludes service as a volunteer.

Information submitted by volunteers in accordance with this policy shall be maintained centrally in a manner similar to that used for school employees.

Position volunteers shall obtain and submit new certifications every sixty (60) months.[\[13\]](#)

A student, eighteen (18) years of age or older, who is volunteering for an event or activity sponsored by the school in which the student is enrolled and occurring on the school's grounds, shall not be required to submit certifications except when the event or activity is for children in the care of a child-care service or the student will otherwise be responsible for the welfare of a child.[\[10\]](#)

### **Tuberculosis Test Requirement**

Prior to participating in student activities, Position Volunteers (that provide direct contact to students for ten (10) or more hours per/week) shall undergo a test for tuberculosis, when required by and in accordance with the regulations and guidance of the Pennsylvania Department of Health.[\[14\]](#)[\[15\]](#)

Guest Volunteers, such as PTA members are not required to undergo tuberculosis requirement.

### **Arrest or Conviction Reporting Requirements**

Position volunteers shall report to the Superintendent or designee, in writing, within seventy-two (72) hours, an arrest or conviction required to be reported by law or notification that the volunteer has been named as a perpetrator in a founded or indicated report pursuant to the Child Protective Services Law.[\[12\]](#)

The Superintendent or designee shall immediately require a position volunteer to submit new certifications if the Superintendent or designee has a reasonable belief that the volunteer was arrested for or has been convicted of an offense required to be reported by law, was named as a perpetrator in a founded or indicated report, or has provided written notice of such occurrence.[\[12\]](#)

Failure to accurately report such occurrences may subject the position volunteer to disciplinary action up to and including denial of volunteer service and criminal prosecution.[\[12\]](#)

### **Child Abuse Reporting**

All volunteers who have reasonable cause to suspect that a child is the victim of child abuse shall make a report of suspected child abuse in accordance with applicable law, Board policy and administrative regulations.[\[16\]](#)[\[17\]](#)

### **Supervision**

Each volunteer shall be under the supervision of a designated school administrator, teacher or other member of the school staff.

### **Training**

Volunteers shall attend orientation and training sessions, as appropriate to the nature of their volunteer service. When training is provided for school employees relating to the legal obligations of employers and educational institutions, consideration shall be given to which volunteers should also receive that training.[\[17\]](#)[\[18\]](#)[\[19\]](#)[\[20\]](#)[\[21\]](#)

### **Senior Volunteer Tax Credit Program**

Senior volunteer tax credit programs have been shown to provide necessary support for academic programs while reducing the burden of property taxes on senior citizens who participate in such programs. The positive contributions of senior volunteers and their teamwork with teachers and students can result in a rewarding experience for all.

The Board establishes a Senior Tax Reduction Incentive Volunteer Exchange Program to allow individuals who are at least sixty (60) years of age, who own real property in the district and have resided within the district for at least



ninety (90) days, to receive a real property tax credit in exchange for volunteer service in the district, as permitted by state law and this policy.[\[24\]](#)

The district may seek private and public funding sources to support the program.[\[25\]](#)

The Board may adopt and enforce reasonable rules and regulations governing the acceptance and participation of individuals in the program, in accordance with applicable law and Board policy.[\[1\]](#)[\[3\]](#)

All participants in the Senior Tax Reduction Incentive Volunteer Exchange Program shall comply with the guidelines set forth for other volunteers in the district, including, but not limited to, background check certifications, reports, training and confidentiality requirements.[\[3\]](#)[\[26\]](#)

Participants receiving other compensation from the district for their services shall not be eligible for the tax credit. Each volunteer service hour provided by an eligible participant shall be provided with a real property tax credit valued at no less than the minimum hourly wage, as required by law.[\[3\]](#)[\[27\]](#)[\[28\]](#)

The rate of a real property tax credit for a participant shall be established by the Board and may not exceed the total amount of real property taxes that are owed.[\[3\]](#)

The types of services that participants provide through the program must enhance and provide a direct public benefit to the academic program of the district.[\[3\]](#)

The program may not replace or supplant existing employee positions in the district.[\[29\]](#)

Real property tax credits shall not be transferable to another individual.

Only one (1) participant per household shall be permitted in the program per fiscal year.

The Board reserves the right to suspend or discontinue the program at any time; however, participants who have earned real property tax credits shall be entitled to use them in accordance with this policy.

### **Confidentiality**

No volunteer shall be permitted access to confidential student information unless the supervisor has determined that such access is necessary for the volunteer to fulfill his/her responsibilities. Volunteers with access to confidential student information shall maintain the confidentiality of that information in accordance with district policies and procedures and applicable law. If a volunteer has questions about the confidentiality of student information, the volunteer should consult with the building principal.[\[22\]](#)[\[23\]](#)

## **Acknowledgement**

Each volunteer shall affirm in writing that s/he has been provided with a copy of, has read, understands and agrees to comply with this policy.

## **Volunteer Coaches**

It is recommended that all applicants have satisfied the Coaches Certification and First Aid courses that is a requirement by the PIAA. A ninety (90) day window will be allowed to satisfy this requirement after hire.

## **NOTICE TO PARENTS: RIGHT TO REVIEW TEACHER QUALIFICATIONS**

As a parent of a student in a building that receives Title I federal funds, you have the right to know the professional qualifications of the classroom teachers that instruct your child.

Federal law allows you to ask for certain information about your child's classroom teachers and requires the district to provide that information in a timely manner.

You have the right to ask for the following information:

- Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
- Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.
- The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree.
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

If you would like to request any of this information, please contact the Scranton School District Personnel Office at 272-235-5801.

## **INTEGRATED PEST MANAGEMENT NOTIFICATION**

The Scranton School District uses an Integrated Pest Management (IPM) approach for managing insects, rodents and weeds. Our goal is to protect every student from pesticide exposure by using an IPM approach to pest management. Our IPM approach focuses on making the school building and grounds an unfavorable habitat for these pests by removing food and water sources and eliminating their hiding and breeding places. We accomplish this through routine cleaning and maintenance. We routinely monitor the school building and grounds to detect any pests that are present. The pest monitoring team consists of our building maintenance, office and teaching staff and includes our students. Pest sightings are reported to our IPM coordinator who evaluates the "pest problem" and determines the appropriate pest management techniques to address the problem. The techniques can include increased sanitation, modifying storage practices, sealing entry points, physically removing the pests, etc.

From time to time, it may be necessary to use chemicals to manage a pest problem. Chemicals will only be used when necessary, and will not be routinely applied. When chemicals are used, the school will try to use the least toxic products when possible. (Applications will be made only after normal school hours.) Notices will be posted in these areas 72 hours prior to application and for two days following the application.

Parents or guardians of students enrolled in the school may request prior notification of specific pesticide applications made at the school. To receive notification, you must be placed on the school notification registry. If you would like to be placed on the registry, please notify the district in writing. Please include your email address if you would like to be notified electronically.

If a chemical application must be made to control an emergency pest problem (e.g., stinging insects), notice will be provided by telephone to any parent or guardian who has requested such notification in writing. Exemptions to this notification include disinfectants and anti-microbial products; self-containerized baits placed in areas not accessible to students, and gel type baits placed in cracks, crevices or voids; and swimming pool maintenance chemicals. Each year, the district will prepare a new notification registry. If you have any questions, please contact the school or **IPM Coordinator, at 570-348-3464.**

### **INTERNET POLICIES**

**Signature page for the *SSD Acceptable Use Policy* is in the Sign off *SECTION D* of this handbook; and must be submitted by Wednesday, September 4, 2024.**

### **MEDICAL INFORMATION & POLICIES**

#### **Notice of Medical Examinations**

Pennsylvania School Health Law requires medical examinations upon **first entry to school, 6th grade, and 11th grade.** Parents are required to have a physical examination completed by their primary health care provider. The completed Physical Examination Report should be submitted to the school nurse by the first day of school. If the physical examinations are not submitted by **January 1st** of the school year the exam is needed, the student will be excluded from attending school until the exam is received.

If the family cannot afford to have a physical examination completed, they may give consent to the Scranton School District to have the school physician perform the exam. Parents must sign a consent form. Any child who misses their appointment with the school physician will be required to obtain a private physical examination and submit the report to the school nurse within 1 month of the school appointment or risk exclusion from school.

#### **Notice of Dental Examinations**

Pennsylvania School Health Law requires dental examinations upon **first entry to school, 3rd grade, and 7th grade.** Parents are required to have a dental examination completed by their primary dental provider. The completed Dental Examination Report should be submitted to the school nurse by the first day of school. If the

dental examinations are not submitted by **January 1st** of the school year needed, the student will be excluded from attending until the exam is received.

If the family cannot afford to have a dental examination completed, they may give consent to have a dentist perform the exam at school. Parents must sign a consent form. Any child who misses their appointment at the school will be required to obtain a private dental examination and submit the report to the school nurse within 1 month of the school appointment or risk exclusion from school.

### **Pennsylvania School Immunization Requirements**

For attendance **ALL** children, Grades K-12, must have the following immunizations:

4 doses of tetanus, diphtheria, and acellular pertussis (1 dose on or after the 4th birthday)

1. 4 doses of polio (4th dose on or after the 4th birthday and at least 6 months after previous dose given)
2. 3 doses of Hepatitis B
3. 2 doses of varicella (chickenpox) or evidence of immunity

All children entering **7<sup>th</sup> grade must** have the following immunizations to be able to attend school:

1. 1 dose of tetanus, diphtheria, acellular pertussis (Tdap) (if 5 years has elapsed since the last tetanus)
2. 1 dose of meningococcal conjugate (MCV)

All children entering **12th grade must** have the following immunizations to be able to attend school:

1. dose of meningococcal conjugate (MCV) by the first day of school. If one dose was given at 16 years of age or older, that shall count as the 12th grade dose.

### **PROOF OF THESE IMMUNIZATIONS MUST BE SUBMITTED BEFORE SCHOOL ADMITTANCE.**

A student shall be exempt from immunization requirements whose parent/guardian objects in writing to such immunization on religious grounds or whose physician certifies that the student's physical condition contraindicates immunization.[1][4][6][7] A student who has not been immunized in accordance with state regulations shall not be admitted to or permitted to attend district schools, unless exempted for medical or religious reasons, or provisionally admitted by the Superintendent or designee after beginning a multiple dose vaccine series and submitting proof of immunization or a medical certificate on or **before the fifth school day of attendance.**[1][4][5][6][7]

Homeless students who have not been immunized or are unable to provide immunization records due to being homeless shall be admitted in accordance with the provisions of applicable laws and regulations.[5][8][18] Foster care students and students transferring into a school within the Commonwealth shall be admitted in accordance with law and regulations, and shall have thirty (30) days to provide proof of immunization, a medical certificate detailing the plan to complete a multiple dose vaccine series or to satisfy the requirements for an exemption.[5]

If you have any questions, or need additional information, please call your child's school nurse. **If you do not have health insurance or your insurance does not cover the cost of the immunizations, please contact your school nurse for guidance.**

## Communicable Diseases

The Board authorizes those students who have been diagnosed by a physician or are suspected of having a disease by the school nurse shall be excluded from school for the period indicated by regulations of the Department of Health for certain specified diseases and infectious conditions.[10][14][15] The school nurse shall report the presence of suspected communicable diseases to the appropriate local health authority, as required by the Department of Health.[17][18][19]

Instruction regarding prevention of communicable and life threatening diseases shall be provided by the schools in the educational program for all levels, in accordance with state regulations.[20]

Parents/Guardians shall be informed of and be provided opportunities during school hours to review all curriculum materials used in instruction relative to communicable and life threatening diseases.[15][20][21]

## Health Records

A comprehensive health record shall be maintained for each student enrolled in the district. The record shall include the results of required tests, measurements, screenings, regular and special examinations, and medical questionnaires.[17][23] All health records shall be confidential, and their contents shall be divulged only when necessary for the health of the student or to a physician at the written request of the parent/guardian.[2

## **GUIDELINES FOR THE ADMINISTRATION OF MEDICATION DURING SCHOOL HOURS**

The Scranton School District recognizes that parents have the primary responsibility for the health of their children. Although the district strongly recommends that medication be given at home, it understands that the health of some children requires that they receive medication while in school. Parents should confer with the child's physician to arrange medication time intervals to avoid school hours whenever possible. When medication absolutely must be given during school hours, certain procedures must be followed. Before any over the counter or prescription medication may be administered to any student by district personnel or self-administered by a student during school hours or school sponsored activities, the Scranton School District requires that:

- A PA licensed practitioner must complete the medication order.
- The parent/guardian must sign the consent form for administering medication at school.
- A new medication order must be submitted at the beginning of each school year.
- All medication must be delivered directly to the school nurse by the parent or responsible adult in the original pharmaceutically dispensed package and properly labeled. Up to one month's supply will be accepted. Medication will be recorded and logged in with the date, name of child, name of medication, and amount delivered. This log should be cosigned by the parent and the person receiving the medication.
- Unused medication will be returned to parents, in person, for disposition. If the medication is not picked up within ten days of notification, the school nurse may destroy or discard unused or expired portions. If the medication is a controlled substance, a witness must be present and they must cosign documentation of disposal.
- All medications must be stored in the original container in a locked cabinet in the medical room or in the refrigerator in the medical room when refrigeration is indicated on the label.

- If a student must have emergency access to his or her medication, such as an asthma inhaler or an EpiPen, the student's teacher will secure it in the classroom. The student may carry emergency medication as directed by the physician in accordance with the PA state law.

**APPROVED PERSONS TO ADMINISTER MEDICATION:** All medications must be administered in the school medical room by the school nurse, the parent, or the student when the physician has so directed by written order. The self-administration of medication must be done under the observation of a staff member. The student shall report to the nurse for assessment. It shall be deemed that whenever a district employee administers medication to a student in accordance with this policy, he or she shall be acting within the scope of his or her duties.

**HIV/AIDS: The Preventable Epidemic** - This is a comprehensive health curriculum for all students Kindergarten to Grade 12. It provides students with knowledge, attitudes and skills to make health-promoting decisions. It motivates students to maintain and improve health rather than merely preventing disease. An important and vital part of this program is to build all students' personal and social skills to prevent HIV/AIDS infection and other important health problems. Materials from this program are available at your child's school for your review. There will also be an "HIV/AIDS: The Preventable Epidemic" orientation meeting which will give you a chance to review course materials and get answers to any questions you may have. **If you do not wish your child to participate in this program, please notify the school principal within 10 days.**

### **ANIMALS/PETS**

Animals and pets are prohibited on District/school property without consent from the Principal or site supervisor. Guide dogs and service animals if granted are exceptions to this policy.

### **PLEDGE OF ALLEGIANCE**

The Pennsylvania School Code was recently amended to require schools to recite the Pledge of Allegiance at the beginning of each school day. Students are allowed to decline to recite the Pledge; however, the school district is required to notify the child's parents, in writing, of their child's refusal.

### **SPECIAL EDUCATION NOTICE**

#### **Annual Notice to Parents of Children Who Reside in the Scranton School**

In compliance with state and federal law, notice is hereby given by the Scranton School District that it conducts ongoing identification activities as part of its school program for the purpose of identifying students who may be in need of special education and related services. If your child is identified by the District as possibly in need of such services, you will be notified of applicable procedures. Individualized services and programs are available for children who are determined to need specially designed instruction due to the following conditions: autism/pervasive development disorder; blindness or visual impairment; deafness or hearing impairment;

developmental delay; mentally gifted; mental retardation; speech and language impairment; multi-handicapped; neurological impairment; other health impairments; physical disability; serious emotional disturbance; special learning disability.

If you believe that your school-age child may be in need of special education services and related programs, or that your young child (age three to school-age) may be in need of early intervention, screening and evaluation processes designed to assess the needs of the child and his/her eligibility are available to you at no cost, upon written request. You may request screening and evaluation at any time, whether or not your child is enrolled in the District's public school program. Requests for evaluation and screening are to be made in writing to the Special Education Office, 425 N. Washington Avenue, Scranton, PA 18503.

For further information on the rights of parents and children, provision of services, evaluation and screening (including purpose, time and location), you may contact in writing the office listed above or any building principal. *Confidentiality: All information gathered about your child is subject to the confidentiality provisions contained in federal and state law. The District has policies and procedures in effect governing the collection, maintenance, destruction, and disclosure to third parties for this information. For information about these policies and procedures, as well as about rights of confidentiality and access to educational records, you may contact in writing the office named above or any building principal or any building principal.*

In compliance with state and federal law, the Scranton School District will provide to each protected handicapped student without discrimination or cost to the student or family, those related aids, services or accommodations which are needed to provide equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities to the maximum extent appropriate to the student's abilities. In order to qualify as a protected handicapped student, the child must be of school age with a physical or mental disability that substantially limits or prohibits participation in or access to an aspect of the school program.

These services and protections for "protected handicapped students" are distinct from those applicable to all eligible or exceptional students enrolled (or seeking enrollment) in special education programs. For further information on the evaluation procedures and provision of services to protected handicapped students, contact the Special Education Office at 272-235-5808.

## **HAZING POLICY**

**Purpose:** The purpose of this policy is to maintain a safe, positive environment for person, student and staff and is free from hazing. Hazing activities of any type are inconsistent with the educational goals for the Scranton School District and are prohibited at all times.

### **Definition**

**Hazing-**Any action or situation which recklessly or intentionally endangers the mental or physical health or safety of [a student] a person or which willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization [operating under the sanction of or recognized as an organization by an institution of higher education]. The term

shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual, or any willful destruction or removal of public or private property. For purposes of this definition, any activity as described in this definition upon which the initiation or admission into or affiliation with or continued membership in an organization is directly or indirectly conditioned shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding.

**Institution of higher education or institution**-Any public or private institution within this Commonwealth authorized to grant an associate degree or higher academic degree.

**Secondary school**- Any public or private school within this Commonwealth providing instruction in grades 7 through 12 or any combination of those grades.

The Scranton School Board does not condone any form of initiation or harassment, known as hazing, as part of any school sponsored student activity. No student, coach, moderator, volunteer or district employee shall permit, condone or tolerate any form of hazing.

The school district will investigate all complaints of hazing and will administer appropriate discipline to any individual who violates this policy.

The Scranton School Board encourages students who have been subject to hazing to promptly report such incidents to the building principal.

**Delegation of Responsibility:**

District administrators shall investigate promptly all complaints of hazing and administer discipline to any individual that violates this policy.

Students, administrators, moderators, parents, coaches, volunteers and district employees shall be alert to incidents of hazing and shall report such conduct to the building principal.

The district shall annually inform students, parents, coaches, moderators, volunteers and district staff members that hazing of district students is prohibited by means of:

- Publication in handbooks.
- Verbal instructions by the coach or moderator at the start of the season or program.



### **Guidelines for handling complaints about Hazing and Consequences/Appropriate Remedial Actions:**

The following factors will be considered in determining the appropriate response to pupils who commit one or more acts of harassment, intimidation or bullying:

1. The development and maturity levels of the parties involved.
2. The levels of harm.
3. The surrounding circumstances.
4. The nature of behavior(s).
5. Past incidences or continuing patterns of behavior.
6. The relationships between the parties involved, and
7. The context in which the alleged incidents occurred.

Concluding whether a particular action or incident constitutes a violation of this Policy requires a determination based on all of the facts and surrounding circumstances.

An appropriate consequence will be determined after meaningful consideration of these factors. Consequences and appropriate remedial action for pupils who commit acts of harassment, intimidation or bullying may range from positive behavioral interventions up to and including suspension or expulsion. The appropriate consequence will be consistent with case law, Federal and State statutes, and district/school policies and regulations.

### **Reporting Procedure:**

Complaints alleging violations of this Policy shall be reported to the Principal or his/her designee. All school employees are required to report alleged violations of this Policy to the Principal or his/her designee. All other members of the school community, including pupils, parent(s) or legal guardian(s), volunteers

and visitors are encouraged to report any act that may be a violation of this Policy. While submission of a written incident report to the Principal or his/her designee is not required, the reporting party is encouraged to put their complaint in the form of a written incident report. Oral reports will also be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

### **Investigation:**

The Principal or his/her designee is responsible for determining whether an alleged act constitutes a violation of this Policy. The Principal or his/her designee shall conduct a prompt, thorough and complete investigation of the alleged incident. The Principal or his/her designee will maintain a record of each investigation regarding allegations of hazing.

### **Reporting Procedure – Hazing Policy 247:**

The Board of Education recognizes the need for a procedure to be in place for persons to report and investigate allegations of hazing. For the purposes of this Regulation, “behavior” shall mean acts, or planned acts, of hazing

as defined above. Unless otherwise noted, “Building Principal” means the Principal and/or designee of the school building.

The following complaint procedures shall be used for an allegation(s) of hazing:

**1. Reporting Incidents of Hazing:**

- a. Any person with any information regarding actual and/or planned hazing of a pupil by any school employee or other pupils must report the information to the Building Principal.
  1. If the Building Principal deems it appropriate, he/she may immediately notify the parents/legal guardians of the alleged pupil(s) who may be, or was, the victim of this behavior and the accused pupil(s) who may or may not have done this behavior.
  2. The Building Principal will not disclose the name(s) of the person(s) accused or alleged victim(s) to the other party prior to completing a preliminary investigation.
- b. The school district can learn of this behavior through other means such as from a witness to an incident, an anonymous letter or telephone call, web-based reporting systems, and/or locked boxes throughout the school where it can be submitted without fear of being observed.
- c. In the event the Building Principal determines, after a preliminary investigation, that hazing may have occurred, the Building Principal shall notify the parent(s) or legal guardian(s) of all involved pupils and any other involved individuals of the process to be followed in investigating a report or complaint.

**2. Building Principal’s In-Depth Investigation:**

- a. The Building Principal will begin an immediate in-depth investigation in the event he/she believes behavior may have been present after a preliminary investigation. The Building Principal, at his/her discretion, may request the School Resource Officer assist in the investigation. The Building Principal will promptly investigate all alleged complaints, whether or not a formal complaint is filed, and steps will be taken to resolve the situation, if needed. This investigation will be prompt, thorough, and impartial. The investigation will be completed by the Building Principal no more than ten working days after receiving notice.
- b. When a pupil or the parent/legal guardian of a pupil provides information or complains about hazing the Building Principal will initially discuss what action the pupil or parent(s) or legal guardian(s) is seeking in response to the behavior.
- c. The Building Principal’s investigation may include, but is not limited to, interviews with all persons with potential knowledge of the alleged behavior, interviews with any pupils who may have been hazed by any

school employee or other pupils and any other reasonable methods to determine if this behavior existed. The Building Principal will request, if relevant to an investigation, the parent(s) or legal guardian(s) of any pupil involved in the investigation to assist in the investigation to determine if the behavior exist(ed).

- d. The Building Principal will provide a copy of the Board Policies and Regulation Hazing to all persons who are interviewed with potential knowledge and to any other person the Building Principal feels would be served by a copy of such documents.

- e. The Building Principal will explain the avenues for formal and informal action, including a description of the complaint procedure that is available for hazing complaints and an explanation on how the procedure works.
- f. Any person interviewed by the Building Principal may be provided an opportunity to present witnesses and other evidence.
- g. The Building Principal and/or Superintendent may contact the School Resource Officer and/or law enforcement agencies if there is potential criminal conduct by anyone.
- h. The school district administration may take interim measures during a Building Principal's investigation of a complaint in order to alleviate any conditions that prohibit the pupil from assisting in the investigation.
- i. If there is a dispute about whether the behavior occurred, the following types of information may be helpful in resolving the dispute:
  - 1. Statements made by any witnesses to the alleged incident.
  - 2. Evidence about the relative credibility of the alleged accused or alleged victim.
  - 3. Evidence that the alleged accused has been found to have hazed and/or harassed, intimidated or bullied others may support the credibility of the pupil claiming the behavior.
  - 4. Evidence that the alleged victim's reaction or behavior after the alleged behavior.
  - 5. Evidence about whether the pupil claiming the behavior against them filed a complaint or took other action to protest the conduct soon after the alleged incident occurred.
- j. The scope of a reasonable response also may depend upon whether a pupil or parent/legal guardian reporting the behavior asks that the pupil's name not be disclosed to the accused or that nothing be done about the behavior.

**The Building Principal:**

- 1. Will provide an overview of the Hazing Policy to the pupil, parent and/or legal guardian. In the event the pupil, parent(s) or legal guardian(s), request the pupil's name remain confidential, the Building Principal will inform the pupil, parent and/or legal guardian that the request may limit the school district's ability to respond.
- 2. Will evaluate the confidentiality request in the context of its responsibility to provide a safe environment for all pupils. The factors to be considered shall be the seriousness of the alleged behavior, the age of the pupils involved, whether there have been any other complaints or reports. And the rights of the accused individual to receive information about the accuser and the allegations if a formal proceeding with sanctions may result.
- 3. May use other means available to address the behavior. Steps may be taken to limit the effects of the alleged behavior and prevent its recurrence without initiating a formal complaint and revealing the identity of the complainant. These steps may require training at the site where the problem occurred, taking a pupil survey concerning any problems that may exist, or other systemic measures where the alleged behavior occurred.

4. By conducting a limited investigation without revealing the name of the victim the Building Principal may be able to learn about or confirm a pattern of behavior based on claims of different pupils that were hazed by the same individual. The Building Principal may place an individual on notice of allegation of behavior and counsel appropriately without revealing, even indirectly, the identity of the pupil who notified the school district.

### **3. Investigation Results:**

- a. Upon the conclusion of the investigation, but not later than ten working days after reporting, the Building Principal will prepare a summary of findings to the parties. At that least shall include the person(s) providing notice to the school district and the pupil(s) who were alleged to be the victim of the hazing behavior.
- b. The Building Principal shall make a determination whether hazing behavior was present.
- c. If the Building Principal concludes the behavior was not, or is not present, the investigation is concluded.
- d. If the Building Principal determines the behavior has occurred, the school district administrators and staff shall take reasonable, age-appropriate, and effective corrective action, including steps tailored to the specific situation. Appropriate steps will be taken to end the hazing, such as counseling, warning, and/or disciplinary action such as detention, suspension or expulsion, as specified in pupil and/or staff discipline policies and regulations. The steps will be based on the severity of the behavior or any record of prior incidents or both. A series of escalating consequences may be necessary if the initial steps are ineffective in stopping the hazing.
- e. The school district administrators may need to deliver special training or other interventions to repair the educational environment. Other measures may include directing the person(s) to apologize to the victim(s), dissemination of information, and distribution of new policy statements or other steps to communicate the message that the Board does not tolerate hazing and will be responsive to any pupil that reports such conduct.
- f. The school district administrators will take steps to avoid any further hazing behavior and to prevent any retaliation against the pupil, who made the complaint, was the subject of the behavior, or against those who provided the information or were witnesses. The Building Principal will inform the victim pupil and his/her parents how to report any subsequent problems and make follow-up inquiries to see if there have been any new incidents or retaliation.
- g. All grievances and accompanied investigation notes will be maintained in a confidential file by the Building Principal.

### **4. Building Principal's Investigation Appeal Process:**

- a. Any person found by the Building Principal's investigation to be guilty of any hazing type behaviors, or any pupil, who believes they were hazed, but not supported by the Building Principal's investigation, may appeal to the Superintendent. The Superintendent will review the Building Principal's report and any other information he/she deems appropriate, to make a determination. The Superintendent will make his/her determination within ten working days of receiving the appeal.

- b. Any person who is not satisfied with the Superintendent’s determination may appeal to the Board. The Board will review the Building Principal’s report and the Superintendent’s determination, along with any other information the Board deems appropriate to make a Board determination. The Board will make its determination within forty-five calendar days of receiving an appeal from the Superintendent’s determination. Parents or pupils not satisfied with the resolution by the school district officials or the Board may request the Office of Civil Rights (OCR) of the United States Department of Education to investigate the allegations:

U.S. Department of Education  
Office of Civil Rights (OCR) Case Resolution  
Lyndon Baines Johnson Department of Education Building  
400 Maryland Avenue, SW  
Washington DC 20202-1100  
1-800-421-3481

### **BULLYING/CYBERBULLYING POLICY 249**

The Scranton School Board of Education prohibits acts of harassment or bullying. The board of education has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Harassment or bullying, like other disruptive or violent behaviors, is conduct that disrupts both a student’s ability to learn and a school’s ability to educate its students in a safe environment.

Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate harassment or bullying is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior.

**“Harassment or bullying”** is any gesture or written, verbal, graphic, or physical act (including electronically transmitted acts – i.e. internet, cell phone, personal digital assistant (PDA), or wireless handheld device) that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression; or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristics. Such behavior is considered harassment or bullying whether it takes place on or off school property, at any school-sponsored function, or in a school vehicle.

**“Harassment”** is conduct that meets all of the following criteria:

- is directed at one or more pupils;
- substantially interferes with educational opportunities, benefits, or programs of one or more pupils;
- adversely affects the ability of a pupil to participate in or benefit from the school district’s educational programs or activities because the conduct, as reasonably perceived by the pupil, is so severe, pervasive, and objectively offensive as to have this effect; and,
- is based on a pupil’s actual or perceived distinguishing characteristic (see above), or is based on an association with another person who has or is perceived to have any of these characteristics.

**“Bullying”** means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting and/or outside a school setting, that is severe, persistent or pervasive and has the effect of doing any of the following:[\[1\]](#)

1. Substantially interfering with a student’s education.
2. Creating a threatening environment.
3. Substantially disrupting the orderly operation of the school.

The Scranton School Board of Education expects students to conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students, school staff, volunteers, and contractors.

The Scranton School Board of Education believes that standards for student behavior must be set cooperatively through interaction among the students, parents and guardians, staff, and community members of the school district, producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of students, staff, and community members.

The Scranton School Board of Education believes that the best discipline is self-imposed, and that it is the responsibility of staff to use disciplinary situations as opportunities for helping students learn to assume responsibility and the consequences of their behavior. Staff members who interact with students shall apply best practices designed to prevent discipline problems and encourage students’ abilities to develop self-discipline. Since bystander support of harassment or bullying can support these behaviors, the district prohibits both active and passive support for acts of harassment or bullying. The staff should encourage students to support students who walk away from these acts when they see them, constructively attempt to stop them, or report them to the designated authority.

The Scranton School Board of Education requires its school administrators to develop and implement procedures that ensure both the appropriate consequences and remedial responses to a student who commits one or more acts of harassment or bullying. The following factors, at a minimum, shall be given full consideration by school administrators in the development of the procedures for determining appropriate consequences and remedial measures for each act of harassment or bullying.

**Factors for Determining Consequences:**

- Age, development, and maturity levels of the parties involved
- Degree of harm
- Surrounding circumstances
- Nature and severity of the behavior(s)
- Incidences of past or continuing pattern(s) of behavior
- Relationship between the parties involved
- Context in which the alleged incident(s) occurred

## **Factors for Determining Remedial Measures:**

### **Personal**

- Life skill competencies
- Experiential deficiencies
- Social relationships
- Strengths
- Talents
- Traits
- Interests
- Hobbies
- Extra-curricular activities
- Classroom participation
- Academic performance

### **Environmental**

- School culture
- School climate
- Student-staff relationships and staff behavior
- General staff management of classrooms/other
- Family situation – difficult or inflammatory situations
- Staff ability to prevent and de-escalate
- Social-emotional and behavioral supports
- Social relationships toward the student
- Neighborhood culture
- Community activities

Consequences and appropriate remedial actions for a student who commits one or more acts of harassment or bullying may range from positive behavioral interventions up to and including suspension and expulsion.

Consequences for a student who commits an act of harassment or bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance, and must be consistent with the board of education's approved student/parent handbook. Remedial measures shall be designed to: correct the problem behavior; prevent another occurrence of the behavior; and protect the victim of the act. Effective discipline should employ a school-wide approach to adopt a rubric of bullying offenses and the associated consequences. The consequences and remedial measures may include, but are not limited to, the examples listed below:

### **Example of Consequences**

A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include: [\[1\]](#)[5][10]

1. Counseling within the school.
2. Parental conference.
3. Loss of school privileges.
4. Transfer to another school building, classroom or school bus.
5. Exclusion from school-sponsored activities.
6. Detention.
7. Suspension.
8. Expulsion.
9. Counseling/Therapy outside of school.
10. Referral to law enforcement officials

## **Examples of Remedial Measures**

### **Personal**

- Framing the aggressive behavior as a failed attempt to solve a real problem or reach a goal. The adult assists the misbehaving student to find a better way to solve the problem or meet the goal.
- Restitution and restoration.
- Restorative justice.
- Corrective instruction or other relevant learning or service experience.
- Supportive discipline to increase accountability for the bullying offense.
- Supportive interventions, including participation in an Intervention by the Student Assistance Program, Peer Mediation, etc.
- Behavioral management plan, with benchmarks that are closely monitored.
- Involvement of school administrator.
- Student counseling.
- Parent conferences.
- Student treatment.
- Student therapy.

### **Environmental (Classroom, School Building, or School District)**

- Set a time, place, and person to help the bully reflect on the offending behavior, maintaining an emotionally-neutral and strength-based approach.
- School and community surveys or other strategies for determining the conditions contributing to harassment, intimidation, or bullying.
- School culture changes.
- School climate improvement.
- Adoption of research-based, systematic bullying prevention programs.
- Modifications of schedules.
- Adjustments in hallway traffic.
- Modifications in student routes or patterns traveling to and from school.
- Targeted use of monitors (e.g., hallway, cafeteria, bus).
- Parent conferences.
- Referral to family counseling.
  
- Involvement of parent-teacher organizations.
- Involvement of community-based organizations.
- Development of a general bullying response plan.
- Peer support groups.
- Law enforcement involvement (e.g., school resource officer, juvenile officer).



The Scranton School Board of Education requires the principal and/or the principal's designee at each school to be responsible for receiving complaints alleging violations of this policy. All school employees are required to report alleged violations of this policy to the principal or the principal's designee.

All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

The Scranton School Board of Education requires the principal and/or the principal's designee to be responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the principal and/or the principal's designee shall conduct a prompt, thorough, and complete investigation of each alleged incident. The investigation is to be completed within three school days after a report or complaint is made.

The Scranton School Board of Education prohibits reprisal or retaliation against any person who reports an act of harassment or bullying. The consequences and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

The Scranton School Board of Education prohibits any person from falsely accusing another as a means of harassment or bullying. The consequences and appropriate remedial action for a person found to have falsely accused another as a means of harassment or bullying may range from positive behavioral interventions up to and including suspension or expulsion.

The Scranton School Board of Education requires school officials to annually disseminate the policy to all students, and parents, along with a statement explaining that it applies to all applicable acts of harassment and bullying that occur on school property, at school-sponsored functions, or on a school bus. The chief school administrator shall develop an annual process for discussing the school district policy on harassment and bullying with students and staff.

## **SCRANTON SCHOOL DISTRICT ATHLETIC/EXTRACURRICULAR CODE OF CONDUCT**

- I. Eligibility:** The following rules and requirements are established and enforced by the Pennsylvania Interscholastic Athletic Association (the "P.I.A.A."). If student athletes participate while ineligible, they, their school, and/or team may be penalized.

1. **Yearly Physical:** Pursuant to the P.I.A.A. all student athletes participating in interscholastic competition(s) must have a comprehensive initial pre-participation physical examination. This exam must occur no earlier than June 1 for **all** sports in the upcoming school year and remains effective only until the next May 31.

2. **Age Eligibility Requirements:**

- a) To be eligible to participate in grades ten (10) through twelve

(12), students must not have reached their nineteenth (19<sup>th</sup>) birthday by June 30 immediately preceding the school year.

b) To be eligible to participate **only** in grades seven (7) through eight (8), students must not have reached their fifteenth (15<sup>th</sup>) birthday by June 30 immediately preceding the school year.

c) To be eligible to participate **only** in grades seven (7) through nine (9), students must not have reached their sixteenth (16<sup>th</sup>) birthday by June 30 immediately preceding the school year.

3. **Amateur Status**: Student athletes must maintain their amateur status and eligibility will be lost if a student-athlete or their parent(s) or guardian(s) receive money or property for or related to their status as a student athlete.

4. **Attendance**:

a) Student athletes must be enrolled in and in full-time attendance with a P.I.A.A. member school or be home-schooled.

b) If you are a student enrolled in either a Charter School or Cyber Charter School, potential student athletes should consult with their Principal to determine eligibility.

c) Student athletes may not be absent from a school during a semester for a total of twenty (20) or more school days. In the event a student athlete is absent from school during a semester for twenty (20) or more days, the student-athlete will lose their eligibility until they attend school for a total of forty-five (45) school days following their twentieth (20<sup>th</sup>) day of absence.

5. **Parent/Guardian Consent**: Student athletes must obtain written consent from their parent(s)/guardian(s) to participate in their respective sport(s). This written consent must be provided to the student athlete's respective school for filing.

6. **Academics**:

a) Student athletes must be passing at least four full-credit subjects, or the equivalent, as of each Friday during a grading period (week, quarter/marking period, and semester). If a student athlete is not in compliance with this requirement, they will lose their eligibility from the immediately following Sunday through the Saturday immediately following the Next Friday as of which they meet this requirement.

b) Student athletes must have passed at least four full-credit subjects or the equivalent during the previous grading period, except the eligibility for the first grading period is based on the student athlete's final grades for the preceding school year. If a student athlete failed to comply with this requirement, they will lose their eligibility for at least fifteen (15) school days of the next grading period, beginning on the first day report cards were issued.

7. **Transfers**: A student athlete is considered a transfer whenever they seek eligibility to participate in interscholastic athletics at a school other than the one at which they were previously either enrolled or

otherwise eligible. If a student athlete transfer from one school to another is materially motivated in some way by an athletic purpose, the student athlete will lose their eligibility in each sport they participate in within a period of one year immediately following the date on which they transferred.

8. **After Eighth Grade; Grade Repetition**: a student's athletic eligibility extends only until they have reached the end of their fourth (4<sup>th</sup>) consecutive year (eighth consecutive semester or the equivalent) beyond that eighth (8<sup>th</sup>) grade. Therefore, if a student athlete repeats a grade after eighth, they will be ineligible as a senior. Student athletes may participate in either:

- a) a maximum of six seasons in each sport during grades seven (7) through twelve (12);
- b) a maximum of four seasons in each sport during grades nine (9) through twelve (12); and
- c) a maximum of three seasons in each sport during grades seven (7) through nine (9).

d) The number of semesters to be counted under Section 8 is not triggered until the student has completed the 8th grade and has been identified by their school for promotion. A repeat of 8th grade after successful completion of the credits requirements or meeting the school's promotional requirements, will trigger the start of the student's eight consecutive semesters of eligibility. The number of seasons to be counted under Section 8a is triggered at the beginning of the student's 7th grade year. In calculating semesters, as well as seasons played, under this Section, enrollment and participation at any school, not just a PIAA member school, are included in making such determinations. A student who graduates cannot start a subsequent sports season.

9. **All-Star Contests**: Student athletes will lose their eligibility in a sport for one year if they participate in an All-Star Contest in that sport.

10. **Out-of-Season Participation**: P.I.A.A. sports have defined seasons. If a school team conducts practice and/or participates in inter-school practices, scrimmages, and/or contests outside of the P.I.A.A. defined season, the respective school will be penalized.

11. **Concussions**: If a sports official removes a student athlete from a contest because they exhibit signs, symptoms, or behaviors consistent with a concussion, the student athlete may not return to participating in practices, inter-school practices, scrimmages, and/or contests until cleared by a licensed physician of medicine or osteopathic medicine who is sufficiently familiar with current concussion protocol.

**II. Student Athlete Code of Conduct**: While athletics are an integral part of a student's total educational program, they are nonetheless a privilege. All school athletics must be conducted with the District's stated goals and objectives for establishing well-rounded, developed students. The following represents the Code of Conduct every student athlete must abide by in order to participate in athletics within the District.

**As a student athlete, you understand it is your responsibility to:**

1. Comply with all P.I.A.A. rules and regulations regarding conduct and eligibility;
2. Show respect for teammates, coaches, officials, and opponents;
3. Respect the judgment of game officials. If you disagree with a call/ruling, discuss it with your coach off the field;
4. Refrain from the use of profanity, vulgarity, foul, inappropriate, and other forms of offensive language and gestures. It is acknowledged by the student athlete that these rules apply whether at school, practice, games, or on social media. Conduct that brings disrespect to your fellow teammates, opponents, or coaches will not be tolerated; and
5. Adhere to the established rules and regulations of your respective sport;
6. Refrain from the use of alcohol, tobacco, illegal and non-prescriptive drugs, anabolic steroids or any substance to increase physical development of performance that is not approved by the United States Food and Drug Administration, Surgeon General of the United States or American Medical Association.
7. Refrain from engaging in harassment, taunting, or otherwise intimidating behavior towards your fellow teammates, opponents, or coaches
8. Exhibit fair play and sportsmanlike conduct on and off the playing field – win, loss, or tie.
9. Be on time for all scheduled practices and games. If there is a scheduling conflict, your coach must be made aware with proper notice.

Date: \_\_\_\_\_

Student Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

## **I. ATTENDANCE**

1. Students leaving school early due to an illness and students absent from school due to an illness are not allowed to participate in any extra-curricular activities after school on that day.
2. Students who are excused early for issues not related to illness are allowed to participate in after school activities.
3. Students must arrive no later than 11:00 A.M./P.M. and must attend four (4) class periods to be eligible to participate in an after school extra-curricular activity.
4. If a student believes he/she should be allowed to participate when absent from school due to extenuating circumstances, he/she must obtain approval from an administrator. PIAA Rules state that examples of excused extenuating circumstances would be a death in the immediate family or near relative, court subpoena, or a religious activity/function in which the church requires members to attend.
5. A student who is late to school any time within the duration of a sport or school activity and accrues four (4) unexcused tardies to school will be denied participation for the next athletic contest or activity. Every late thereafter will result in exclusion from subsequent athletic events or activities. The four (4) accrued late arrivals are tallied from the beginning of the sports season, regardless of when the student began participating, through the end of the sports season including any play-off time. Note: For activities and clubs that are held year round, students that accrue more than three (3) unexcused tardies per quarter are not eligible to participate for the two weeks following the 3<sup>rd</sup> tardy.
6. Students who are excused from school due to an approved overnight family field trip are not allowed to participate in any extra-curricular activity during the approved family field trip.

## **II. ATHLETIC AND EXTRA/CO-CURRICULAR CODE OF CONDUCT**

In order to give students an opportunity to participate in sports or extracurricular activities, the Scranton School District provides a variety of programs for students. All students in good scholastic standing are urged to try out for teams or extra-curricular activities.

When a student participates in a school sponsored sports or extra/co-curricular activity, he or she must obey all regulations governing athletics and extra-co-curricular activities at Scranton Schools. These regulations have been set by the Athletics and Stadium Committee and are considered by that committee to be necessary in the

development of the physical ability and mental attitude that a participant must have. There is much research that supports the philosophy that participating in such activities has a positive effect on academic performance and promotes positive behaviors. Activities give the students the opportunity to represent their school in a variety of ways. The manner in which they conduct themselves, in all areas of their school and personal lives, has an impact on the reputation of the school. These students also act as role models for other students. Therefore, good conduct and character, both during and outside of a school activity is a requirement for participation in all extra-curricular activities.

**PLEASE REFER TO THE “SAFE SCHOOLS POLICY” SECTION FOR EXAMPLES OF PROHIBITED CONDUCT.**

1. The penalty for a first violation of the code for use or possession of alcohol, drugs, tobacco, steroids, or engagement in misconduct will result minimally, in restricting a student from participation in their sport or activity for a period of two weeks, but not to exceed four (4) athletic contests or activities, beginning immediately on the date the administrator determines a suspension will be imposed. (Note: A prorated suspension may apply in a situation where there may be limited opportunity to participate in an activity. For example – a school play that may run only 2 or 3 nights. The school principal will have discretion in determining the duration of the suspension in such cases.) A student that is restricted from
2. participation will not be allowed to practice, participate in contests/activities, or travel with the extra-curricular group. Non-participation will be invoked during the season in which the student is presently participating in. If the student is not presently participating, the non-participation will be invoked in the beginning of the next season of participation. If a student violates the code by the use or possession of alcohol, drugs, tobacco, steroids, or engagement in misconduct a second time, that student, at the discretion of the school administration, can be suspended from the sport or activity for the remainder of the school year and will not receive any rewards for participating in the activity affected.
3. A third violation can result in suspension from sports and other activities for the remainder of the student’s high school career.
4. The use or possession of alcohol, drugs, steroids, acts of vandalism, stealing, or gross misconduct are considered major offenses and will require additional disciplinary action. Violations of this type may result in suspension beyond the two week period for a first offense and may be considered severe enough to have a student removed from a team or activity for an entire season. Any student who has committed a violation of the code will be referred to the Student Support Team and may be required to undergo drug and alcohol assessment.
5. Students and their parents/guardians are responsible for full restitution for damages to property that occurs because of acts of vandalism. The athletic director, advisor, and high school principal will review disciplinary problems with the parties involved.
6. These aforementioned repercussions will be in addition to any other school wide consequences.

**III. SCHOOL AND PIAA RULES**

1. No student shall be eligible to represent the high school and/or intermediate school in any athletic contest unless he/she has been examined by a school or family physician. Wrestlers must also obtain from the physician, prior to the beginning of practice, a certification of the minimum weight class at which they may wrestle for the entire season. A PIAA certificate to this effect, signed by both physician and parent, shall be filed in the office of the athletic director.
2. Amateur Status & Awards – To be eligible to participate in a sport, you must be an amateur in the sport. You will lose your amateur status in a sport for at least a year if:

- a. You, your school, an organization which you represent or your parent/guardian receives money or property for a related athletic ability, performance, participation or services.
  - b. You accept compensation for teaching, training or coaching a sport. You may receive money and customary compensation for acting as an instructor in or officiating recreational activities or for serving as a lifeguard at swimming areas.
  - c. You may receive awards only from your school, the sponsor of an athletic event, the news media, or a non-profit service organization approved by your school principal. Permissible awards are listed as follows: a sweater, jacket, blazer, blanket, shirt, jersey, watch, ring, scroll, photograph, medal, plaque, or similar trophy. All awards must bear appropriate organizational insignia or comparable identification.
3. Students who are suspended (either in or out of school) or who are denied participation as a disciplinary consequence for any length of time in any extracurricular activity, may not participate in their activity for the periods of suspension or period of denied participation.  
*Note:* Participation is defined as attendance at rehearsals, practices, performances, games, etc.
4. Students must arrive no later than 11:00 A.M./P.M. and must attend four (4) class periods to be eligible to participate in an extra-curricular activity.
5. The Athletic Director will have copies of the daily attendance summary available for coaches in the AD Office.
6. Any forms that are required to be signed (i.e. PIAA physical, insurance, athletic code, etc.) must be signed and returned to the Athletic Director or activity supervisor prior to any participation in any extra-curricular activity.
7. Specific team rules will be determined by the coach and approved by the Athletic Director. These are to include, but are not limited to, rules governing attendance at practice sessions and games. When developed, these rules will be approved by the Athletic Director and kept on file in the office of the Athletic Director and the building principal. All rules must not be contrary to school rules.
8. Profane and obscene language will not be tolerated. The use of profane and obscene language during practice sessions or at athletic contests by any athlete will result in disciplinary action.
9. Unless an acceptable excuse is given to the coach, any athlete that quits the team, before the end of the season, shall be ineligible to participate in any sport during the remainder of the season. If, after trying out for a sport within a two week period, an athlete wishes to leave the team, the coach must be consulted. With the coach's permission, the student may try out for another sport.
10. All athletes must travel to and from all athletic contests with the squad unless permission is granted to do otherwise by the principal. Students who do not travel with the squad without proper permission will be subject to disciplinary action.
11. At away games, athletes are the guest of the host school. Proper conduct is expected and reflects the team, community and the athlete in a positive manner.
12. Proper dress is expected of all student athletes. Coaches, with the Athletic Director's approval, will set the standard of dress for the individual teams. Any team uniform, which do not meet the dress code for the school day setting, will not be worn during the school day. **(Example: skirts must not be more than 5" above the knee when standing in the erect position.)** The coach is responsible to

monitor and submit a copy of any graphics or text that will be printed on any team clothing, whether initiated by the coach, student or parent. No money will be collected or clothing produced until the athletic director and assistant principal give approval.

13. Any violations of sportsmanship conduct will result in negative consequences for the students at the discretion of the coach/moderator and principal.
14. Scranton School District training rules for athletic squads stress sound principles for healthy living. Prohibition on the use and possession of drugs, alcohol, tobacco products, chewing tobacco, stealing, vandalism, hazing or gross misconduct apply to a participant while he/she is a student of the Scranton School District.

Discipline procedures for a violation of the above:

First Offense	Two week suspension from activity.
Second Offense	Suspension for the remainder of the school year.
Third Offense	Permanent suspension from all sports/extra-curricular activities.

#### **IV. ACADEMIC AND CURRICULAR REQUIREMENTS (PIAA)**

1. You must pursue a curriculum defined and approved by your principal as a full-time curriculum.
2. You must maintain a passing grade in the approved curriculum weekly and throughout each grading period and for the school year. Your school will determine what constitutes a passing grade. Eligibility will be determined using the weekly grade verification sheets turned in on Fridays by teachers to the administration.
3. Any student failing more than one (1) subject will not be allowed to participate in any extra-curricular activity until proof of passing is approved by the principal or his designee. (Note: PIAA Rules require a minimum of 1 week.) Eligibility for the first grading period is based on your final grades from the preceding school year.
4. Any student who fails more than one (1) subject during a marking period or quarter will lose their eligibility for the first fifteen (15) school days of the next grading period. The fifteen (15) school days shall commence on the day after teachers' grades are due to be submitted for the quarter.
5. Post-graduates shall not be eligible to participate in interscholastic sports.

#### **V. PERIODS OF ATTENDANCE AND PARTICIPATION AND GRADE REPETITION (PIAA)**

1. A student who has been absent from school during a semester for a total of twenty (20) or more school days, is ineligible to participate in an Inter-School Practice, Scrimmage, or Contest until the student has been in attendance for a total of forty-five (45) school days following the student's twentieth (20th) day of absence.
2. You will lose your eligibility when you have been in attendance more than eight semesters beyond the eighth grade. If you repeat a grade after eighth, you will be ineligible as a senior.
3. You may participate in only one sport in each season during each school year.



4. A junior/high/middle school student may not participate in any sport for more seasons than there are grades in his school above the sixth grade.
5. All-Star Contests – All-Star Contests may only involve senior students who will not be involved in the same sport again in their high school career.
6. Out-of-Season Participation – All PIAA sports have a defined season. If any team conducts practice and/or plays a contest after the concluding date for PIAA season or previous to the starting date in a sport, you will lose your eligibility for one year in that sport.
7. Age – You may not have reached your 19<sup>th</sup> birthday by June 30<sup>th</sup> immediately preceding the school year (15<sup>th</sup> birthday where interscholastic competition limited to grades 7 and 8; 16<sup>th</sup> birthday where limited to grades 7 through 9).

## **TOBACCO POLICY**

**Rationale:** The Scranton City School District strongly supports a smoke-free school environment for the benefit of its students, faculty, staff and visitors. The use of tobacco in any form (including e cigarettes) by students,

faculty, staff, or visitors to the school campus is strictly prohibited. Possession and use by students are prohibited to reduce the risk of fire, secondhand smoke inhalation, poor health, and further drug experimentation or use.

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

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

The term **tobacco product** does not include the following:[\[1\]\[2\]](#)

1. A product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for the therapeutic purposes where the product is marketed and sold solely for such approved purpose, as long as the product is not inhaled. NOTE: *This exception shall be governed by the Board policy relating to Medications.*[\[3\]](#)

2. A Device, included under the definition of tobacco product above, if sold by a dispensary licensed in compliance with the Medical Marijuana Act. NOTE: *Guidance issued by the PA Department of Health directs schools to prohibit possession of any form of medical marijuana by students at any time on school property or during any school activities on school property. This exception shall be governed by Board policy relating to Controlled Substances/Paraphernalia.*[4]

**Content:** The Scranton City School District prohibits the use of tobacco in all forms by school staff, faculty, visitors, and students. Students are prohibited from using and/or possessing tobacco products on school grounds, at school-sponsored activities, and in areas under school jurisdiction, including but not limited to school buses, sporting events, field trips, bus stops, and parking lots whether or not school is in session.

**Secondhand Smoke:** Because of the concerns for the safety of our school staff, students, visitors and faculty, the district prohibits the use and/or possession of tobacco products. Because of the risks associated with smoking and the effects of secondhand smoke, all use of tobacco products is prohibited on school grounds.

**Prevention Education:** In an attempt to help students realize the negative effects of tobacco products, all students in the district are educated on the dangerous effects of tobacco through K-12 health classes.

**Advertising/Sponsorship Prohibition:** The advertising or sponsorship of tobacco in any form is strictly prohibited on school grounds, school-related property, or at school-sponsored activities. Students, staff, faculty, and student visitors are prohibited from wearing attire that publicizes the use or possession of tobacco in any form. Faculty, staff, or students failing to comply with this requirement will be subjected to the appropriate discipline measures contained within the Student Discipline Policy.

**Support Programs:** The district realizes that tobacco addiction is very powerful and difficult to overcome. Students and staff afflicted with tobacco addiction will be provided with information regarding cessation programs. Students in violation of the district tobacco policy may be referred to the District Student Assistance Program and will be subjected to the Student Discipline Policy. They may also be referred to the Lackawanna County Commission on Drug and Alcohol and/or Quit Line for help dealing with tobacco addiction. Staff and faculty members in need of help with tobacco addiction may also be referred to these sources of assistance.

**Communication of Policy:** The Scranton City School District Tobacco Policy will be disseminated to students and parents through student handbooks. Notices and signs will be posted to indicate the smoke-free environment.

**Enforcement:** District students who violate the district tobacco policy by possessing or using tobacco on school grounds, at school-sponsored activities, or in areas under school jurisdiction will be subjected to consequences at the discretion of building administrators. These consequences may include parental notification, detentions, in and out of school suspensions, smoke cessation programs, and legal action. Staff and faculty violations should be considered, after the first offense, as insubordination and subject to disciplinary action, including referral to the district magistrate.

**The Board of Directors of the Scranton School District resolves that playgrounds, tracks, playing fields, stadiums and/or school campuses in the Scranton School District be designated as tobacco-free (including e-cigarettes). Appropriate signage will be posted designating tobacco-free areas. Violators will be subjected to immediate ejection from the Scranton School District facilities.**

### **TRUANCY**

A parent who fails to comply with the provisions of the Public School Code regarding compulsory attendance could be ordered to pay off a fine not exceeding \$300.00 and pay court costs, or be sentenced to complete a parenting education program offered and operated by a local school district, medical institution or other community resources. In default of payment of such fine and costs or completion of the parenting program, a parent could be sentenced to the county jail for a period not exceeding five days.

The child and every parent, guardian or person in parental relation, must appear at a hearing established by the district justice. If the parent charged with a summary offense shows that he or she took every reasonable step to ensure attendance of the child at school, he or she shall not be convicted of the summary offense.

The district justice may suspend a parent's sentence, in whole or in part, provided that the child is no longer habitually truant from school without justification.

In lieu of or in addition to another sentence, the district justice may order the parent, guardian or person in parental relation to perform community service in the school district in which the offending child resides for a period not to exceed six months.

If a parent is not convicted of a summary offense because he or she took every reasonable step to ensure attendance of the child at school, a child who has attained the age of 13 and fails to comply with the provisions of this act or who is habitually truant from school without justification, commits a summary offense and shall, upon conviction, be sentenced to pay a fine not exceeding \$300.00 or be assigned to an adjudication alternative program pursuant to 42 Pa. C.S. 1520 (the utilization of this statute is governed by PA rules of criminal procedure 160-162 relating to

Accelerated Rehabilitative Disposition in summary cases). For any child who has attained age 13 and who fails to pay a fine or comply with the adjudication alternative program, the district justice may allege the child to be a dependent child under 42 Pa.C.S. 6303. The failure of a child to pay a fine or comply with the adjudication alternative program shall not constitute a delinquent act under 42 Pa.C.S. Chapter 63. The district justice may suspend a child's sentence or adjudication alternative, in whole or in part, provided that the child is no longer habitually truant from school.

Any child who has not attained the age of 13 who fails to comply with the compulsory attendance provisions of this act and is habitually truant may, in lieu of prosecution under other provisions of the act, be referred by the school district for services or possible disposition as a dependent child as defined under 42 Pa.C.S. Chapter 63.

The district justice may suspend a child's sentence or adjudication alternative, in whole or in part, provided that the child is no longer habitually truant from school. Any child who has not attained the age of 13 years who fails to

comply with the compulsory attendance provisions of the act and is habitually truant from school shall be referred by the school district for services or possible disposition as a dependent child under 42 Pa.C.S. 6302.

A child who is convicted of violating 1333 shall be required to have his or her operating privilege to be suspended for a period of 90 days by the Department of Transportation. Upon a second or subsequent conviction, the Department must suspend the child's operating privilege for six months.

The Department of Education is to formulate recommendations for the General Assembly concerning the establishment and funding of effective community based anti-truancy pilot programs. The Department of Education is required to seek advice from judges, probation officers and representatives from the PCCD and the JCJC in formulating these recommendations.

State, municipal, port authority, transit authority, housing authority, and school police officers are provided with the same arrest powers as attendance officers and home and school visitors with regard to the arrest or apprehension of a child who fails to attend school in compliance with the provisions of the act.

### **DRESS CODE POLICY**

#### **GUIDELINES – GRADES K THROUGH 12:**

- All students must attend school each day in dress code.
- All dress code pieces must be appropriately sized for the child, that is, they must be no more than one regular size larger than the student actually measures. Extra wide, extra full, extra long, or baggy or sagged pants and shorts are not acceptable.
- Clothing may be purchased at the store/vendor of your choice, so long as they conform to the dress code Policy.
- Non-dress code day fundraising is limited to four (4) days per year.
- Spirit-wear tops in school colors or for special events (ex: St. Pat's Day, Coaches for Cancer Week,...etc.) are allowed.

#### **APPROVED CLOTHING – (K – 8)**

##### **TOPS**

Standard Polo-Style shirt (short or long sleeve)  
Standard solid color, button down collar shirt  
Unembellished blouse with collar  
¾ Sleeve, cotton shirt, button down collar  
Standard oxford style, button down shirt  
Standard mock turtleneck

##### **COLORS**

White, Light Blue, Navy & Burgundy  
White, Light Blue, Navy & Burgundy  
White, Light Blue, Navy & Burgundy  
White, Light Blue, Navy & Burgundy  
White, Light Blue, Navy & Burgundy  
White, Light Blue, Navy & Burgundy

##### **NOTE:**

SSD embroidery is no longer required.  
No logos/writing on tops.  
School spirit wear tops are w/restrictions (i.e.-no hoods) are allowed.

##### **BOTTOMS**

##### **COLORS**

Long pants	Navy Blue, Khaki
Standard shorts	Navy Blue, Khaki
Standard skirt/skort, flair pants	Navy Blue, Khaki
Standard jumper, cord jumper, cord pants (seasonal)	Navy Blue, Khaki

**ATTENTION:**

NO cargo pants, NO cargo shorts, NO miniskirts, NO floor length skirts, NO sweatpants.

**BOYS AND GIRLS OPTIONAL ATTIRE (K – 8)**

**OPTIONAL ATTIRE**

Tech. Vest  
 Crewneck Sweatshirt  
 Sweater Vest  
 Crew Neck Sweater  
 Zip-up Sweater  
 Cardigan V-Neck

**COLORS**

White, Light Blue, Navy & Burgundy  
 White, Light Blue, Navy & Burgundy  
 White, Light Blue, Navy & Burgundy  
 White, Light Blue, Navy & Burgundy  
 White, Light Blue, Navy & Burgundy  
 White, Light Blue, Navy & Burgundy

**NOTE:**

A collared shirt must be worn underneath all the optional attire listed above.

**GYM DRESS CODE (K – 8)**

Standard sweatpants, wind pants or shorts  
 Standard sweatshirt  
 Standard plain T-shirt  
 School Spirit apparel

**ARTICLES OF NON-COMPLIANCE FOR (K-8):**

- No hooded tops of any kind (may be worn to school however, must be kept in the locker.
- No cargo pants, baggy/skateboard pants, spandex pants, stirrup pants, yoga pants, stretch pants, or skinny jeans. NOTE: Yoga pants are allowed on days the student has physical education class.
- No clothing should have rips, tears or holes.
- No denim tops or bottoms or look-a-like denim/corduroy pants.
- No medical-type scrubs. Both cotton and velvet-type sweatpants will not be allowed.
- All short bottoms (skirts, skorts, shorts or dresses should be worn no more than three inches above the top of the knee.
- No bare midriff or low-cut scoop-neck tops.
- No tank-tops, tube-tops, halter-tops or sleeveless shirts.
- No t-shirts, off-the-shoulder garments, or sheer clothing.
- No article of clothing deemed offensive, sexually suggestive, suicide, or vulgar language related.
- No hats, caps, beanies, headbands, du-rags or bandanas.
- No chains, dog collars or spike bracelets/necklaces, extremely long necklaces.

- Aide for a nose stud, no exposed body-piercing jewelry, this includes tongue and nose rings. Band-Aids covering a piercing will not be acceptable.
- Aside from a tasteful nose stud, no facial piercings of any kind is allowed.
- No display of any undergarments.
- Non-Prescription Sunglasses.
- Face paint
- Shiesty mask
- Headphones
- Footwear:
  - Crocs or similar shoes
  - Flip-flops
- Student beverage containers (i.e., water bottles): must be made of clear plastic material, not to exceed 32oz. in capacity, must have a screw-on cap, and must only contain water. Examples of non-compliant containers include but are not limited to solid color Hydro Flask, Yeti, Ozark, etc..
- Student backpacks, gym bags, and lunch bags: Only mesh, clear, or see-through bags will be permitted inside school buildings. Bags will no longer be carried in the building throughout the school day other than when a student is going to/coming from gym class or lunch.

### **HIGH SCHOOL DRESS CODE POLICY (9-12)**

1. Shirts
  - a. Any color or pattern collared shirt, turtleneck, or crew neck t-shirt (long or short sleeves)
  - b. Sweaters, turtleneck, sweatshirts (crew necks) or polo shirts
  - c. All tops must completely cover the waistline, shoulders, back, and has sleeves
2. Pants
  - a. Secured at the waistline and do not expose undergarments
  - b. Clean and neat without any holes, rips, etc.
  - c. Chino type material in any color
3. Shorts, Skirts, Skorts, Dresses
  - a. Athletic type of shorts
  - b. Do not expose undergarments
  - c. Must be fingertip length (or longer) at standing posture (around the entire garment).
4. Shoes
  - a. Must have a backing or strap behind the heels.
  - b. Toes must be enclosed.
5. School spirit wear **except hoodies, sweatpants, or pajama pants.**

### **GYM DRESS CODE (9– 12)**

Standard sweatpants, wind pants or shorts  
 Standard sweatshirt  
 Standard plain T-shirt  
 School Spirit apparel

## ARTICLES OF NON-COMPLIANCE FOR (9-12):

1. Upper Body
  - a. Form-fitting, tight clothing short tops that expose a bare midriff, or shirts that have cutouts.
  - b. Undershirt, muscle shirt, mesh/see-through clothing, tank top, sleeveless shirt, and pajamas.
  - c. Jackets/Coats that are not designed for indoor wear.
  - d. No hats, caps, bandanas, hoods, sheisty masks, or sunglasses.
  - e. Hooded sweatshirts are not permitted as in school attire. This is considered an outer garment and must be removed and hung in the student's locker during school.
  - f. Graphic t-shirts for example: professional sports teams, bands, etc.
2. Lower Body
  - a. Pajama bottoms.
  - b. Clothing that is excessively tight and/or short (higher than fingertip length).
    - i. Bike/cycling shorts
    - ii. Running and yoga shorts
  - c. Slippers, flip flops, slide sandals, and/or open toes.
  - d. Jeans, sweatpants, leggings and yoga pants
3. All Clothing
  - a. Cannot have rips, tears, and/or holes
  - b. Excessively loose and baggy
  - c. Clothing cannot display imprints not in good taste for a school atmosphere. These include, but are not limited to shirts with inappropriate wording, messages, images, political speech, drugs or alcohol, vaping etc.
  - d. Wallet chains and/or oversized chains
  - e. Attire that is deemed to be a representation of gang affiliation.

\*Students may be required to wear certain types of clothing while participating in physical education classes, laboratory classes, extracurricular or co-curricular activities, or other activities/situations where special attire may be required.

\*\*In instances of school functions off school property, exceptions to the dress code will be at the discretion of the administration.

\*Student beverage containers (i.e., water bottles): must be made of clear plastic material, not to exceed 32oz. in capacity, must have a screw-on cap, and must only contain water. Examples of non-compliant containers include but are not limited to solid color Hydro Flask, Yeti, Ozark, etc..

\*Student backpacks, gym bags, and lunch bags: Only mesh, clear, or see-through bags will be permitted inside school buildings. Bags will no longer be carried in the building throughout the school day other than when a student is going to/coming from gym class or lunch.

## **SCHOOL GANG-RELATED GUIDELINES**

The Scranton School District cooperates with law enforcement in all anti-gang activities and anti-gang related behaviors. Look-alike gang behavior is prohibited at school. For the safety of our students, it is very important that parents do not purchase or allow students to wear any item that might be perceived as the showing of “gang colors”. This is clearly a school safety issue, especially important as students move to and from school and in and out of the neighborhoods.

Any dress, grooming or appearance which disrupts or tends to disrupt the educational process or affect the health or safety of individuals will be prohibited. Any attire/paraphernalia/symbol that signifies gang affiliation will not be allowed in school or on campus. Any attire/paraphernalia/symbol that displays a logo or other message promoting alcohol or controlled substances, promoting violence, illegal activity or relating to gangs may not be worn in school or on campus.

## **DISCIPLINE GUIDELINES FOR NON-COMPLIANCE WITH THE DRESS CODE POLICY FOR GRADES K-12 WILL FOLLOW THE SCRANTON SCHOOL DISTRICT TIERED DISCIPLINE POLICY**

### **NOTE:**

- Disciplinary measures will be left to the discretion of the building principal
- When possible, the school will attempt to provide a student who is wearing a non-compliant top with a top that is in compliance.

### **CITED REFERENCE: PA SCHOOL CODE 24-PS, 13-1317-3**

The Scranton School District has adopted a policy which mandates school dress codes for all students. School dress codes are mandatory and the dress code POLICY will be strictly enforced. **Amendments – All Grade Levels**

The vendor or any individual building principal may not amend this policy unilaterally. The School Board or Central Administration must approve all changes to this dress code Policy.

## **VISITORS TO SCHOOLS POLICY**

**Purpose:** The Board welcomes and encourages visits to school by parents or guardians or by other taxpayers of the community or interested educators. To insure order in the schools, it is necessary for the Board to establish guidelines governing such school visitations.

**Delegation of Responsibility:** The School Code provides that the sole responsibility to make regular visits to the various schools in the district and to report to the Board concerning such visits is vested in the District Superintendent. Therefore, the District Superintendent has the authority and responsibility to implement these guidelines.



**Procedure for School Visitation:** The district Superintendent or Building Principal shall have the authority to prohibit entry of any person to a school of this district unless or until the following procedures have been complied with:

- A person visiting the school must provide valid identification.
- If the visitation is for a parent or teacher-initiated parent conference concerning the parent or guardian's child, it must be scheduled in advance with the teacher or counselor.
- Upon arrival at school, a person visiting school for this purpose shall register at the office of the principal prior to proceeding to the conference site.
- If the visitation is for any other purpose, arrangements must be made in advance through the office of the Building Principal.
- All visitors must register at the Office of the Building Principal upon arrival.
- No visitor may confer with a student in school, other than a student of whom he/she is the parent or guardian, without prior permission of the Building Principal.
- No visitor shall be allowed to photograph or videotape any person or any part of any building or to tape record any conversation of any kind without prior approval by the Building Principal and the District Superintendent.
- Where a specified period of observation by a parent or guardian of his/her child or by a recognized professional on behalf of the parent or guardian is approved by the Director of Special Education as a necessary part of the evaluation of an exceptional or thought to be exceptional student.

## **SAFE SCHOOLS POLICY – LACKAWANNA COUNTY**

**Preface:** In accordance with the Memorandum of Understanding previously signed by the School District and local law enforcement agencies, the District may request the assistance of law enforcement officials at any time in the implementation of District policy. The District will notify law enforcement officials of any violation of this policy as noted below.

**Statement of Policy:** The School District recognizes that the twin problems of in-school violence and drug abuse may threaten the safety and education of every student in this School District. The District's overriding policy is to provide every student with a safe place for learning. Any weapons on school property, or threats of violence by or against students, take away from every student the sense of safety which is necessary for effective learning. Likewise, the presence of illegal drugs and paraphernalia poisons the clean atmosphere which is necessary for our students to do their best.

The School District wishes to establish and maintain conditions which will deter students from using school facilities, grounds, and activities as a center for any manner of drug or alcohol abuse. Likewise, the School District wishes to maintain the safest possible facilities, free from weapons, violence, or the threat of violence. Although the district will make every effort to develop and implement programs aimed at prevention, decisive corrective actions will be taken when necessary.

The School District publicly acknowledges and accepts its leadership responsibility in addressing and opposing the epidemic of dysfunctional or self-destructive behaviors which block growth and inhibit learning. The District further acknowledges the establishment of prevention programs and services within the School District that will formally establish our commitment to the prevention of teenage suicide. Through curriculum, classroom activities, community support and resources, Student Assistance Programs, and strong and consistent administrative and faculty effort, the School District will work to educate, prevent, and intervene in the use and abuse of all drugs, alcohol, and mood altering substances by the entire student population. The School District pledges cooperation with all law enforcement agencies to keep our schools safe from weapons, violence, or the threat of violence. The primary purpose for any action on the part of the school staff is the protection of the health, safety and welfare of students, staff and school property.

**Definitions:**

**Contraband:** Any controlled substance, drug, inhalant, cosmetic, weapon, or any other object deemed prohibited by the school, which is possessed by any person not entitled to possess that item.

**Distribution:** Actual or attempted transfer from one person to another of a controlled substance or other drug.

Distribution includes the delivering, selling, passing, sharing, or giving any drug from one person to another.

**Drug/Mood Altering Substance/Alcohol:** Any alcohol or malt beverage, any drug listed in Controlled Substance Drug Device and Cosmetic Act, as amended, as a controlled substance, chemical, abused substance or medication for which a prescription is required under the law and/or any substance which is intended to alter the mood.

Examples of the above include but are not limited to beer, wine, liquor, cocaine, crack cocaine, heroin, hallucinogens (LSD, mushrooms), marijuana, anabolic steroids, hashish, chemical solvents, inhalants, glue, counterfeit substances, and any capsules or pills not registered with the school nurse, annotated within the student's health record and given in accordance with the school district's policy for the administration of medication to students in school.

**Counterfeit Substances:** Are any substances which, in their overall finished appearance, are substantially similar in size, shape, color, marking, or packaging to a specific controlled substance.

**Drug Paraphernalia:** All equipment, products and materials of any kind which are used, intended for use, or designed for use in manufacturing, converting, packaging, repackaging, storing, containing, concealing, injecting,

ingesting, inhaling, or otherwise introducing into the human body a controlled substance. Drug paraphernalia includes any utensil or item that, in the school's judgment, can be associated with the use of drugs, alcohol or mood altering substance. Examples include, but are not limited to, roach clips, pipe bowls, cigarette-rolling papers, etc.

**Furnishing:** Supplying, giving, providing, or allowing possession of an item on school property or on any location under the jurisdiction and control of the school district.

**Jurisdiction and Control of the School District:** School buses, school grounds, and the site of any athletic, social, educational or any other function sponsored in full or in part by the school, whether or not held on school property.

**Manufacture:** Production, preparation, propagation, compounding, conversion, or processing of a controlled substance, other drug or the packaging or repackaging of such substance or article, or the labeling or re-labeling of the commercial container of such substance or article.

**Notification:**

**Parental Notification:** Includes, at a minimum, immediate personal contact by the principal or his/her designee of the parent(s) or guardian. At the discretion of school officials, parental notification need not precede nor supersede investigative actions. (Contact by U.S. mail is generally insufficient to constitute parental notification, but may be required because of extenuating circumstances.)

**Law Enforcement Notification:** Includes the immediate contact by the principal or his/her designee of the local police department(s) for the town in which the school is located or in which the off-campus incident occurs. If the police department cannot be contacted or cannot respond, the principal shall immediately contact the Lackawanna County District Attorney's Office.

**Personal Property:** Items that are in the actual or constructive possession of people enrolled in or employed by the school district. Personal property includes, but is not limited to, all backpacks, book bags, gym bags, purses, clothing or any other items that are used for the purpose of storing or transporting personal property.

**Plain View:** The observance of any item which can be seen by a school official while on school property or any property under the jurisdiction and control of the school district. As an example, any item seen in an open locker by a teacher standing in a common area, such as a hallway, is in plain view.

**Possession:** Holding, without any attempt to distribute, any alcohol, drug, or mood altering substance determined to be illegal or as defined by this policy.

**Probable Cause:** Specific articulate facts and circumstances that would lead a reasonable person to believe that the item sought is at a particular location and will be found if that area is searched.

**School Official:** A school employee or any person authorized by the School District to act under these provisions.

**Reasonable Suspicion:** A belief, based on articulate circumstances, that a violation of the law or of school rules has occurred, and that a search will turn up evidence of that violation.

**School Property:** Building facilities and grounds, school campus, school parking areas, and any facility being used for a school function or school sponsored trip. **All lockers shall remain the property of the school district and may be entered at any time by District officials.**

**Weapon:** Any item used to injure another person or to destroy property. Weapons include, but are not limited to, knives, cutting instruments, nunchuck sticks, mace, firearms (handguns, rifles, shotguns, etc.), and BB/pellet guns. Weapons may also include counterfeit or replicas, whether or not they are operable.

### **Prohibited Conduct**

The following acts and/or the causing thereof by a student or employee of the School District while on school property or while under the jurisdiction and control of the school district or its authorities are hereby prohibited:

1. The possession of any weapon, as defined in Section III above, by a student on school property or at a school-sponsored event.
2. The threat of violence, by or against any student on school property or at a school-sponsored event. This prohibition includes situations where either the threat of the threatened violent act occurs at school or at a school-sponsored event. Any act of violence by or against any student on school property or at a school-sponsored event.
3. Being under the influence, or having consumed, injected, or ingested any controlled substance, alcohol, non-controlled substance, marijuana, including prescription drugs not registered with the school nurse as required in Section VI.
4. The manufacture, sale or delivery, holding, offering for sale, soliciting to possess, or possession of alcohol, marijuana, any controlled substance, or other drugs, including a prescription drug.
5. The use or possession of drug paraphernalia for the purpose of manufacturing, packing, storing, containing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance.
6. The manufacture, sale, or delivery, holding offering for sale, or possession of a non-controlled substance that has a stimulant or depressant effect on humans, other than a prescription drug, which, or the label or container of which, substantially resembles a specific controlled substance.
7. The sale or delivery, holding, offering for sale, or possession of non-controlled substance upon the express or implied representation that the substance is a controlled substance; or upon the express or implied representation that the recipient, in turn will be able to distribute or sell the substance as a controlled substance.
8. Suspected or possible violations of the above stated conduct will have consequences as set forth in Section V.

### **Consequences of Prohibited Conduct**

- A. Any student found by the principal or his/her designee to be in violation of the policy set forth herein shall be subject to the following guidelines.

#### **Situation Guidelines**

- 1. The possession of a weapon by a student on school property or at a school-sponsored event is suspected based upon uncorroborated information from reliable sources, but there is no direct observation by a school official of a violation of the law or of regulations.**
  - a. Immediate Action: School officials investigate information to confirm the presence of a weapon. No steps will be taken which could or will endanger either the suspected student or other students in the area.
  - b. Investigation: At the discretion of a senior school official present. School officials may request law enforcement assistance.
  - c. Parental Notification: Parents of the suspected student will be notified. Investigation will not be delayed pending parental notification.
  - d. Law Enforcement Notification: Not required. Law enforcement officials may be notified and their assistance requested by the senior school official present based upon the credibility and seriousness of the threat.
  - e. Consequences: At the discretion of school officials.
- 2. School officials confirm the presence of a weapon on school property or at a school-sponsored event.**
  - a. Immediate Action: School officials will take immediate action to isolate and protect students from the weapon. School officials will remove all students and staff to a position of safety away from the weapon. If the weapon is in the possession of a student or other person, school officials will attempt to isolate that student or person from the rest of the student body and staff. The safety of all students and staff is paramount. **School officials must request assistance from local law enforcement authorities immediately.** On arrival at the scene, law enforcement officials will immediately take control to the extent necessary to protect students and staff.
  - b. Investigation: School officials will request immediate assistance from local law enforcement officials to investigate the weapon and the threat posed.
  - c. Parental Notification: If the weapon is located in the possession of a student, that student's parents will be notified immediately. No actions designed to assure the safety of the student body will be delayed pending parental notification.
  - d. Law Enforcement Notification: **Immediate**
  - e. Consequences: At the discretion of school officials except where investigation reveals a violation of the law.
- 3. A threat of violence is made, in writing or verbally, by or against any student while on school property or at a school-sponsored event.**
  - a. Immediate Action: The senior official present will isolate the person issuing the threat from the rest of the student body, particularly the object of the threat.
  - b. Investigation: The senior school official present will investigate the nature and seriousness of the threat. School officials may call upon local law enforcement officials for assistance in the investigation.
  - c. Parental Notification: School officials will immediately notify the parents of any student issuing a threat against anyone on school property or at a school-sponsored event. No protective or investigative action will be delayed pending parental notification.
  - d. Law Enforcement Notification: At the discretion of the senior school official present, depending upon the nature and seriousness of the threat.

- e. Consequences: At the discretion of school officials, except where investigation reveals a violation of the law.
- 4. A weapon is used by or against a student while on school property or at a school-sponsored event.**
- a. Immediate Action: The senior school official present will take immediate steps to protect all students and staff by isolating them from the weapon and the violent offender. **School officials will notify law enforcement immediately.** For the safety of all involved, law enforcement officials will take control of the scene immediately upon arrival.
  - b. Investigation: The use of a weapon is a violation of the laws of the Commonwealth as well as school policy. Therefore, all investigations will be directed and conducted by law enforcement officials with the cooperation of school officials.
  - c. Parental Notification: School officials will immediately notify the parents of any student known to use a weapon on school property, as well as the parents of any student against whom a weapon is used. No protective or investigative action will be delayed pending parental notification.
  - d. Law Enforcement Notification: **Immediate**
  - e. Consequences: Academic consequences at the discretion of the School District. Potential legal consequences at the discretion of law enforcement.
- 5. The possible use of drug/mood-altering substances/alcohol by a student is suspected based on corroborated information from reliable sources but there is no direct observation by a school official of violation of law or school regulations.**
- a. Immediate Action: The student is informed of available help and encouraged to seek assistance.
  - b. Investigation: Referral to the Student Support Team.
  - c. Parental Notification: Parents will be notified. (At the discretion of school officials parental notification need not precede nor supersede investigative actions.)
  - d. Law Enforcement Notification: Not required.
  - e. Consequences: At the discretion of the Student Support Team.
- 6. Based on direct observation by a school official, a student demonstrates symptoms of drug/mood altering substance/alcohol use such as staggering, slurred speech, dazed appearance, incoherence, inability to respond and/or odor of alcohol. If this situation occurs off school property see Section V.B.4 (below).**
- a. Immediate Action: The person detecting the activity will summon the school nurse and the Principal or his/her designee. If necessary, the student will be transported to a medical facility at parental expense.
  - b. Investigation: The Principal or his/her designee will investigate the incident. This may include a search of the student, his/her locker, and other personal property.
  - c. Parental Notification: Parents will be notified of the incident.
  - d. Law Enforcement Notification: Required.
  - e. Consequences: To be determined by school officials and local law enforcement officials.
- 7. A student possesses drug-related paraphernalia or counterfeit drugs and/or indicates the intention to sell or distribute counterfeit drugs.**
- a. Immediate Action: The person detecting the activity will secure the item and summon the principal or his/her designee, who will confiscate the paraphernalia or substance.

- b. Investigation: The Principal or his/her designee will search the student and his/her locker. The student's care and other personal property may be searched.
  - c. Parental Notification: Required.
  - d. Law Enforcement Notification: Required.
  - e. Consequences: To be determined by school officials and local law enforcement officials.
- 8. At a school-sponsored function, a school official observes a student demonstrating obvious symptoms of possible drug/mood altering substance/alcohol use.**
- a. Immediate Action: The parent will be notified. Student will be detained until the parent arrives or the parent makes arrangements for the student. If necessary, students will be transported to a medical facility at parental expense. The chaperone/advisor will notify the Principal or his/her designee.
  - b. Investigation: The Principal or his/her designee will search the student and his/her locker. The student's car and other personal property may also be searched.
  - c. Parental Notification: Required.
  - d. Law Enforcement Notification: Required.
  - e. Consequences: To be determined by school officials and local law enforcement officials.
- 9. A student possesses, uses, or is under the influence of drugs/mood altering substance/alcohol.**
- a. Immediate Action: The person detecting the activity will summon the school nurse and the Principal or his/her designee.
  - b. Investigation: The student, his/her locker and personal property will be searched by the Principal or his/her designee in the presence of the police.
  - c. Parental Notification: Required.
  - d. Law Enforcement Notification: Required.
  - e. Consequences: To be determined by school officials and local law enforcement officials.
- 10. A student is distributing a drug or controlled substance or is furnishing alcohol on school property or in a location in the jurisdiction and control of the School District.**
- a. Immediate Action: The person detecting the activity will summon the Principal or his/her designee.
  - b. Investigation: The student, his/her locker and personal property will be searched by the Principal or his/her designee in the presence of the police.
  - c. Parental Notification: Required.
  - d. Law Enforcement Notification: Required.
  - e. Consequences: To be determined by school officials and local law enforcement officials.

**B. Handling of confiscated weapons, drugs, drug paraphernalia, etc.**

All weapons, drugs, drug paraphernalia, and/or alcohol found or confiscated on School District property will be turned over to the Principal or his/her designee. In the case where an item is found in a location other than on school property, the item will be turned over directly to the Superintendent or his/her designee.

Confiscated material will be labeled with the following information: Date and place found, person confiscating or finding the item. The item should then be turned over to the appropriate local law enforcement officials on the

same day when possible. When immediate turnover is not possible, the confiscated material will be stored in a secure location on school property.

## **SEARCH POLICY**

In certain situations, the District or an individual school principal may decide that circumstances warrant a generalized search of a school or an individual search of specific student(s). The United States Supreme Court and the Supreme Court of Pennsylvania have held that properly conducted searches in schools do not violate the United States or Pennsylvania Constitutions.

The Courts have held that students have a limited privacy interest at school; that schools have a compelling interest in maintaining a safe and secure environment; and that a reasonably conducted search does not violate a student's limited privacy interest. Courts have held that a school search is reasonable if:

- It is justified at its inception.
- If the search is reasonable related in scope to the circumstances which justified the search.
  
- Handheld or stationary metal detectors may be used in Scranton School District buildings.

The Supreme Court of Pennsylvania has held that a canine drug sniff constitutes a search and is limited by the Pennsylvania Constitution. The court held that the use of a drug-sniffing canine requires reasonable suspicion, the same justification required for any other search of a student by school administrative personnel. Finally, both Courts have held that school lockers are school property and are subject to search at any time by the District.

### **A. Blanket or General Search**

1. Definition: Search of the entire school, including student lockers, students, and their personal property which is on school property.
2. Justification: Reasonable suspicion that illegal activity or a violation of school rules is taking place and that a search will yield evidence of that activity.
  
3. Example: A principal has the following information:
  - Information from students that illegal drug activity is taking place
  - Observations from teachers of suspicious activity by students, such as passing small packages between themselves in the hallways
  - Increase use of the Student Assistance Program
  - Calls from concerned parents
  - Students in possession of beepers in violation of state law
  - Students in possession of large amounts of cash
  - Increased use of pay phones by students

Justification for reasonable suspicion does not require all the above and is not limited to the above. Reasonable suspicion may be based on any similar information indicating a violation of the law or of school policy. The



principal may, with or without prior notice, search student lockers. The principal may request the assistance of local law enforcement. **Note: This example is taken from a search conducted at Harbor Creek High School, Erie County, Pennsylvania. The Pennsylvania Supreme Court held that search to be legal under both the United States and Pennsylvania Constitutions. (Commonwealth v. Cass, 1998 WL 3264 (Pa) (January 7, 1998)**

## **B. Individual Search**

1. Definition: Search of an individual student, his/her locker, and/or his/her personal property which is on school property or under school district jurisdiction and control.
2. Justification: Reasonable suspicion that illegal activity or a violation of school rules is taking place or has taken place and that a search will yield evidence of that activity.
3. Example: A student is caught smoking in a restroom in violation of school rules. In searching for evidence relative to this violation, the Principal or his/her designee may make a reasonable search of that student's possessions. The Principal or his/her designee may properly find and seize evidence of further illegal activity, such as drug/alcohol possession or possession of weapons. **Note: This example is taken from a search that was upheld by the United States Supreme Court. (New Jersey v. T.L.O., 469 U.S. 325 (1985)**
4. Example: As a result of school-wide locker search, drug paraphernalia is found in an individual student's locker. That student's personal property may be searched for further evidence of a violation of the law or school policy.

## **C. Automobile Search**

A student's automobile is that vehicle that the student drove to school or to the school-sponsored event, regardless of whose name appears on the vehicle registration. A student's automobile parked on school property is considered that student's personal property and shall generally be subject to the same search standard as any other personal property; that is, subject to search under reasonable suspicion.

### **Search and Seizure Policy**

Notice is hereby provided that during the course of the school year, when deemed appropriate by the superintendent and/or his designate, and when based upon reasonable suspicion that the search will uncover evidence that a student or students has violated or is violating a law of the Commonwealth or a rule of the school, blanket searches of students, student lockers, student vehicles located on school property and/or school provided transportation will be conducted. The uniform procedure for said searches is as follows:

- When reasonable suspicion exists, every student, student lockers, student vehicle parked on school property, and/or school provided transportation, will be searched in a non-arbitrary manner, in a joint effort between the school and law enforcement authorities such as police, canine units, and the District Attorney's Office.

- With any type of search, every attempt will be made to conduct said search in a manner that will not be detrimental to the administrative/educational functions of the school.
- Every attempt will be made to notify the superintendent, and/or his/her designate on the morning of, and/or sooner, of impeding official action by law enforcement, i.e. canine searches, subpoenas for students, arrests, and search warrants. As much deference as possible will be given to the school's discretion as to the time of official action most convenient to the school so as not to interfere with the proper administration of school education.
- With regard to searches conducted on school property, when feasible, a "mock" blanket or canine search will be conducted so as to familiarize all participants with the procedures/actions that will occur during such searches. The superintendent and/or his/her designate will be notified in advance of the "mock" search.

## **TITLE IX REGULATIONS**

### **Title IX/ Handicapped Compliance Notice**

The Scranton School District affirms that all employment practices, student enrollment practices, and curriculum offerings will be handled without discrimination based on sex, race, color, religion, age, national origin, handicaps, or disabilities in compliance with Title IX of the Educational Amendments of 1972; Titles VI and VII of the Civil

Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; and the Americans with Disabilities Act of 1990. For information regarding civil rights or grievance procedures, services, activities, programs and facilities that are accessible to and usable by persons with disabilities, contact:

Mr. Tim Wolff, Title IX/Handicapped Compliance Officer  
 Scranton School District  
 425 North Washington Avenue  
 Scranton, PA 18503  
 570-348-3403

## **PART 106—NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE**

- 1. The authority citation for part 106 continues to read as follows:

**Authority:** 20 U.S.C. 1681 et seq., unless otherwise noted.

- 2. Section 106.3 is amended by revising paragraph (a) to read as follows:

### **§ 106.3 Remedial and affirmative action and self-evaluation.**

(a) Remedial action. If the Assistant Secretary finds that a recipient has discriminated against persons on the basis of sex in an education program or activity under this part, or otherwise violated this part, such recipient must take such remedial action as the Assistant Secretary deems necessary to remedy the violation, consistent with 20 U.S.C. 1682.

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■ 3. Section 106.6 is amended by revising the section heading and adding paragraphs (d), (e), (f), (g), and (h) to read as follows:

**§ 106.6 Effect of other requirements and preservation of rights.**

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(d) Constitutional protections. Nothing in this part requires a recipient to:

(1) Restrict any rights that would otherwise be protected from government action by the First Amendment of the U.S. Constitution;

(2) Deprive a person of any rights that would otherwise be protected from government action under the Due Process Clauses of the Fifth and Fourteenth Amendments of the U.S. Constitution; or

(3) Restrict any other rights guaranteed against government action by the U.S. Constitution.

(e) Effect of Section 444 of General Education Provisions Act (GEPA)/ Family Educational Rights and Privacy Act (FERPA). The obligation to comply with this part is not obviated or alleviated by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99.

(f) Title VII of the Civil Rights Act of 1964. Nothing in this part may be read in derogation of any individual’s rights under title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et seq. or any regulations promulgated thereunder.

(g) Exercise of rights by parents or guardians. Nothing in this part may be read in derogation of any legal right of a parent or guardian to act on behalf of a “complainant,” “respondent,” “party,” or other individual, subject to paragraph (e) of this section, including but not limited to filing a formal complaint.

(h) Preemptive effect. To the extent of a conflict between State or local law and title IX as implemented by §§ 106.30, 106.44, and 106.45, the obligation to comply with §§ 106.30, 106.44, and 106.45 is not obviated or alleviated by any State or local law.

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■ 4. Section 106.8 is revised to read as follows:

**§ 106.8 Designation of coordinator, dissemination of policy, and adoption of grievance procedures.**

(a) Designation of coordinator. Each recipient must designate and authorize at least one employee to coordinate its efforts to comply with its responsibilities under this part, which employee must be referred to as the “Title IX Coordinator.” The recipient must notify applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the recipient, of the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator pursuant to this paragraph. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator

receiving the person’s verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

(b) Dissemination of policy—(1) Notification of policy. Each recipient must notify persons entitled to a notification under paragraph (a) of this section that the recipient does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by title IX and this part not to discriminate in such a manner. Such notification must state that the requirement not to discriminate in the education program or activity extends to admission (unless subpart C of this part does not apply) and employment, and that inquiries about the application of title IX and this part to such recipient may be referred to the recipient’s Title IX Coordinator, to the Assistant Secretary, or both.

(2) Publications. (i) Each recipient must prominently display the contact information required to be listed for the Title IX Coordinator under paragraph (a) of this section and the policy described in paragraph (b)(1) of this section on its website, if any, and in each handbook or catalog that it makes available to persons entitled to a notification under paragraph (a) of this section.

(ii) A recipient must not use or distribute a publication stating that the recipient treats applicants, students, or employees differently on the basis of sex except as such treatment is permitted by title IX or this part.

(c) Adoption of grievance procedures. A recipient must adopt and publish grievance procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by this part and a grievance process that complies with § 106.45 for formal complaints as defined in § 106.30. A recipient must provide to persons entitled to a notification under paragraph (a) of this section notice of the recipient’s grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the recipient will respond.

(d) Application outside the United States. The requirements of paragraph (c) of this section apply only to sex discrimination occurring against a person in the United States.

■ 5. Section 106.9 is revised to read as follows:

**§ 106.9 Severability.**

If any provision of this subpart or its application to any person, act, or practice is held invalid, the remainder of the subpart or the application of its provisions to any person, act, or practice shall not be affected thereby.

■ 6. Section 106.12 is amended by revising paragraph (b) to read as follows:

**§ 106.12 Educational institutions controlled by religious organizations.**

\* \* \* \* \*

(b) Assurance of exemption. An educational institution that seeks assurance of the exemption set forth in paragraph (a) of this section may do so by submitting in writing to the Assistant Secretary a statement by the highest ranking official of the institution, identifying the provisions of this part that conflict with a specific tenet of the religious organization. An institution is not required to seek assurance from the Assistant Secretary in order to assert such an

exemption. In the event the Department notifies an institution that it is under investigation for noncompliance with this part and the institution wishes to assert an exemption set forth in paragraph (a) of this section, the institution may at that time raise its exemption by submitting in writing to the Assistant Secretary a statement by the highest ranking official of the institution, identifying the provisions of this part which conflict with a specific tenet of the religious organization, whether or not the institution had previously sought assurance of an exemption from the Assistant Secretary.

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- 7. Add § 106.18 to subpart B to read as follows:

**§ 106.18 Severability.**

If any provision of this subpart or its application to any person, act, or practice is held invalid, the remainder of the subpart or the application of its provisions to any person, act, or practice shall not be affected thereby.

- 8. Add § 106.24 to subpart C to read as follows:

**§ 106.24 Severability.**

If any provision of this subpart or its application to any person, act, or practice is held invalid, the remainder of the subpart or the application of its provisions to any person, act, or practice shall not be affected thereby.

- 9. Add § 106.30 to subpart D to read as follows:

**§ 106.30 Definitions.**

(a) As used in this part: Actual knowledge means notice of sexual harassment or allegations of sexual harassment to a recipient’s Title IX Coordinator or any official of the recipient who has authority to institute corrective measures on behalf of the recipient, or to any employee of an elementary and secondary school. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the recipient with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the recipient. “Notice” as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator as described in § 106.8(a).

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

*Consent.* The Assistant Secretary will not require recipients to adopt a particular definition of consent with respect to sexual assault, as referenced in this section.

*Formal complaint* means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the recipient investigate the allegation of sexual harassment.

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the recipient with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator under § 106.8(a), and by any additional method designated by the recipient. As used in this paragraph, the phrase “document filed by a complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the recipient) that contains the complainant’s physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party under this part or under § 106.45, and must comply with the requirements of this part, including § 106.45(b)(1)(iii).

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

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

- (1) An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual’s participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity; or
- (3) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

*Supportive measures* means nondisciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient’s educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The recipient must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

(b) As used in §§ 106.44 and 106.45:

*Elementary and secondary school* means a local educational agency (LEA), as defined in the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act, a preschool, or a private elementary or secondary school.

*Post Secondary institution* means an institution of graduate higher education as defined in § 106.2(l), an institution of undergraduate higher education as defined in § 106.2(m), an institution of professional education as defined in § 106.2(n), or an institution of vocational education as defined in § 106.2(o).

- 10. Add § 106.44 to subpart D to read as follows:

#### **§ 106.44 Recipient's response to sexual harassment.**

(a) *General response to sexual harassment.* A recipient with actual knowledge of sexual harassment in an education program or activity of the recipient against a person in the United States, must respond promptly in a manner that is not deliberately indifferent. A recipient is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances. For the purposes of this section, §§ 106.30, and 106.45, "education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution. A recipient's response must treat complainants and respondents equitably by offering supportive measures as defined in § 106.30 to a complainant, and by following a grievance process that complies with § 106.45 before the imposition of any disciplinary sanctions or other actions that are not supportive measures as defined in § 106.30, against a respondent. The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures as defined in § 106.30, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The Department may not deem a recipient to have satisfied the recipient's duty to not be deliberately indifferent under this part based on the recipient's restriction of rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment.

(b) *Response to a formal complaint.*

(1) In response to a formal complaint, a recipient must follow a grievance process that complies with § 106.45. With or without a formal complaint, a recipient must comply with § 106.44(a).

(2) The Assistant Secretary will not deem a recipient's determination regarding responsibility to be evidence of deliberate indifference by the recipient, or otherwise evidence of discrimination under title IX by the recipient, solely because the Assistant Secretary would have reached a different determination based on an independent weighing of the evidence.

(c) *Emergency removal.* Nothing in this part precludes a recipient from removing a respondent from the recipient's education program or activity on an emergency basis, provided that the recipient undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

(d) *Administrative leave.* Nothing in this subpart precludes a recipient from placing a non-student employee respondent on administrative leave during the pendency of a grievance process that complies with § 106.45. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

- 11. Add § 106.45 to subpart D to read as follows:

**§ 106.45 Grievance process for formal complaints of sexual harassment.**

(a) *Discrimination on the basis of sex.* A recipient's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under title IX.

(b) *Grievance process.* For the purpose of addressing formal complaints of sexual harassment, a recipient's grievance process must comply with the requirements of this section. Any provisions, rules, or practices other than those required by this section that a recipient adopts as part of its grievance process for handling formal complaints of sexual harassment as defined in § 106.30, must apply equally to both parties.

(1) *Basic requirements for the grievance process.* A recipient's grievance process must—

(i) Treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following a grievance process that complies with this section before the imposition of any disciplinary sanctions or other actions that are not supportive measures as defined in § 106.30, against a respondent. Remedies must be designed to restore or preserve equal access to the recipient's education program or activity. Such remedies may include the same individualized services described in § 106.30 as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent;

(ii) Require an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence—and provide that credibility determinations may not be based on a person's status as a complainant, respondent, or witness;

(iii) Require that any individual designated by a recipient as a Title IX Coordinator, investigator, decisionmaker, or any person designated by a recipient to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A recipient must ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment in § 106.30, the scope of the recipient's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. A recipient must ensure that decision-makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, as set forth in paragraph (b)(6) of this section. A recipient also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, as set forth in paragraph (b)(5)(vii) of this section. Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment;

(iv) Include a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process;

(v) Include reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes if the recipient offers informal



resolution processes, and a process that allows for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities;

(vi) Describe the range of possible disciplinary sanctions and remedies or list the possible disciplinary sanctions and remedies that the recipient may implement following any determination of responsibility;

(vii) State whether the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard or the clear and convincing evidence standard, apply the same standard of evidence for formal complaints against students as for formal complaints against employees, including faculty, and apply the same standard of evidence to all formal complaints of sexual harassment;

(viii) Include the procedures and permissible bases for the complainant and respondent to appeal;

(ix) Describe the range of supportive measures available to complainants and respondents; and (x) Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

(2) *Notice of allegations*—(i) Upon receipt of a formal complaint, a recipient must provide the following written notice to the parties who are known:

(A) Notice of the recipient's grievance process that complies with this section, including any informal resolution process.

(B) Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in § 106.30, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment under § 106.30, and the date and location of the alleged incident, if known. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, under paragraph (b)(5)(iv) of this section, and may inspect and review evidence under paragraph (b)(5)(vi) of this section. The written notice must inform the parties of any provision in the recipient's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

(ii) If, in the course of an investigation, the recipient decides to investigate allegations about the complainant or respondent that are not included in the notice provided pursuant to paragraph (b)(2)(i)(B) of this section, the recipient must provide notice of the additional allegations to the parties whose identities are known.

(3) *Dismissal of a formal complaint*—

(i) The recipient must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in § 106.30 even if proved, did not occur in the recipient's education program or activity, or did not occur against a person in the United States, then the recipient must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under title IX or this part; such a dismissal does not preclude action under another provision of the recipient's code of conduct.

(ii) The recipient may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing: A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the recipient; or specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

(iii) Upon a dismissal required or permitted pursuant to paragraph (b)(3)(i) or (b)(3)(ii) of this section, the recipient must promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties.

(4) *Consolidation of formal complaints.* A recipient may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this section to the singular “party,” “complainant,” or “respondent” include the plural, as applicable.

(5) *Investigation of a formal complaint.* When investigating a formal complaint and throughout the grievance process, a recipient must—

(i) Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the recipient and not on the parties provided that the recipient cannot access, consider, disclose, or otherwise use a party’s records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional’s or paraprofessional’s capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the recipient obtains that party’s voluntary, written consent to do so for a grievance process under this section (if a party is not an “eligible student,” as defined in 34 CFR 99.3, then the recipient must obtain the voluntary, written consent of a “parent,” as defined in 34 CFR 99.3);

(ii) Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;

(iii) Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;

(iv) Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the recipient may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;

(v) Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;

(vi) Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond

to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the recipient must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. The recipient must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination; and

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

*(6) Hearings.*

(i) For postsecondary institutions, the recipient's grievance process must provide for a live hearing. At the live hearing, the decision-maker(s) must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally, notwithstanding the discretion of the recipient under paragraph (b)(5)(iv) of this section to otherwise restrict the extent to which advisors may participate in the proceedings. At the request of either party, the recipient must provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions. Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. If a party does not have an advisor present at the live hearing, the recipient must provide, without fee or charge to that party, an advisor of the recipient's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions. Live hearings pursuant to this paragraph may be conducted with all parties physically present in the same geographic location or, at the recipient's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. Recipients must create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

(ii) For recipients that are elementary and secondary schools, and other recipients that are not postsecondary institutions, the recipient's grievance process may, but need not, provide for a hearing. With or without a hearing,

after the recipient has sent the investigative report to the parties pursuant to paragraph (b)(5)(vii) of this section and before reaching a determination regarding responsibility, the decision-maker(s) must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. With or without a hearing, questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

(7) *Determination regarding responsibility.* (i) The decision-maker(s), who cannot be the same person(s) as the Title IX Coordinator or the investigator(s), must issue a written determination regarding responsibility. To reach this determination, the recipient must apply the standard of evidence described in paragraph (b)(1)(vii) of this section.

(ii) The written determination must include—

(A) Identification of the allegations potentially constituting sexual harassment as defined in § 106.30;

(B) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

(C) Findings of fact supporting the determination;

(D) Conclusions regarding the application of the recipient's code of conduct to the facts;

(E) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and

(F) The recipient's procedures and permissible bases for the complainant and respondent to appeal.

(iii) The recipient must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the recipient provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

(iv) The Title IX Coordinator is responsible for effective implementation of any remedies.

(8) *Appeals.* (i) A recipient must offer both parties an appeal from a determination regarding responsibility, and from a recipient's dismissal of a formal complaint or any allegations therein, on the following bases:

(A) Procedural irregularity that affected the outcome of the matter;

(B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

(C) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

(ii) A recipient may offer an appeal equally to both parties on additional bases.

(iii) As to all appeals, the recipient must:

(A) Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;

(B) Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;

(C) Ensure that the decision-maker(s) for the appeal complies with the standards set forth in paragraph (b)(1)(iii) of this section;

(D) Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;

(E) Issue a written decision describing the result of the appeal and the rationale for the result; and

(F) Provide the written decision simultaneously to both parties.

(9) *Informal resolution.* A recipient may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, a recipient may not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the recipient may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the recipient—

(i) Provides to the parties a written notice disclosing: The allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

(ii) Obtains the parties' voluntary, written consent to the informal resolution process; and

(iii) Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

(10) *Recordkeeping.* (i) A recipient must maintain for a period of seven years records of—

(A) Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under paragraph (b)(6)(i) of this section, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity;

(B) Any appeal and the result therefrom;

(C) Any informal resolution and the result therefrom; and

(D) All materials used to train Title IX Coordinators, investigators, decisionmakers, and any person who facilitates an informal resolution process. A recipient must make these training materials publicly available on its website, or if the recipient does not maintain a website the recipient must make these materials available upon request for inspection by members of the public.

(ii) For each response required under § 106.44, a recipient must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of

sexual harassment. In each instance, the recipient must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the recipient's education program or activity. If a recipient does not provide a complainant with supportive measures, then the recipient must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the recipient in the future from providing additional explanations or detailing additional measures taken.

- 12. Add § 106.46 to subpart D to read as follows:

#### **§ 106.46 Severability.**

If any provision of this subpart or its application to any person, act, or practice is held invalid, the remainder of the subpart or the application of its provisions to any person, act, or practice shall not be affected thereby.

- 13. Add § 106.62 to subpart E to read as follows:

#### **§ 106.62 Severability.**

If any provision of this subpart or its application to any person, act, or practice is held invalid, the remainder of the subpart or the application of its provisions to any person, act, or practice shall not be affected thereby.

- 14. Subpart F is revised to read as follows:

### **Subpart F—Retaliation**

#### **§ 106.71 Retaliation.**

(a) *Retaliation prohibited.* No recipient or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by title IX or this part, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this part. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by title IX or this part, constitutes retaliation. The recipient must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding

arising thereunder. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination required to be adopted under § 106.8(c).

(b) *Specific circumstances.* (1) The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under paragraph (a) of this section.

(2) Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this part does not constitute retaliation prohibited under paragraph (a) of this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

### **§ 106.72 Severability.**

If any provision of this subpart or its application to any person, act, or practice is held invalid, the remainder of the subpart or the application of its provisions to any person, act, or practice shall not be affected thereby.

- 15. Add subpart G to read as follows:

#### **Subpart G—Procedures**

Sec.

106.81 Procedures.

106.82 Severability.

#### **Subpart G—Procedures**

### **§ 106.81 Procedures.**

The procedural provisions applicable to title VI of the Civil Rights Act of 1964 are hereby adopted and incorporated herein by reference. These procedures may be found at 34 CFR 100.6–100.11 and 34 CFR part 101. The definitions in § 106.30 do not apply to 34 CFR 100.6–100.11 and 34 CFR part 101.

### **§ 106.82 Severability.**

If any provision of this subpart or its application to any person, act, or practice is held invalid, the remainder of the subpart or the application of its provisions to any person, act, or practice shall not be affected thereby.

#### **Subject Index to Title IX Preamble and Regulation [Removed]**

- 16. Remove the Subject Index to Title IX Preamble and Regulation.

- 17. In addition to the amendments set forth above, in 34 CFR part 106, remove the parenthetical authority citation at the ends of §§ 106.1, 106.2, 106.3, 106.4, 106.5, 106.6, 106.7, 106.11, 106.12, 106.13, 106.14, 106.15,

106.16, 106.17, 106.21, 106.22, 106.23, 106.31, 106.32, 106.33, 106.34, 106.35, 106.36, 106.37, 106.38, 106.39, 106.40, 106.41, 106.42, 106.43, 106.51, 106.52, 106.53, 106.54, 106.55, 106.56, 106.57, 106.58, 106.59, 106.60, and 106.61.

[FR Doc. 2020–10512 Filed 5–12–20; 4:45 pm]

## **BILLING CODE 4000–01–P**

### **SCHOOL ADMINISTRATOR’S GUIDE TO EEOC’S NEW WORKPLACE HARASSMENT GUIDANCE**

#### **ADDRESSING THE NEED FOR UPDATED GUIDANCE**

Federal employment discrimination laws are enforced by the EEOC to protect covered employees from harassment based upon race, color, religion, sex, sexual orientation, gender, national origin, disability, age, or genetic information. Since the EEOC last offered guidance on its regulations, legal developments have occurred. Notably, in *Bostock v. Clayton County Ga.*, 140 S. Ct. 1731 (2020), the United States Supreme Court determined that Title VII protects employees from discrimination based upon their sex, which includes discrimination on the basis of sexual orientation and gender identity. The EEOC has also identified new issues, such as online harassment in virtual work environments. As such, the EEOC consolidated and replaced its guidance published between 1987 and 1999 with one, unified agency resource.

#### **EEO LAWS**

Equal Employment Opportunity (EEO) laws are those that prohibit specific types of job discrimination. EEO laws include: the Age Discrimination in Employment Act of 1967 (ADEA), Titles I and V of the Americans with Disabilities Act of 1990 (ADA), the Equal Pay Act of 1963 (EPA), Sections 501 and 505 of the Rehabilitation Act of 1973, and Title VII of the Civil Rights Act of 1964 (Title VII). Harassment is only covered by EEO laws if it is based on one or more of the individual’s legally protected characteristics. Legally protected characteristics include: race, School Administrator’s Guide to EEOC’s New Workplace Harassment Guidance By Avery E. Smith and Sarah Modrick, Esqs. School Law Bulletin color, national origin, religion, sex (including pregnancy, childbirth, or related conditions, and sexual orientation and gender identity), age, disability, genetic information, retaliation, and cross-bases issues. School administrators should ensure that their employment policies recognize the above-listed legally protected characteristics. Schools may also choose to release or include a statement in their employee handbook indicating that discrimination and harassment are strictly prohibited. Doing so will foster a safe and respectful work environment for all school personnel.

#### **CAUSATION**

Generally, causation is established if evidence shows that the complainant was subjected to harassment because of their legally protected characteristic(s). If the complainant cannot prove that the alleged harassment was linked directly to their legally protected characteristic(s), they cannot establish a claim under EEO laws. Another factor to consider is timing. If harassment began or escalated around the time the harasser learned of the complainant’s



protected status, the timing may suggest that the harassment was discriminatory. School administrators and human resources personnel should ensure that they have policies intended to prevent harassment before it occurs. In circumstances in which harassment is not prevented, school administrators should keep a detailed timeline of the allegations and retain any relevant documents.

### **HARASSMENT RESULTING IN DISCRIMINATION**

For workplace harassment to violate the law, it must be based upon a legally protected characteristic, and it must affect a “term, condition, or privilege” of employment. In *Meritor Savings Bank, FSB v. Vinson*, the Supreme Court defined two (2) examples of unlawful harassment: (1) an explicit change to the terms or conditions of employment that is linked to harassment based on a protected characteristic (such as firing an employee due to rejection of sexual advances), and (2) conduct that constructively changes the terms or conditions of employment through creation of a hostile work environment. The EEOC clarifies that the EEO laws are not limited to only discriminatory conduct that has tangible or economic effects; rather, the laws “strike at the entire spectrum of disparate treatment.” School administrators should review the EEOC’s guidance and examples pertaining to unlawful harassment to ensure they do not violate their employees’ rights when changing employment agreements or conditions.

### **LIABILITY**

Once a complainant has established that their employer has committed unlawful harassment, the employer is liable and has no defense, as determined in *Burlington Indus., Inc. v. Ellerth*, 524 U.S. 742, 760-62 (1998). The EEOC clarifies that the liability standard for a hostile work environment claim differs. Liability for such claims depends on whether the harasser is a (1) proxy or alter ego of the employer, (2) supervisor, or (3) non-supervisory employee, coworker, or non-employee. School administrators should discuss with their solicitors or legal counsel the different standards of liability in harassment cases. By understanding potential liability, school administrators can reassess employment practices and policies with the intention of preventing harassment before it occurs.

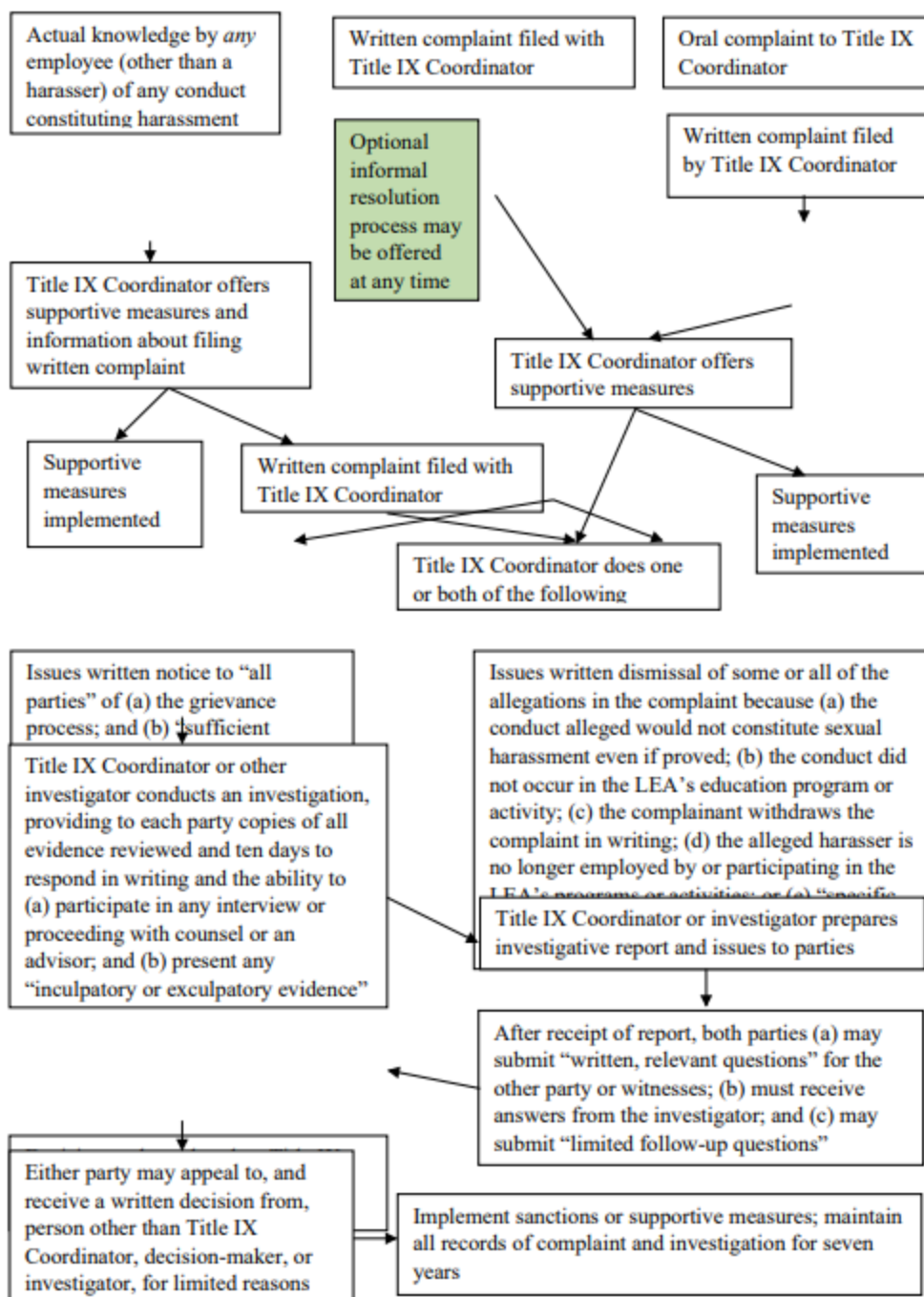
### **SYSTEMIC HARASSMENT**

The EEOC has determined that like other forms of discrimination, harassment can be systemic and impact multiple individuals. If evidence proves that widespread harassment is present in the workplace, complainants may also establish a hostile work environment claim. A hostile work environment encompasses several things, such as: physical or sexual assaults or threats; offensive jokes, slurs, epithets, or name calling; intimidation, bullying, ridicule, or mockery; insults or put-downs; ostracism; offensive objects or pictures; and interference with work performance. Should a school district be found or alleged to have cultivated systemic harassment in the workplace, prevention and/or corrective measures must be taken to fully address the nature and scope of the harassment. Further, if a school administrator is aware of frequent individual incidents of harassment, they must take action to determine whether said incidents reflect a wider issue of systemic harassment.

### **BOTTOM LINE FOR SCHOOLS**

The EEOC's updated guidance took effect on April 29, 2024. It is recommended that school administrators assign personnel to review the EEOC's Enforcement Guidance on Harassment in the Workplace and determine whether their school district or employees are engaging in prohibited behavior. School administrators should never avoid addressing workplace harassment. Human Resources departments and appropriate personnel should be well-versed in school district policies to protect employees from harassment and discrimination. When allegations arise, each incident should be investigated fully.

## The New Title IX Sexual Harassment Investigative Process: Simplified



SWEET STEVENS KATZ & WILLIAMS LLP

## **WEAPONS POLICY 218.1 OF THE SCRANTON SCHOOL DISTRICT**

The Scranton School district has adopted a ZERO TOLERANCE POLICY concerning students who possess weapons on school property. Students who violate the ZERO TOLERANCE POLICY are subject to expulsion from school. In addition, students who violate the penal code may be charged, arrested, and taken to a detention facility. Expulsion from the Scranton City School District may result in the student's loss of the right to attend school. The student may be placed in an alternative school.

The ZERO TOLERANCE POLICY is designed to ensure the safety of those attending the Scranton City schools and to provide an appropriate learning environment for all students. There can be no acceptable reason for possession of a weapon on school grounds.

This policy statement represents the beliefs and practices of the Scranton School District on weapons. The District has made a strong determined effort to maintain its schools as safe and secure places where students and staff can practice educational activities. The Board of School Directors of the Scranton School District would be remiss if it did not acknowledge the escalating violence on our national landscape as well as the proliferation of dangerous and deadly weapons in America's urban, suburban, and rural communities. To that end, please be advised that: Public Law 167 makes it a criminal offense to possess any weapon in a school building, on school grounds, or on a school bus. The Pennsylvania Crime Code, 18 PA.C.S.A. Section 912 makes it a misdemeanor of the first degree to possess any weapon in a school, at a school program, or on a school bus. Finally, the Public School Code, 24 P.S. Section 5-510 grants school boards the authority to issue rules and regulations regarding the conduct and deportment of students attending public schools in the district. Judicial decisions have recognized the need to conduct searches of the public upon entry into governmental buildings and programs, as well as searches of individuals based upon reasonable suspicion.

It is, therefore, the determination of the Board of Directors of the Scranton School District to adopt and enforce a ZERO TOLERANCE WEAPONS POLICY consisting of the following articles:

ARTICLE I: Possession of a weapon on school grounds, in school buildings, on school transportation is a violation of the Zero Tolerance Weapons Policy.

ARTICLE II: Any student who violates the Zero Tolerance Weapons Policy will be subject to expulsion from school for a period of not less than one year.

ARTICLE III: For the purpose of this policy, the term weapon shall include, but not be limited to any knife, cutting instrument, cutting tool, nunchuck, firearms, BB guns, pellet guns, shotgun, rifle and/or any other tool, instrument, or implement capable of inflicting serious bodily injury. Weapons also shall include look-alike or replica weapons, which are not necessarily operable.

ARTICLE IV: The Superintendent of Schools may authorize the use of magnetometers or scanning devices to further secure the safety of all students, staff, and visitors, at schools, school programs, and on school buses.

ARTICLE V: For the purposes of this policy, objects that have the appearance or characteristics of weapons shall be considered weapons. Possession of such objects also shall be a serious violation of the rules and regulations of the Scranton School District.

ARTICLE VI: A person shall be deemed in violation of this policy when the weapon is found on his/her person. Additionally, an individual will be deemed to be in possession of a weapon if the weapon is found in his/her personal property (for example, book bag, gym bag, and purse) or in a place where the individual exercises exclusive control (for example, a vehicle or the school locker).

ARTICLE VII: Staff members and students observing or otherwise becoming aware of weapons on school property, at school activities, or on school transportation shall report the same to the administration officials immediately.

ARTICLE VIII: To the greatest extent possible, information, which is supplied by students, shall be kept confidential to protect the students making the report.

ARTICLE IX: Because violation of this policy may result in the expulsion of a student, those students subject to discipline for violation of the Zero Tolerance Weapons Policy shall be entitled to a formal hearing pursuant to the hearing policies of the Scranton School District.

ARTICLE X: The Scranton School District shall inform all students, parents, district staff, and the community at large of the policy regarding weapons.

ARTICLE XI: It shall be a defense upon proof that the weapon is possessed and used in conjunction with a lawful supervised school activity or course, for example, home economics class, drama class, etc.

ARTICLE XII: As part of student registration in the Scranton School District, all students, parents/guardians will read, sign, and attest to the reading and understanding of the Zero Tolerance Weapons Policy.

ARTICLE XIII: Disabled students in violation of this policy will follow the guidelines set forth by state and federal regulations.

ARTICLE XIV: Any person found to have violated any of the foregoing Articles shall be referred to the proper authority for prosecution pursuant to the Statutes of the Commonwealth of Pennsylvania and shall be prohibited from entering on school property thereafter.

### **PUBLIC NOTICE – EDUCATION RIGHTS OF HOMELESS CHILDREN & YOUTH**

The Scranton School District is actively seeking to enroll children and youth who are homeless. If you are homeless or know of a child or youth that is homeless and not attending school, please contact the building principal who will provide information and assistance during the enrollment process.

**Who is considered homeless?** Any child or youth not attending school who lacks a fixed, regular, and adequate nighttime residence is considered homeless and includes those who are sharing housing with others due to loss of

housing or economic hardship. It also includes children and youth who are living in hotels, campgrounds, emergency shelters, cars, bus stations, or other similar settings. If you are not sure, please call.

### Education for Children and Youth Experiencing Homelessness

The McKinney-Vento Homeless Education Assistance Improvement Act of 2001(Public Law 107-110, Subtitle B) was enacted to make sure homeless youth have access to appropriate education while removing barriers that homeless children face. The Act defines the term homeless children and youths as,” individuals who lack a fixed, regular, and adequate nighttime residence”. Its goal is to minimize interruptions to the education of homeless youth. The Scranton School District is committed to working with families and local agencies to support the homeless youth in our school community.

#### **District Contact Information**

Mr. Robert Gentilezza

Scranton School District Scranton School District

425 N. Washington Avenue  
Scranton, PA 18503 Scranton, PA 18503  
570-348-3400 X 71524

robert.gentilezza@ssdedu.org

#### **Regional Contact Information**

Jeff Zimmerman

Luzerne Intermediate Unit 18

(570)718-4613

Email: [jjzimmerman@liu18.org](mailto:jjzimmerman@liu18.org)

#### **Homeless Liaison Assistant**

Lisa Swartz

570-348-3400 X71485

[lisa.swartz@ssdedu.org](mailto:lisa.swartz@ssdedu.org)

Andy Kuhn

Luzerne Intermediate Unit 18

(570)287-9671

Email: [akuhl@liu18.org](mailto:akuhl@liu18.org)

# ECYEH Intake Form



This form is intended to address the McKinney-Vento Act 42 U.S.C. 11435. The confidential information in this form will determine the services that the student may be eligible to receive.

## Student/Contact Information

<b>Student's Last Name</b>	<b>First Name</b>	<b>PPID (10 digit)</b>
<b>Temporary Address</b>	<b>Phone Number</b>	<b>Alt Phone Number</b>
<b>Date of Birth</b>	<b>Gender</b>	<b>Grade Level</b>
<b>School District/Building</b>	<b>Parent/Guardian Enrolling Student</b>	<b>Relationship to Student</b>

## Precipitating Event

*Place an x indicating the appropriate precipitating event resulting in loss of housing*

<b>Abandonment</b>	<input type="checkbox"/>	<b>Left Home</b>	<input type="checkbox"/>
<b>Act of Nature</b>	<input type="checkbox"/>	<b>Parent/Guardian Hospitalized</b>	<input type="checkbox"/>
<b>Death of Parent/Guardian</b>	<input type="checkbox"/>	<b>Parent/Guardian Incarcerated</b>	<input type="checkbox"/>
<b>Domestic Violence</b>	<input type="checkbox"/>	<b>Parental Job Loss/Loss of Income</b>	<input type="checkbox"/>
<b>Eviction</b>	<input type="checkbox"/>	<b>Other Poverty-related Situation</b>	<input type="checkbox"/>
<b>Fire</b>	<input type="checkbox"/>	<b>Other</b>	<input type="checkbox"/>

Definitions: Shelters—includes children and youth living in emergency shelters, transitional living programs, and children and youth awaiting foster care placement. Doubled-up—sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason. This category includes children, youth, and unaccompanied youth who live with relatives, friends, boyfriends, girlfriends, etc. because they cannot afford housing on their own. Unsheltered— Children, youth or unaccompanied youth who live in abandoned buildings or apartments, bus and train stations, campgrounds, cars, parks, public spaces, trailer parks, children abandoned in hospitals, and children and youth who live in substandard or inadequate housing. Hotels/Motel—children, youth and unaccompanied youth who are temporarily living in hotels and motels because they cannot afford other types of housing. Unknown—any living situation not included above.

**Living Arrangement**

*Place an X in the box indicating the appropriate living arrangements*

<b>Shelter</b>	
<b>Transitional Housing</b>	
<b>Hotel/Motel</b>	
<b>Unsheltered (Campgrounds, car, abandoned building, park, temporary trailer, street)</b>	
<b>Doubled-up (living with another family)</b>	

**Name of Shelter, Transitional Housing or Hotel/Motel (if applicable)**

\_\_\_\_\_

\_\_\_\_\_ *I, affirm that the information is true and accurate.*  
*(Parent/Guardian's Name)*

\_\_\_\_\_ *I, have been advised of my rights and child's rights*  
*(Parent/Guardian's Name) Under the McKinney-Vento Federal Homeless*  
*Assistance Act.*

**(Signature of Parent/Guardian)** \_\_\_\_\_

**(Student's Name)** \_\_\_\_\_ **(Date)** \_\_\_\_\_

**(District Personnel Receiving Form)** \_\_\_\_\_ **(Title)** \_\_\_\_\_ **(Date)** \_\_\_\_\_



**Please fill out a McKinney Vento form for all the children in the home. Including all the children from birth to the age of 5.**

1. Is the student unaccompanied? \_\_\_\_ Yes \_\_\_\_ No
  
2. Race: Caucasian (White)
  - African American (Black)
  - American Indian or Alaska Native
  - Asian
  - Native Hawaiian or Other Pacific Islander
  - Other (please specify)
  - Do not know/refuse to answer
  
3. Is the student Hispanic or Latino? Yes No
  
4. Does the student have a disabling condition? (Check all that apply)
  - Psychiatric or emotional condition
  - Drink alcohol
  - Use illegal drugs
  - Have ongoing health problems/mental conditions
  - Physical disability
  - Post traumatic stress disorder
  - Traumatic brain injury
  - Special education
  - HIV/AIDS
  
5. Is this the first time the student is homeless? Yes No
  
6. How long has the student been homeless this time?
  
7. How many times has the student been homeless in the past 3 years?
8. Where did the student sleep last night?
  
9. Is the student fleeing a domestic violence situation? Yes No
10. Has the student ever been in foster care? Yes or No
  
11. Has the student been expelled or in a juvenile detention facility? Yes No
  
12. If student is enrolling in the district for the first time, what school did they previously attend?

13. Did the student lack any documents upon enrollment?  
(Academic records, medical records, immunizations,  
guardianship, birth certificate, IEP)

14. Does the student have siblings that are not of school age yet?

15. Which of the following services does the student and/or  
family need?

- |   |   |
|---|---|
| <input type="checkbox"/> Housing                    | <input type="checkbox"/> Program/Preschool                      |
| <input type="checkbox"/> Food                       | <input type="checkbox"/> Transportation                         |
| <input type="checkbox"/> Clothing                   | <input type="checkbox"/> Counseling                             |
| <input type="checkbox"/> Eye glasses                | <input type="checkbox"/> Medical Care (including prescriptions) |
| <input type="checkbox"/> School supplies            | <input type="checkbox"/> Mental Health Care                     |
| <input type="checkbox"/> Hygiene materials          | <input type="checkbox"/> Life skills training                   |
| <input type="checkbox"/> Dental Care                | <input type="checkbox"/> Substance abuse treatment              |
| <input type="checkbox"/> Tutoring                   | <input type="checkbox"/> Job training                           |
| <input type="checkbox"/> Child Care/Early Childhood |   |

16. List the agencies/shelters that you have referred to the student  
and/or family.

Additional notes:

**What are the education rights of homeless children and youth?** Our schools provide equal and comparable access to all students regardless of their home living situation. Homeless children and youth have specific rights that include:

1. Immediate enrollment in school and, when desired or feasible, at the school of origin.
2. Prompt provision of necessary services such as transportation and meal programs.
3. Appropriate support services and programs for which they are eligible, such as programs for gifted, children with disabilities, vocational education, preschool, etc.
4. Academic assistance through the district's federally funded Title I program.
5. Parent or guardian involvement in school activities.

**What is the school of origin?** The term "school of origin" means the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled. It is the district's responsibility to consider the best interests of the child or youth when making a decision regarding what school he or she should attend. Consideration must be given to placement at the school of origin unless doing so is so contrary to the wishes of the parent or guardian.

**What if there is a disagreement regarding school placement?** The parent, guardian or unaccompanied youth (a youth not in the physical custody of a parent or guardian) may appeal the placement decision if the district makes a placement in a school other than the school of origin or a school requested by the parent, guardian or unaccompanied youth. The student will be immediately enrolled in the school in which enrollment was requested by the student or parent while an appeal is pending. The person indicated above will provide information and assistance regarding such an appeal.

## **No Child or Youth Should Be Denied Access to a Free and Appropriate Public Education**

### **NUTRITION GUIDELINES**

#### **Nutritional Quality of Foods and Beverages Sold and Served in schools in the Scranton School District**

##### **School Meals**

The Scranton School District will strive to increase participation in Federal Child Nutrition Programs including the National School Lunch and School Breakfast programs. Meals served through the National School Lunch and Breakfast Programs will:

- be appealing and attractive to children;
- be served in clean and pleasant settings;
- meet, at a minimum, nutrition requirements established by local, state, and federal statutes and regulations;
- offer a variety of fruits and vegetables;
- serve only lower-fat (2%) and fat-free milk and nutritionally-equivalent non-dairy alternatives (to be defined by USDA); and
- promote whole grains

Schools should engage students and parents, through taste-tests of new entrees and surveys, in selecting foods sold through the school meal programs in order to identify new, healthful, and appealing food choices. In addition, schools should share information about the nutritional content of meals with parents and students. Such information could be made available on menus, a website, on the cafeteria menu boards, placards, or other point-of-purchase materials.

**Breakfast.** To ensure that all children have breakfast, either at home or at school, in order to meet their nutritional needs and enhance their ability to learn:

- Schools will, to the extent possible, operate the School Breakfast Program.
- Schools will, to the extent possible, arrange bus schedules and utilize methods to serve school breakfasts that encourage participation, including serving breakfast in the classroom, “grab-and-go” breakfast, or breakfast during morning break of recess.
- Schools that serve breakfast to students will notify parents and students of the availability of the School Breakfast Program.

- Schools will encourage parents to provide a healthy breakfast for their children through newsletter articles, take-home materials, or other means.

**Community Eligibility Program (CEP).** Scranton School District has continued its enrollment in the Community Eligibility Program (CEP). This program allows all students, regardless of income, to receive a nutritious breakfast and lunch, daily, at no cost. **FREE BREAKFAST** is available for all students every day. **FREE LUNCH** is available for all students every day. Scranton School District will utilize electronic identification and payment systems in all buildings for students who wish to purchase additional meals or ala carte items; provide meals at no charge to all children, regardless of income; promote the availability of school meals to all students; and/or use nontraditional methods for serving school meals, such as “grab-and-go” or classroom breakfast.

**Summer Food Service Program.** The Scranton School District will continue to participate in the Summer Food Service Program. The District will provide free meals to all school age children, up to age 18, at participating sites where eligible. Eligibility of the site is determined by the area school’s level of poverty. Schools where more than 50% of students are considered below the poverty level are eligible. A list of all sites will be made public annually along with the dates and times of the meal service.

**Meal Times and Scheduling.** Schools:

- will provide students with at least 10 minutes to eat after sitting down for breakfast and 20 minutes after sitting down for lunch;
- will schedule meal periods at appropriate times;
- will not schedule tutoring, club, or organizational meetings or activities during mealtimes, unless students may eat during such activities;
- will schedule lunch periods to follow recess periods (in elementary schools);
- will provide cafeterias with enough service areas so that students do not have to spend too much time waiting in line;
- will provide dining areas that are attractive and have enough space for seating all students;
- will provide students access to hand washing or hand sanitizing before they eat meals or snacks.

**Qualifications of School Food Service Staff.** Qualified nutrition professionals will administer the school meal programs. As part of the school district’s responsibility to operate a food service program, we will provide 12 hours of continuing professional development for all nutrition professionals in schools.

**Sharing of Foods and Beverages.** Schools will discourage students from sharing their food or beverages with one another during meal and snack times, given concerns about allergies and other restrictions on some children’s diets.

**Food Safety and Security.** All foods available in schools will comply with state and local safety and sanitation guidelines. For the safety and security of the food and facility, access to the food service operations is limited to food service staff and authorized personnel only.

**Food and Beverages Sold Individually (i.e., foods sold outside of reimbursable school meals, such as through vending machines, cafeteria a la carte [snack] lines, fundraisers, school stores, etc.)**

**Middle/Junior High and High Schools.** In middle/junior high and high schools, all foods and beverages sold individually outside the reimbursable school meal programs (including those sold through a la carte [snack] lines, vending machines, student stores, or fundraising activities) during the school day, or through programs for students after the school day, will meet the following nutrition and portion size standards:

### **Beverages**

- All beverages sold will be water, 100% juice and/or light (50% blend) or milk (2%, 1% and non- fat).
- Those not allowed include soft drinks containing caloric sweeteners.

### **Foods**

A food item sold individually:

- will have no more 35% of its calories from fat (excluding nuts, seeds, peanut butter, and other nut butters);
- will not have sugar as the first ingredient;
- provide minimal trans fatty acids;
- packages will be single serve;
- will not include any foods of minimal nutritional value according to Federal National School Lunch Guidelines; and
- include items that contain greater than 2 grams of fiber per serving.
- Candy will not be served or sold during the school day.

A choice of at least two fruits and/or non-fried vegetables will be offered for sale at any location on the school site where foods are sold. Such items could include, but are not limited to, fresh fruits and vegetables; 100% fruit or vegetable juice; cooked, dried, or canned fruits (canned in fruit juice or light syrup); and cooked, dried, or canned vegetables (that meet the above fat guidelines).

**Fundraising Activities (including school stores).** To support children's health and school nutrition-education efforts, school fundraising activities will:

- Will limit those during the school day involving food or will use only foods that meet the above nutrition standards for foods and beverages sold individually.
- Will not allow foods of minimal nutritional value (as defined by the National School Lunch guidelines) to be sold during the school day, i.e. candy.
- Will only allow any food items sold as part of a fund raising activity not meeting the nutritional standards for foods and beverages to be available at the end of the school day.
- Will encourage fundraising activities that promote physical activity.

- Will encourage that foods sold as fundraisers are available for sale outside of the school day and will support healthy eating habits by limiting high sugar and high fat foods.

The school district will make available a list of ideas for acceptable fundraising activities (see handbook).

**Snacks.** Snacks served during the school day or in after-school care or enrichment programs will make a positive contribution to children’s diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage. Schools will assess if and when to offer snacks based on timing of school meals, children’s nutritional needs, children’s ages, and other considerations. The district will disseminate a list of healthful snack items to teachers, after-school program personnel, and parents.

- If eligible, schools that provide snacks through after-school programs will pursue receiving reimbursements through the National School Lunch Program.

**Rewards.** Schools will not use foods or beverages, especially those that do not meet the nutrition standards for foods and beverages (above), as rewards for academic performance or good behavior, and will not withhold food or beverages (including food served through school meals) as a punishment.

**Celebrations.** Schools should encourage parties that include foods or beverages that meet nutritional standards for foods and beverages (above).

**School-Sponsored Events (such as, but not limited to, athletic events, dances, or performances).** Foods and beverages offered or sold at school-sponsored events outside the school day will meet the nutrition standards for meals or for foods and beverages (above). The district will disseminate a list of healthy snacks to parents and teachers.

## **ACADEMIC STANDARDS**

Academic standards describe the knowledge and skills that students should know and be able to demonstrate throughout their public school careers. The Scranton School District provides for attainment of academic standards as per Chapter 4, Section 4.12. The Pennsylvania Academic Standards guide the educational program in these areas in the district:

1. **Science and Technology:** study of the natural world and facts, principles, theories, and laws in the areas of biology, chemistry, physics, and earth sciences. Technology is the application of science to enable societal development including food and fiber production, manufacturing, building, transportation, and communication. Science and technology share the use of the senses, science processes, inquiry, investigation, analysis, and problem solving strategies.
2. **Environment and Ecology:** understanding the components of ecological systems and their interrelationships with social systems and technologies. These components incorporate the disciplines of resource management, agricultural diversity, government, and the impact of human actions on natural systems. The interaction leads to the study of watersheds, threatened and endangered species, pest management, and the development of laws and regulations.
3. **Social Studies:**

- A. *History*: study of the record of human experience including important events; interactions of culture, race and ideas; the nature of prejudice; change and continuity in political systems; effects of technology; importance of global – international perspectives; and the integration of geography, economics, and civics studies of major developments in the history of Pennsylvania, the United States, and the World.
- B. *Geography*: study of relationships among people, places, and environments, of geographic tools and methods, characteristics of place, concept of region and physical processes.
- C. *Civics and Government*: study of the United States constitutional democracy, its values and principles, study of the Pennsylvania Constitution and government including the study of principles, operations, and documents of governments, rights and responsibilities of citizens, how governments work and international relations.
- D. *Economics*: study of how individuals and societies choose to use resources to produce, and distribute consumer goods and services; knowledge of economics reasoning and basic economics concepts,

economic decision making, economic systems, Pennsylvania and the US economy, and international trade.

- 4. **Arts and Humanities**: study of dance, theater, music, visual arts, language and literature, including forms of expression, historical and cultural context, critical and aesthetic judgment and production, performance and exhibition of work.
- 5. **Career Education and Work**: understanding career options in relationship to individual interests, aptitudes and skills including the relationship between changes in society, technology, government, and economy and their effects on individuals and careers; development of knowledge and skill in job-seeking and job-retaining skills and job-retaining skills and, for students completing vocational-technical programs, the skills to succeed in the occupation for which they are prepared.
- 6. **Health, Safety, Physical Education**: study of concepts and skills which affect personal, family and community, health and safety, nutrition, physical fitness, movement concepts and strategies, safety in physical activity setting, and leadership and cooperation in physical activities.
- 7. **Family and Consumer Science**: understanding the role of consumers as a foundation for managing available resources to provide personal and family needs and to provide basic knowledge of child health and child care skills.
- 8. **Mathematics**: study of number system and number relationships, computation and estimation, measurement, mathematical reasoning and connections, mathematical problem solving and communication, statistics, data analysis, probability, predictions, algebra, functions, geometry, trigonometry, and concepts of calculus.

### **Pennsylvania Core Standards**

The State Board adopted Common Core Standards in July 2010. Since that time, the decision was made to craft a set of Pennsylvania (PA) Core Standards tailored to meet our state specific needs in English Language Arts and Mathematics, as well as for Language Arts and Literacy in History/Social Studies and Science/Technical Subjects.

A group of Pennsylvania educators crafted the PA Core Standards, which mirror the academic rigor of the Common Core State Standards, are attainable for students, practicable for teachers and districts, and reflect the organization and design of the PA Academic Standards.

In compliance with Chapter 4 (§4.11), Pennsylvania’s Core Standards are a set of rigorous, high-quality academic expectations in English Language Arts (ELA) and mathematics that all students should master by the end of each grade level. The PA Core Standards are robust and relevant to the real world and reflect the knowledge and skills our young people need to succeed in life after high school, in both postsecondary education and a globally competitive workforce.

1. **English Language Arts**

Upon publication in the *Pennsylvania Bulletin*, following full implementation of a transition plan to be developed by the Department in collaboration with education stakeholders, academic standards will be based on the Pennsylvania Core Standards for English Language Arts.

2. **Mathematics**

The understanding of fundamental ideas and the development of proficient mathematical skills in numbers, computation, measurement, statistics and data analysis, probability and predictions, algebra and functions, geometry, trigonometry and concepts of calculus. Using this content, students will learn to think, reason and communicate mathematically. Students will learn to model real-world situations by creating appropriate representations of numerical quantities and plan and implement problem-solving strategies to answer the question in the context of the situation. Upon publication in the *Pennsylvania Bulletin*, following implementation of a transition plan to be developed by the Department in collaboration with education stakeholders, academic standards will be based on the Pennsylvania Core Standards for Mathematics.

## **ACADEMIC INTEGRITY POLICY**

Plagiarism and academic integrity are serious issues in the Scranton School District. The Scranton School District expects all students to demonstrate honest and ethical behavior when submitting assigned work.

As cited from the MLA (Modern Language Association) *Handbook for Writers of Research Papers*: “*plagiarism* refers to a form of cheating that has been defined as ‘the false assumption of authority: the wrongful act of taking the product of another person’s mind, and presenting it as one’s own’ (Alexander Lindey, Plagiarism and Originality) [New York: Harper, 1952] 2). To use another person’s ideas or expressions in your writing without acknowledging the source is to plagiarize. Plagiarism, then, constitutes intellectual theft and often carries severe penalties. Plagiarism includes not only intellectual theft of published work but also from unpublished work (such as papers written by other students).

### **Plagiarism/Academic Theft includes but is not limited to:**

- Quoting without citation: taking the exact words of another and using them as your own.
- Paraphrasing without citation: stating the ideas of another in your own words.
- Summarizing without citation: condensing a large amount of information into your own words.



- The deliberate use of unauthorized notes, calculators, cheat sheets, computers, or material forbidden by the instructor.
- Copying answers from another student or providing questions or answers to another student, including homework, tests, quizzes, and projects.
- Stealing tests or quizzes; duplicating tests or quizzes; using electronic devices (camera phones); purchasing material to be handed in as their own work; hiring individuals to produce work for them; or hacking into a school computer system to obtain secure information. (Hacking will result in loss of computer privileges and could result in a student's removal from any course in which computer access is essential.)
- Must be formally acknowledged according to acceptable standards of documentation, i.e. MLA or APA Formats.

In the event that a student plagiarized information or ideas or cheated, the student can expect consequences listed below:

- Grade of 0% on the assignment
- Parent notification
- Documentation in student file
- Detention
- Removal from the National Honor Society or forfeit right to apply
- Subsequent offenses are subject to additional discipline.
- The administration reserves the right to remove or suspend a student from extracurricular activities for major academic integrity violations.

Students should review the teacher's requirements for the assignment and MLA 7 styling. Purdue Owl provides a host of material to aid students in Writing Assignments for all disciplines. Purdue Owl, <http://owl.english.purdue.edu/>, also contains a user-friendly guide to MLA styling and APA styling in the event a teacher requests APA.

### **Eligibility for the 8<sup>th</sup> grade Awards Ceremony Participation and 8th grade School Dance**

All eighth graders are invited to participate in our 8th grade Awards Ceremony and 8th grade School Dance provided that they are academically eligible to do so. **Students who have a cumulative failing grade in two or more core academic subjects will not be permitted to participate in our 8<sup>th</sup> grade Awards Ceremony or 8th grade School Dance at the end of the year.**

### **REPORT CARDS/PROGRESS REPORTS AND GRADES**

Parents should feel free to contact the guidance office regarding their student's performance at school. Parents may gain access to student progress through SSD Home Access Center at [www.scrsd.org](http://www.scrsd.org), utilizing the Parent Resource tab. A Username and Password will be provided for each student.

Report cards are issued four times throughout the school year. Approximately 8 school days following the end of any 45 day marking period, a report card is sent to the student's parent(s) or guardian(s).

Students receiving an incomplete grade on their report cards must make up the grade within two weeks of the issuance of the report card or their return to school. Teachers may assign a failing grade for any student not completing the required work within that time. Any grade below 70% is failing. It is recommended that failed subjects be made up during the summer.

### **STUDENT IDENTIFICATION CARDS**

The student identification card will help improve security in our schools. Students wearing a visible student identification card will be easily identified by other students and staff. The student identification card may also serve as a student services card that will include but not be limited to attendance, lunch card, bus card, activity card, etc.

During normal school hours and while on school district property, all students are required to wear an official district identification card. The identification card shall be worn on a lanyard around the student's neck. The identification card must be visible for staff and administration to see.

The identification card is the property of the district. The student identification card must be relinquished to any staff member or bus driver upon request. If a student withdraws from the district, the identification card must be returned to the Security Office of the student's school.

One (1) identification card shall be issued to each student at no cost. Due to material costs, a charge of five dollars (\$5.00), payable by check or money order, shall be charged for each replacement card. Replacement break away lanyards may be purchased at a cost of two dollars (\$2.00) each, payable to the district by check or money order only.

This charge shall be used to help defray the expenses of materials and create an additional card. This fee shall be paid to security personnel at the photo identification site. Students are only allowed to possess one (1) identification card at a time.

If a card is lost, stolen, or broken, a temporary ID will be issued until a new identification card is made. This temporary ID will only be valid for a maximum of one (1) school day.

Students will be checked for their identification cards upon entry into a building. Students will not be permitted in school without an identification card and will have to wait in the corridor so an SRO/SSO can escort the student to the main office to get a temporary ID for that day only. Teachers will be responsible for checking students as they enter their classrooms to ensure that they are still displaying their identification cards.

No student shall possess another student's identification card. If a student finds another student's identification card, that card must be immediately turned over to a member of the teaching staff, security, school police or administrative staff. The card shall then be turned over to Security who will be responsible for determining how the student became separated from his/her card and returning it to him/her.

New enrollees shall report to their school counselor as part of their registration process where they will be issued an identification card.

The photo identification equipment will be run and maintained by the district.

Identification cards must be properly worn by all students at all times during the school year. The ID is to be worn in full display on the chest area on a district approved lanyard. It is a violation of school policy to be in possession of some other person's identification card or to lend an identification card to another person.

New photo identification pictures will be taken and new cards issued when necessary due to wear or substantial changes to a student's appearance.

Students are responsible to report lost, damaged or stolen identification cards immediately upon discovery to a teacher, security officer, school police officer or administrator. Security will be notified as soon as practical in order to document the missing card and issue a new card.

Students must be in adherence to the dress code when having a photo taken for an ID card. No gang colors or symbols shall be allowed. No sunglasses, hats or face masks shall be allowed.

Students are responsible for presenting their identification card upon request to any staff member or bus driver.

Students are responsible to swipe or "tap" their identification card on any card reader as required.

Students who are not displaying their identification card or a temporary identification issued by the school counselor shall be sent to the office immediately.

Students are not allowed to alter, deface or otherwise change the appearance of their ID cards.

Level One	Level Two	Level Three
Student reports that s/he forgot their ID card	Student is caught without an ID card	Student has a counterfeit ID or ID belonging to another student

<p>One time occurrence is allowed.</p> <p>A temporary ID will be issued and the offense recorded</p>	<p><b><u>First Offense</u></b></p> <p>Warning is recorded and a temporary ID issued if necessary.</p> <p><b><u>Second Offense</u></b></p> <p>Parent/Guardian notified and a temporary ID issued if necessary.</p> <p><b><u>Third Offense</u></b></p> <p>Detention and/or possible out of school suspension (OSS).</p>	<p><b><u>First Offense</u></b></p> <p>Suspension.</p> <p><b><u>Continued Offenses</u></b></p> <p>According to the discipline policy, all count towards possible expulsion.</p>
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## **SCRANTON SCHOOL DISTRICT CODE OF CONDUCT TIERED K-12 DISCIPLINE POLICY**

A safe and productive learning environment is important for the success of our students. It is important that we work together to ensure that the safety of our students is the utmost priority. We will need the cooperation from all students, parents, guardians, administrators, teachers, support staff and the community at large to enforce the Code of Conduct. We also appreciate our many community partners who contribute to the safety of our schools in the community. Responsibilities of students, parents/guardians, faculty/staff and administrators are clearly stated. Charts make it clearer to see what consequences are imposed when the Code of Conduct is not followed. These charts cover the four levels of infractions. However, in all cases the administrator still retains the right, privilege and ability to discipline in their absolute discretion. These guidelines are merely advisory.

The impact of trauma on classroom behavior is a guiding principle in developing school discipline. Therefore, balancing appropriate school discipline with classroom effectiveness and positive outcomes for students can be a challenge. The benefits of using positive school discipline are many, including but not limited to: students are more engaged and on task; classrooms are managed well, parents feel welcomed and are engaged, and office disciplinary referrals, as well as suspensions and expulsions are reduced. In turn, academic achievement, attendance, and graduation rates improved.

Any referral of a student to the Principal/Assistant Principal only occurs after all other preventative and corrective measures have been exhausted within the classroom.

The following disciplinary procedures are the results of trauma informed research, in which the listed consequences are supplementary to mindful classrooms and restorative practices. The consequences are integrated into each building's fluid MTSS plan.

## **LEVEL I: INFRACTIONS and CONSEQUENCES**

Infractions and consequences should be addressed and documented by the classroom teacher. Consequences are assigned depending on age, disciplinary history and infraction.

### **PARENT/GUARDIANS**

- Speak directly with the administrator/teacher disciplining your child.
- If unsatisfied, speak with the principal.
- If still unsatisfied after speaking with the principal, then depending on the grade level of your child, speak with the respective Central Administrator.

## **LEVEL I: INFRACTIONS**

### **EXAMPLES:**

- Tardy to school or class
- Dress Code
- Unauthorized Use of Electronic Devices
- Eating/Drinking outside designed areas
- Minor classroom disruption/Hall/Restroom/Café
- Public Displays of Affection
- Insubordination

## **LEVEL I: CONSEQUENCES**

(Will be determined by School Administrators)

<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>3 + Offenses</b>
<ul style="list-style-type: none"><li>• Verbal Warning</li><li>• Non-verbal signal reprimand/redirections</li><li>• Withdrawal of privileges</li><li>• Conference with Student</li><li>• Parent Contact</li><li>• Time in Office</li></ul>	<ul style="list-style-type: none"><li>• Withdrawal of privileges</li><li>• Conference with Student</li><li>• Parent Contact</li><li>• Reflection Assignment</li><li>• A.M./P.M. Detention</li><li>• Lunch Detention</li></ul>	<ul style="list-style-type: none"><li>• Parent Contact</li><li>• Reflection Assignment</li><li>• Multiple A.M./P.M. Detentions</li><li>• Lunch Detention</li><li>• Withdrawal of privileges</li><li>• In-School Suspension</li></ul>	<ul style="list-style-type: none"><li>• Behavior modification contract</li><li>• Parent Conference</li><li>• In-School Suspension</li><li>• Tier II Referral</li><li>• Out of School Suspension</li><li>• Revision of IEP</li></ul>

**In accordance with section 13-1317 of the Pennsylvania Public School Code, every teacher, vice principal and principal in the public schools shall have the right to exercise the same authority as to conduct and behavior over the pupils attending his school, during the time they are in attendance, including the time required in going to and from their homes, as the parents, guardians or persons in parental relation to such**

**pupils may exercise over them. This Code of Conduct represents the minimum, and not the maximum authority retained by school district officials to maintain school discipline and decorum at all times.**

## **LEVEL II: INFRACTIONS and CONSEQUENCES**

Infractions and consequences should be addressed and documented by the classroom teacher. Consequences are assigned depending on age, disciplinary history and infraction. Upon receipt and review of the teacher's report, the Principal shall make necessary inquiries and take appropriate action, of which the teacher shall be given written notice of student disciplinary action.

## **PARENT/GUARDIANS**

- Speak directly with the administrator/teacher disciplining your child.
- If unsatisfied, speak with the principal.
- If still unsatisfied after speaking with the principal, then depending on the grade level of your child, speak with the respective Central Administrator.

## **LEVEL II: INFRACTIONS**

### **EXAMPLES:**

- Repeated Level I Infractions
- Multiple Class Cuts
- Chronic Tardiness
- Attendance Policy Violations
- Chronic Disruptive Behavior
- Inappropriate Contact, Language or Gestures
- Leaving the classroom without permission
- Unauthorized Sale of anything that is not a safety threat
- Hindering Investigation
- Cheating and Plagiarism
- Misbehavior in Halls/Café
- Dress Code Violations
- Violation of Locker Policy
- Violation of acceptable Use Policy
- Bus Misconduct
- Defiance/Disrespect
- Gross Insubordination

## **LEVEL II: CONSEQUENCES**

**(Will be determined by School Administrators)**

<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>3 + Offenses</b>
<ul style="list-style-type: none"><li>● Withdrawal of privileges</li><li>● Conference with Student</li><li>● Parent Contact</li><li>● Reflection Assignment</li><li>● A.M. or After School Detention</li><li>● Lunch Detention</li></ul>	<ul style="list-style-type: none"><li>● Withdrawal of privileges</li><li>● Parent Contact</li><li>● Reflection Assignment</li><li>● A.M./P.M. Detention</li><li>● Lunch Detention</li><li>● In-School Suspension</li></ul>	<ul style="list-style-type: none"><li>● Parent Contact</li><li>● Multiple A.M./P.M. Detentions</li><li>● Lunch Detention</li><li>● Withdrawal of privileges</li><li>● In-School Suspension</li><li>● Out of School Suspension</li></ul>	<ul style="list-style-type: none"><li>● Parent Conference</li><li>● In-School Suspension</li><li>● Tier II Referral</li><li>● Out of School Suspension</li><li>● SAP Referral</li><li>● Revision of IEP</li></ul>

**In accordance with section 13-1317 of the Pennsylvania Public School Code, every teacher, vice principal and principal in the public schools shall have the right to exercise the same authority as to conduct and behavior over the pupils attending his school, during the time they are in attendance, including the time required in going to and from their homes, as the parents, guardians or persons in parental relation to such pupils may exercise over them. This Code of Conduct represents the minimum, and not the maximum authority retained by school district officials to maintain school discipline and decorum at all times.**

## **LEVEL III: INFRACTIONS and CONSEQUENCES**

Infractions and consequences should be addressed and documented by the classroom teacher. Consequences are assigned depending on age, disciplinary history and infraction. The teacher shall continue to apprise the Principal of the student's progress or lack thereof with the assistance of the child study team process input in order that the Principal will continue to monitor the essence of the discipline issue(s) that are occurring.

### **PARENT/GUARDIANS**

- Speak directly with the administrator/teacher disciplining your child.
- If unsatisfied, speak with the principal.
- If still unsatisfied after speaking with the principal, then depending on the grade level of your child, speak with the respective Central Administrator.

### **LEVEL III: INFRACTIONS**

#### **EXAMPLES:**

- Repeated Level II Infractions
- Persistent Disruptive Behavior
- Bullying/Cyber Bullying
- Harassment including Sexual/ Language or Gestures
- Leaving school property without permission

- Persistent Defiance or Disrespect
- Possession of Tobacco
- Possession or sale of Contraband
- Vandalism/Graffiti
- Fighting
- Threatening another person or Property or Physical Harm
- Violation of acceptable Use Policy
- Persistent Gang Policy Violations

**LEVEL III: CONSEQUENCES**

**(Will be determined by School Administrators)**

<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>
<ul style="list-style-type: none"> <li>● Parent Contact</li> <li>● A.M or Afterschool Detention</li> <li>● Lunch Detention</li> <li>● In School Suspension</li> <li>● Out of School Suspension</li> <li>● Reported to Scranton Police Department if violation of PA Crimes Code/Lackawanna Safe School Act</li> <li>● Possible Expulsion</li> </ul>	<ul style="list-style-type: none"> <li>● Parent Contact</li> <li>● In-School Suspension</li> <li>● Out of School Suspension</li> <li>● Reported to Scranton Police Department if violation of PA Crimes Code/Lackawanna Safe School Act</li> <li>● Tier II Referral</li> <li>● Possible Expulsion</li> </ul>	<ul style="list-style-type: none"> <li>● Parent Contact</li> <li>● In-School Suspension</li> <li>● Out of School Suspension</li> <li>● Reported to Scranton Police Department if violation of PA Crimes Code/Lackawanna Safe School Act</li> <li>● Tier II Referral</li> <li>● Possible Expulsion</li> <li>● Revision of IEP</li> </ul>

**In accordance with section 13-1317 of the Pennsylvania Public School Code, every teacher, vice principal and principal in the public schools shall have the right to exercise the same authority as to conduct and behavior over the pupils attending his school, during the time they are in attendance, including the time required in going to and from their homes, as the parents, guardians or persons in parental relation to such pupils may exercise over them. This Code of Conduct represents the minimum, and not the maximum authority retained by school district officials to maintain school discipline and decorum at all times.**

**LEVEL IV: INFRACTIONS/CONSEQUENCES**

Infractions and consequences should be addressed and documented by the classroom teacher. Consequences are assigned depending on age, disciplinary history and infraction. If no notable progress has been made in the student’s behavior after the time indicated by the child study process the principal shall then request the child study team to recommend an appropriate evaluation for proper placement of the student.

**PARENT/GUARDIANS**

- Speak directly with the administrator/teacher disciplining your child.



- If unsatisfied, speak with the principal.
- If still unsatisfied after speaking with the principal, then depending on the grade level of your child, speak with the respective Central Administrator.

**LEVEL IV: INFRACTIONS**

**EXAMPLES:**

- Repeated - Level III Infractions
- Fighting w/ Bodily Injury
- Threatening School Personnel
- Assault School Personnel
- Violation of Lackawanna Safe School Policies
- Sexual Assault/Indecent Exposure
- Arson: Bomb Threats
- Weapons Policy Violation
- Substance Use Policy Violation
- Theft/Robbery
- Extortion
- Intimidation
- Terroristic Threats
- Bullying/Cyber Bullying
- Possession or sale of contraband
- Vandalism or Institutional Vandalism or Graffiti
- Any Act deemed inappropriate by the Administration
- False accusations made by a student toward staff

**LEVEL IV: CONSEQUENCES**

**(Will be determined by School Administrators)**

Consequence
<ul style="list-style-type: none"> <li>● Out of School Suspension</li> <li>● Reported to Scranton Police Department</li> <li>● Immediate Removal from school assignment</li> <li>● Possible Referral to Alternative School Placement</li> <li>● Revision of IEP</li> <li>● Manifestation Determination</li> <li>● Expulsion</li> </ul>

**In accordance with section 13-1317 of the Pennsylvania Public School Code, every teacher, vice principal and principal in the public schools shall have the right to exercise the same authority as to conduct and behavior over the pupils attending his school, during the time they are in attendance, including the time**

**required in going to and from their homes, as the parents, guardians or persons in parental relation to such pupils may exercise over them. This Code of Conduct represents the minimum, and not the maximum authority retained by school district officials to maintain school discipline and decorum at all times.**

**SEE WEBSITE FOR COMPLETE POLICIES:**

[www.scrsd.org](http://www.scrsd.org)

### **DETENTION GUIDELINES**

Students will meet with an administrator to be informed of the reason they were referred and what the consequences are for the infraction according to the discipline policy when a disciplinary referral is submitted. Students will sign a log to document that a meeting took place with an administrator.

Should a student receive detention as a result of a disciplinary referral, the following procedures apply:

- A student copy of the detention date will be given to the student after it is assigned by the school administration.
- Parents/guardians or students are responsible for transportation to detention.
- The detention supervisor may use his or her discretion with respect to lavatory requests.
- Students are to be quiet during detention. They are required to do school work. Sleeping is prohibited and will result in an additional detention. Hats or other headwear are prohibited in detention, as are cell phones and other electronic devices.
- No food or drink is allowed in detention. For morning detentions students are to have breakfast prior to arrival at school or at the conclusion of detention.
- Disruptions in detention will result in further disciplinary action.
- Students are not excused from detention or alternative action because of any commitment to any sports team, including regular practices and games; other school extra-curricular activities; work or transportation problems.
- Students are not permitted to use the computer during detention hours.
- Students must be on time for detention. If a student is late for detention, the student will remain in detention and be assigned an additional detention.
- Any detention that is canceled due to weather delay or cancellation is automatically re-scheduled for the next day detention is held.

Any student who is a persistent disciplinary problem can be deemed ineligible to participate in any extracurricular school activity at the discretion of the school administration or be assigned any other alternative disciplinary action.

### **DETENTION CUT PROCEDURE**

Cutting detention will result in the following sequence of events:

- First cut Original detention + one (1) additional detention
- Second and subsequent cut Original detention + one day (1) of in-school suspension

Detention cuts are counted cumulatively throughout the school year. Failure to fulfill detention obligations may result in students losing privileges such as dances, report cards, field trips, and/or commencement ceremonies.

## **IN-SCHOOL SUSPENSION GUIDELINES**

Students will meet with an administrator to be informed of the reason they were referred and what the consequences are for the infraction according to the discipline policy when a disciplinary referral is submitted. Students will sign a log to document that a meeting took place with an administrator.

Should a student be assigned in-school suspension as a result of a disciplinary referral, the following procedures apply during the day:

- Students should report directly to the in-school suspension room with ALL of their books, assignments, and all needed materials at the start of the school day. Students may not travel to their lockers during the school day. Students are required to turn in their cell phones, earbuds/headphones, and any other item(s) deemed necessary to the in-school suspension teacher. These item(s) will be returned at the end of the day. Failure to cooperate will result in an additional day of ISS.
- A bathroom break for students will be scheduled in the morning and afternoon. The ISS supervisor will bring students collectively to the lavatory at 10:00 AM and 1:15 PM for this purpose. Supervisors may allow individual students an additional bathroom trip for emergencies only on a limited basis.
- No talking is allowed in the ISS room except when students converse about an assignment as approved by the ISS supervisor. Computers may be used to complete that day's assigned work with ISS supervisor approval. All electronic devices are prohibited in ISS with the exception of student assigned Chromebooks.
- Students are responsible for getting all classwork to be completed during their assigned ISS.
- All assignments that are given to the student in ISS must be completed by the end of the day (unless the teacher notes otherwise). The assignments are then collected and returned to the individual teacher's mailbox at the end of the day. In the event of extenuating circumstances, the ISS supervisor will assign work in lieu of teacher assigned work. Each department will provide some form of supplemental material available to the ISS supervisors for this purpose at the start of the school year.
- Students will be escorted by the ISS proctor to the cafeteria to get their lunch and then return to the ISS room to eat their lunch. Students may not sleep or put their heads down during ISS. Students must demonstrate respect for the ISS supervisor and the classroom environment at all times.
- All school policies will be enforced during ISS. Failure to comply with the established policies will result in further administrative action. Disciplinary problems in ISS or failure to serve the ISS may result in an out-of-school suspension. The original ISS will be reassigned and must be served.

## **OUT-OF-SCHOOL SUSPENSION GUIDELINES**

Depending upon the severity of the infraction, a school administrator has the authority to suspend a student for up to ten (10) days for a single disciplinary infraction. Violation of school rules or conduct which is inappropriate for the school environment may result in exclusion from school. Assignments and tests must be completed upon return to school. Work will be made available from teachers upon request. During an out-of-school suspension, students may not attend or participate in school activities, including away athletic contests. Students are not to be present on District properties for any reason during the exclusion from school. A mandatory parent meeting is

required for all out-of-school suspensions.

### **OUT OF SCHOOL SUSPENSION INFORMAL HEARINGS**

Education is a statutory right, and students shall be afforded due process if they are to be excluded from school.

In a case involving suspension either in- or out-of-school for a period of more than 3 school days, a student is entitled to 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 event for which the student is being suspended or to show why the student should not be suspended. The informal hearing is held to bring forth all relevant information regarding the event for which the student may be suspended and for students, their parents or guardians and school officials to discuss ways by which future offenses might be avoided. Notification of the reasons for the suspension shall be given in writing to the parents or guardians and to the student.

### **EXPULSION PROCEEDINGS**

Students learn about their responsibilities as good citizens throughout their school careers. As a good citizen, every student is expected to follow the rules of the Scranton School District, as well as the laws of the county, the state, and the nation.

To ensure that all students are familiar with behavior expectations in our schools, each year, the Scranton School District provides a current version of the **TIERED K-12 DISCIPLINE POLICY** located in the **Parent Student Handbook** for parents and students to read. When the school believes a student has violated the code and a long-term suspension or expulsion should be considered, the school refers the student to a disciplinary hearing.

#### **How Does This Process Begin?**

Student disciplinary expulsion waiver hearings are conducted when the school believes a student has violated the Pennsylvania School Code and a long term suspension or expulsion should be considered. When a major rule violation occurs involving your child, the board secretary schedules a disciplinary expulsion waiver hearing through the Compliance Office. The principal or assistant principal will conduct an informal hearing with you to discuss the incident and make you aware of the date and time of the disciplinary expulsion waiver hearing. Shortly after that, the board secretary will mail a packet of information to you including the following:

- Notice of suspension
- Waiver of your right to attend the hearing
- Procedures for conducting the disciplinary expulsion waiver hearing including your rights involving the hearing
- Your student will be suspended from school until the time of the hearing (normally 7-10 school days) and will not be allowed on any Scranton School District campuses or allowed to attend any Scranton School District events.

If your student is found in violation of the rule(s) at the disciplinary expulsion waiver hearing, you will be informed of the length of suspension at that time. Also, after the hearing, you will receive a letter from the Compliance Office informing you of the decision. The principal and/or assistant principal from your child's school

will attend the hearing. The school resource officer (SRO) may also attend. Additionally, the school may bring witnesses to testify. It is important that both you and your child attend the hearing so that your child has an opportunity to provide his or her version of the incident. You are allowed to have witnesses come and testify on your child's behalf. You are also allowed to have an attorney if you choose. However, if you do wish to bring an attorney, you must let the Compliance Office know 48 hours prior to the date of the disciplinary expulsion waiver

hearing in order for the school system to schedule an attorney to be present on its behalf. Hearing officers have a wide range of consequences available to them such as community service, restitution, the Creating Lasting Family Connections Class, in-school suspension, and additional days of out-of-school suspension. Hearing officers also have the authority to suspend your child up to one year (365 calendar days) and recommend permanent expulsion to the Board of Education. In the most serious cases, a hearing officer may submit a recommendation for

permanent expulsion. The Scranton School Board would then review the case and determine if permanent expulsion is merited.

### **Why a Hearing?**

According to Pennsylvania law, the local school principal may suspend a student for up to 10 days. If the principal recommends a suspension longer than 10 days, the student must be referred to an expulsion waiver hearing. The expulsion waiver hearing will be held in the Office of Compliance.

### **What Are Possible Consequences?**

The Compliance Officer will have a wide range of consequences available to them, including an Alternative Education for Disruptive Youth (AEDY) placement up to 180 school days (1 calendar year) and also may recommend a permanent expulsion to the Board of Education.

# **APPENDIX A**

## **Notice of Special Education Services 2024-2025**

El contenido de esta nota se ha escrito en inglés. Si usted no entiende esta nota, debe contactar el distrito escolar (vea los contactos) y solicite una explicación.

*The content of this notice has been written in English. If a person does not understand any of this notice, he or she should contact the school district (see Contacts) and request an explanation.*

All of the public schools of Northeastern Educational Intermediate Unit (IU 19), 1200 Line St., Archbald, Pennsylvania provide special education and related service to resident children with disabilities who are ages three through twenty-one. The purpose of this notice is to describe (1) the types of disabilities that might qualify the child for such programs and services, (2) the special education programs and related services that are available, (3) the process by which each of the public schools screens and evaluates such students to determine eligibility, and (4) the special rights that pertain to such children and their parents or legal guardians. The notice of Special Education Services is prepared annually by the Director of Special Education at IU 19 and is reported no later than each October on behalf of the member school districts. It is meant to inform the public as to the purpose and rights of special needs children and families.

### **What types of disability might qualify a child for special education and related services?**

Under the Individuals with Disabilities Education Act, commonly referred to as the “IDEA,” children qualify for special education and related services if they have one or more of the following disabilities and, as a result, demonstrate a need for special education and related services: (1) intellectual disabilities, (2) hearing impairments, including deafness, (3) speech or language impairments, (4) visual impairments, including blindness, (5) serious emotional disturbance, (6) orthopedic impairments, (7) autism, including pervasive developmental disorders; (8) traumatic brain injury, (9) other health impairment, (10) specific learning disabilities, (11) multiple disabilities, or (12) for preschool age children, developmental delays. If a child has more than one of the above-mentioned disabilities, the child could qualify for special education and related services as having multiple disabilities. Children ages three through nine years old may also be eligible if they have developmental delays and, as a result, need special education and related services.

The legal definitions of these disabilities, which the public schools are required to apply under the IDEA, may differ from those used in medical or clinical practice. Moreover, the IDEA definitions could apply to children

with disabilities that have very different medical or clinical disorders. A child with attention deficit hyperactivity disorder, for example, could qualify for special education and related services as a child with “other health impairments,” “serious emotional disturbance,” or “specific learning disabilities” if the child meets the eligibility criteria under one or more of these disability categories and if the child needs special education and related services as a result.

Signs of developmental delays or risk factors that might indicate a disability could include, but are not limited to, poor prenatal care, birth trauma, febrile or other seizure activity, severe reaction to early medication or inoculation requiring extended medical care, or severe trauma to the head, followed by failure to attain developmental milestones for communication, motor development, socialization, emotional development, self-help skills, or cognition; unexplained failure to attain developmental milestones in these areas; failure to use toys and other objects in a developmentally appropriate manner; persistent inability to sustain attention at levels sufficient to complete age-appropriate tasks; easy frustration with developmentally-appropriate tasks or activities; difficulty with coloring, letter formation, or drawing lines and shapes within age-appropriate parameters; difficulty building or sustaining age-appropriate relationships or conversations; persistent difficulty tolerating the presence of or interactions with peers or adults; persistent and severe disciplinary actions in preschool or school settings; failure to develop age or grade-level appropriate reading, writing, mathematical, listening, or speaking skills after exposure to sound instruction in these areas by qualified teachers; and failure to pass routine vision or hearing screenings. Other information regarding potential signs of developmental delays and other risk factors that could indicate disabilities can be found by contacting IU 19.

Under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, some school age children with disabilities who do not meet the eligibility criteria under the IDEA might nevertheless be eligible for special protections and for adaptations and accommodations in instruction, facilities, and activities. Children are entitled to such protections, adaptations, and accommodations if they have a mental or physical disability that substantially limits or prohibits participation in or access to an aspect of the school program, whether academic or non-academic in nature.

### **What programs and services are available for children with disabilities?**

Public schools must ensure that children with disabilities are educated to the maximum extent appropriate in settings with their non-disabled peers, commonly referred to as the least restrictive environment. Programs and services available to students with disabilities, in descending order of preference, are (1) regular class placement with supplementary aides and services provided as needed in that environment, (2) regular class placement for most of the school day with itinerant service by a special education teacher either in or out of the regular classroom for 20 percent or less of the school day, (3) regular class placement for some of the school day with

supplemental instruction provided by a special education teacher for more than 20 percent, but less than 80 percent of the school day, (4) instruction provided by a special education teacher for more than 80 percent of the school day, and (5) special education services, with or without regular classroom placement, either in an alternative public school setting or in a private school, treatment facility, hospital, detention center or prison, on a day or residential basis.

Depending on the nature and severity of the disability, the public school can provide special education programs and services in (1) the public school the child would attend if not disabled, (2) an alternative regular public school either in or outside the school district of residence, (3) a special education center operated by a public school

entity, (4) an approved private school or other private facility licensed to serve children with disabilities, (5) a residential school, (6) an approved out-of-state program, or (7) the home.

Special education services are provided according to the primary educational needs of the child, not the category of disability. The types of service available are (1) learning support, for students who primarily need assistance with the acquisition of academic skills, (2) life skills support, for students who primarily need assistance with development of skills for independent living, (3) emotional support, for students who primarily need assistance with social or emotional development, (4) deaf or hearing impaired support, for students who primarily need assistance with compensatory skills to address deafness, (5) blind or visually impaired support, for students who primarily need assistance with compensatory skills to address blindness, (6) physical support, for students who primarily require physical assistance in the learning environment, (7) autistic support, for students who primarily need assistance in the areas affected by autism spectrum disorders, and (8) multiple disabilities support, for student who primarily need assistance in multiple areas affected by their disabilities.

Related services are designed to enable the child to participate in or access his or her program of special education. Examples of related services are speech and language therapy, occupational therapy, physical therapy, nursing services, audiologist services, counseling, and family training.

Children of preschool age are served by the Northeastern Educational Intermediate Unit (IU 19) in a variety of home and school-based settings that take into account the chronological and developmental age and primary needs of the child. As with school age programs, preschool programs must ensure that to the maximum extent appropriate, children with disabilities are educated with non-disabled peers.

Each public school, in conjunction with the parents of each identified child, determines the type and intensity of special education and related services that a particular child needs based exclusively on the unique program of special education and related services that the school develops for that child. The child's program is described in writing in an individualized education program, commonly referred to as an "IEP," which is developed by an IEP

team consisting of educators, parents, and other persons with special expertise or familiarity with the child. The parents of the child have the right to be notified of and to participate in all meetings of their child's IEP team. The IEP is revised as often as circumstances warrant but at least annually. The law requires that the program and placement of the child, as described in the IEP, be reasonably calculated to ensure meaningful educational progress to the student at all times. IEPs contain, at a minimum, the projected start date and duration for the IEP, a statement of the child's present levels of educational and functional performance, an enumeration of annual goals, a description of how the child's progress toward meeting the annual goals will be measured and reported, a statement of the special education, program modifications, and related services to be provided, an explanation of the extent, if any, to which the child will not participate with non-disabled children, the anticipated frequency and location of the services and a statement of any accommodations necessary to measure academic achievement and functional performance of the child on state and district wide assessments. For children aged sixteen and older, the IEP must also include a transition plan to assist in the attainment of measurable post-secondary objectives. The public school must invite the child to the IEP team meeting if the purpose of the meeting will be the consideration of the post-secondary goals and transition services needed for the child.



Public schools are required to allow parents of children with disabilities reasonable access to their child's classrooms, subject to the provisions of each entity's school visitation policy or guidelines.

How do the public schools screen and evaluate children to determine eligibility for special education and related services?

### **Multidisciplinary Team Evaluation**

Public schools must conduct a multidisciplinary team evaluation of every child who is thought to have a disability. The multidisciplinary team is a group of professionals who are trained in and experienced with the testing, assessment, and observation of children to determine whether they have disabilities and, if so, to identify their primary educational strengths and needs. Parents are also members of the multidisciplinary team. Public schools must reevaluate school-age students receiving special education services every three years and must reevaluate children with mental retardation and preschool-age children receiving special education services every two years.

Parents may request a multidisciplinary team evaluation of their children at any time. They must do so in writing. Every public school has a procedure in place by which parents can request an evaluation. For information about procedures applicable to your school, contact the elementary, middle, or high school which your child attends. Telephone numbers and addresses for these schools can be found in the blue pages section of the telephone book under the heading "Schools." Parents of preschool-age children, ages three through five, may request an

evaluation in writing by addressing a letter as follows: Northeastern Educational Intermediate Unit, Early Intervention Services, 1200 Line St., Archbald, Pennsylvania 18403. The telephone number for the Early Intervention Program is (570) 876-9260.

Parents of children in private schools residing within the Northeastern Educational Intermediate Unit may request a multidisciplinary team evaluation of their children without enrolling in their public schools. However, while some services might be available to some private school children who are found eligible by the responsible public school, that entity is not required to provide all or any of the special education and related services those children would receive if enrolled in the public schools. If, after an evaluation, the multidisciplinary team determines that the child is eligible for special education and related services, the responsible public school must offer the parents a Free Appropriate Public Education (FAPE) and an IEP for public school-sponsored placement, unless the parents of the child are not interested in such an offer. If parents wish to take advantage of such an offer, they may have to enroll or re-enroll their child in the responsible public school to do so. The Northeastern Educational Intermediate Unit through IDEA acts as the Local Education Agent (LEA) for non-public schools under equitable participation (EP). Equitable Participation services are determined annually by the non-public schools within IU 19. EP services are based on funding of students in non-public schools who have known disabilities through appropriate evaluation and are not receiving FAPE through their local public schools. This identification process is called Child Find. Child find is the responsibility of the public schools. IU 19 reports the data of child find for the public schools to PDE for IDEA data purposes.

Before a public school can proceed with an evaluation, it must notify the parents in writing of the specific types of testing and assessment it proposes to conduct, of the date and time of the evaluation, and of the parents' rights. The evaluation cannot begin until the parent has signed the written notice indicating that he or she consents to the proposed testing and assessments and has returned the notice to the public school.

### **Screening**

Public schools undertake screening activities before referring students for a multidisciplinary team evaluation. Screening activities could involve an instructional support team, commonly referred to as the "IST," or an alternative screening process. Regardless of the particular screening method employed, the screening process must include (1) periodic vision and hearing assessments by the school nurse as mandated by the School Code and (2) screening at reasonable intervals to determine whether all students are performing based on grade-appropriate standards in core academic subjects.

If screening activities produce little or no improvement after a reasonable period of intervention or remediation, the child will then be referred for a multidisciplinary team evaluation.

For information about the dates of various screening activities in your child's school or to request screening activities for a particular child, contact the local public school directly. Telephone numbers and addresses for these schools can be found in the blue pages section of the telephone book under the heading "Schools." Parents of preschool age children, ages three through five, may obtain information about screening activities, or may request a screening of their children, by calling or writing to the Northeastern Educational Intermediate Unit, Early Intervention Services, 1200 Line St., Archbald, Pennsylvania 18403. The telephone number for the Early Intervention Program is (570) 876-9260.

Private school administrators, teachers, and parent groups, or individual parents of students in private schools, who are interested in establishing systems in those schools for locating and identifying children with disabilities who might need a multidisciplinary team evaluation may contact the Director of Special Education, Kelly Dickey, 1200 Line St., Archbald, PA, 18403 phone number 570-876- 9215.

### **What special rights and protections do children with disabilities and their parents have?**

State and federal law affords many rights and protections to children with disabilities and their parents. A summary of those rights and protections follows. Interested persons may obtain a complete written summary of the rights and protections afforded by the law, together with information about free or low cost legal services and advice, by contacting their school district's special education or student services department at the address and telephone number listed in the blue pages section of the telephone book under the heading "Schools." The written summary is also available through the Northeastern Educational Intermediate Unit, 1200 Line St., Archbald, Pennsylvania 18403. The telephone number for the Early Intervention Program is (570) 876-9260. The summary is also available on the website of the Northeastern Educational Intermediate Unit, <http://www.iu19.org>, and on the websites of most of the public school entities listed below.

## **Rights and Protections**

*Prior Written Notice.* Public schools must notify you in writing whenever it proposes to initiate or to change the identification, evaluation, educational program or placement of a child or whenever it refuses to initiate or make a change in the identification, evaluation, educational program or placement requested by a parent. Such notice must be accompanied by a written description of the action proposed or rejected, the reasons for the proposal or refusal, a description of the evaluation information and other relevant factors used as a basis for the decision, the other options considered, if any, the reasons why such options were rejected and a statement that the parent has the right to procedural safeguards.

*Consent.* Public schools cannot proceed with an evaluation or reevaluation, or with the initial provision of special education and related services, without the written consent of the parents. However, a public school may attempt to override the lack of consent for an initial evaluation or reevaluation by requesting the approval of an impartial hearing officer by filing a due process request. Additionally, in the case of a parent's failure to respond to a request to conduct a reevaluation, a public school may proceed with the proposed reevaluation without parental consent if it can show that it made a reasonable effort to obtain parental consent and that the parent failed to respond. A public school may not seek a hearing to override the refusal of a parent to consent to an initial placement in special education. Parents have the right to withdraw their consent to special education services at any time. In doing so, they are agreeing to the discontinuation of all special education instruction, supplementary aides, program modifications, adaptations, and services. By withdrawing consent, they are also agreeing to forgo the special rights and protections that apply to children with disabilities and their parents.

*Protection in Evaluation Procedures.* Evaluations to determine eligibility and the current need for special education and related services must be administered in a manner that is free of racial, cultural, or linguistic bias and in the native language of the child. The evaluation must assess the child in all areas related to the suspected disability and include a variety of technically sound instruments, assessment tools and strategies. The assessments and evaluation materials must be used for the purposes for which the assessments or measure are valid and reliable, must be administered by trained and knowledgeable personnel in accordance with any instructions provided by the producer of the assessment and must be talked to assess special areas of need. Moreover, evaluation determinations cannot be based upon any single measure or assessment.

*Independent Educational Evaluation.* If parents disagree with the evaluation conducted by the responsible public, they may request in writing an independent educational evaluation, commonly referred as an "IEE," at public expense. If an IEE is provided at public expense, the criteria under which the IEE is privately obtained must be the same as the criteria that the responsible public school uses when it initiates an evaluation. Information concerning each school entity's evaluation criteria can be obtained through the Office of Special Education or Student Services of that entity. If the public school refuses to pay for the IEE, it must immediately request a special education due process hearing to defend the appropriateness of its evaluation.

## **Due Process Hearing Procedures**

The parent or local educational agency, commonly referred to as the “LEA,” may request a due process hearing with respect to any matter relating to the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education, commonly referred to as “FAPE”. The party requesting the hearing must submit a “Due Process Hearing Request” form to the Office for Dispute Resolution, 6340 Flank Drive, Suite 600, Harrisburg, Pennsylvania 17112; telephone (800) 222-3353; TTY (800) 654-5984. A due process hearing will not proceed until all required information is provided and procedures followed.

*Timeline for requesting Due Process.* The parent or LEA must request a due process hearing by filing a Due Process Hearing Request within two (2) years of the date the parent or the LEA knew or should have known about the alleged action that forms the basis of the request. There are limited exceptions to this timeline. This timeline will not apply to the parent if the parent was prevented from filing a Due Process Hearing Request due to either (1) specific misrepresentations by the LEA that it had resolved the problem forming the basis of the hearing request, or (2) the LEA’s withholding of information from the parent that the LEA was required provide.

*Filing and Service of the Due Process Hearing Request.* The party requesting the hearing must send a copy of the Due Process Hearing Request to the other party and, at the same time, to the Office for Dispute Resolution by mail addressed to the Office for Dispute Resolution, 6340 Flank Drive, Suite 600, Harrisburg, Pennsylvania 17112, or by electronic mail addressed to [odr@odr-pa.org](mailto:odr@odr-pa.org), or by facsimile at (717) 657-5983.

*Contents of Due Process Hearing Request.* The Due Process Hearing Request must contain the following information:

1. The name of the child, the address where the child lives, and the name of the school the child is attending or, if the child is homeless, available contact information for the child and the name of the school the child is attending;
2. A description of the nature of the problem, including facts relating to such problem; and
3. A proposed resolution of the problem to the extent known and available to the party filing the Due Process Hearing Request.

*Challenging Sufficiency of the Due Process Hearing Request.* The Due Process Hearing Request will be considered to be sufficient unless the party receiving it notifies the Hearing Officer and the other party in writing within fifteen (15) days of receipt that the receiving party believes the Request does not meet the requirements listed above.

*Response to Request.* If the LEA has not sent a prior written notice, such as a Notice of Recommended Educational Placement, commonly referred to as a “NOREP”, to the parent regarding the subject matter contained in the parent's Due Process Hearing Request, the LEA must send to the parent, within ten (10) days of receiving the Due Process Hearing Request, a response including the following Information: (1) an explanation of why the LEA proposed or refused to take the action raised in the Hearing Request, (2) a description of other

options the Individualized Education Program (“IEP”) Team considered, if any, (3) and the reasons why those options were rejected, (4) a description of each evaluation procedure, assessment, record, or report the LEA used as the basis for the proposed or refused action and (5) a description of the factors that are relevant to the proposal or refusal. Filing this response to the parent's Due Process Hearing Request does not prevent the LEA from challenging the sufficiency of the Due Process Hearing Request. If it is the parent receiving the Due Process Hearing Request, then a response to the Due Process Hearing Request must be sent to the other side within ten (10) days of receipt of the request. The response should specifically address the issues raised in the Due Process Hearing Request.

*Hearing Officer Determination of Sufficiency of the Due Process Hearing Request.* Within five (5) days of receiving a party's challenge to the sufficiency of the Due Process Hearing Request, the Hearing Officer must make a determination based solely on the information contained within the Request whether the Request meets content requirements listed above. The Hearing Officer must immediately notify both parties in writing of his or her determination.

*Subject Matter of the Hearing.* The party requesting the due process hearing is not permitted to raise issues at the due process hearing that were not raised in the Due Process Hearing Request (or Amended Due Process Hearing Request) unless the other party agrees otherwise.

*Resolution Session.* Before a due process hearing can take place, the LEA must convene a preliminary meeting with the parent and the relevant member or members of the IEP Team who have specific knowledge of the facts identified in the Due Process Hearing Request in an attempt to resolve those issues without the need to proceed to a due process hearing. This preliminary meeting must be convened within fifteen (15) days of the receipt of the Due Process Hearing Request. A representative of the LEA who has decision- making authority must be present at this meeting. The LEA may not have an attorney attend the meeting unless the parent is also accompanied by

an attorney. Parent advocates may attend the meeting. At the meeting, the parent will discuss the Due Process Hearing Request, and the LEA will be provided the opportunity to resolve the Due Process Hearing Request unless the parent and the LEA agree, in writing, to waive this meeting, or agree to use the mediation process. If the parent and LEA resolve the issues in the Due Process Hearing Request at the preliminary meeting, they must put the agreement terms in writing, and both the parent and a representative of the LEA who has the authority to bind the LEA must sign the agreement. The agreement is a legally-binding document and may be enforced by a court. Either the parent or LEA may void the agreement within three (3) business days of the date of the agreement. After three (3) business days, the agreement is binding on both parties.

*Amended Due Process Hearing Request.* Either the parent or a LEA may amend its Due Process Hearing Request only if the other party consents in writing to the amendment and is given the opportunity to resolve the issues raised in the Due Process Hearing Request through a resolution session, or the Hearing Officer grants permission for the party to amend the Due Process Hearing Request. However, the Hearing Officer may grant this permission not later than five (5) days before a due process hearing occurs.

*Timeline for Completion of Due Process Hearing.* If the LEA has not resolved the Due Process Hearing Request within thirty (30) days of receiving it, or within thirty (30) days of receiving the Amended Due Process Hearing Request the due process hearing may proceed and applicable timelines commence. The timeline for completion of due process hearings is forty-five (45) days, unless the Hearing Officer grants specific extensions of time at the request of either party.

*Disclosure of Evaluations and Recommendations.* Not less than five (5) business days prior to a due process hearing, each party must disclose to all other parties all evaluations completed by that date, and recommendations based on the offering party's evaluations that the party intends to use at the due process hearing. Failure to disclose this information may result in a Hearing Officer prohibiting the party from introducing the information at the hearing unless the other party consents to its introduction.

*Due Process Hearing Rights.* The hearing for a child with a disability or thought to have a disability must be conducted and held in the LEA at a place and time reasonably convenient to the parent and child involved. The hearing must be an oral, personal hearing and must be closed to the public unless the parent requests an open hearing. If the hearing is open, the decision issued in the case, and only the decision, will be available to the public. If the hearing is closed, the decision will be treated as a record of the child and may not be available to the public. The decision of the Hearing Officer must include findings of fact, discussion, and conclusions of law. Although technical rules of evidence will not be followed, the decision must be based upon substantial evidence presented at the hearing. A written or, at the option of the parent, electronic verbatim record of the hearing will be

provided to the parent at no cost. Parents may be represented by legal counsel and accompanied and advised by individuals with special knowledge or training with respect to the problems of children with disabilities. Parents or parent representatives must be given access to educational records, including any tests or reports upon which the proposed action is based. A party has the right to compel the attendance of and question witnesses who may have evidence upon which the proposed action might be based. A party has the right to present evidence and confront and cross-examine witnesses. A party has the right to present evidence and testimony, including expert medical, psychological, or educational testimony.

*Decision of Hearing Officer.* A decision made by a Hearing Officer must be made on substantive grounds, based upon a determination of whether the child received a FAPE. In disputes alleging procedural violations, a Hearing Officer may award remedies only if the procedural inadequacies impeded the child's right to a FAPE; significantly impeded the parents opportunity to participate in the decision-making process regarding the provision of a FAPE to the child; or caused a deprivation of educational benefits. A Hearing Officer may still order a LEA to comply with procedural requirements even if the Hearing Officer determines that the child received a FAPE. The parent may still file a Complaint with the Bureau of Special Education within the Pennsylvania Department of Education regarding procedural violations.

*Civil Action.* A party that disagrees with the findings and decision of the Hearing Officer has the right to file an appeal in state or federal court. In notifying the parties of the decision, the Hearing officer shall indicate the courts to which an appeal may be taken. The party filing an appeal is encouraged to seek legal counsel to

determine the appropriate court with which to file an appeal. A party filing an appeal to state or federal court has ninety (90) days from the date of the decision to do so.

*Attorney's Fees.* A court, in its discretion, may award reasonable attorney's fees to the parent of a child who is a prevailing party or to a State Educational Agency or LEA against the attorney of the parent who files a Due Process Hearing Request or subsequent cause of action that is frivolous, unreasonable, or without foundation, or against the attorney of the parent who continued to litigate after the litigation clearly became frivolous, unreasonable or without foundation; or to a prevailing State Educational Agency or LEA against the attorney of the parent, or against the parent, if the parent's Due Process Hearing Request or subsequent cause of action was presented for any improper purpose, such as to harass, to cause unnecessary delay, or to needlessly increase the cost of litigation. Fees awarded will be based on rates prevailing in the community in which the action or proceeding arose for the kind and quantity of attorney services furnished.

The federal law imposes certain requirements upon the parent and LEA and in some circumstances may limit attorney fee awards. Parents should consult with their legal counsel regarding these matters. The following rules apply: Attorney's fees may not be awarded and related costs may not be reimbursed in any action or proceeding for services performed subsequent to the time of a written offer of settlement to the parent if the offer is made within the time prescribed by Rule 68 of the Federal Rules of Civil Procedures, or, in the case of an administrative hearing, at any time more than ten (10) days before the proceeding begins; the offer is not accepted within ten (10) days; and the court finds that the relief finally obtained by the parent is not more favorable to the parent than the offer of settlement. Attorney's fees may not be awarded for time spent attending any meeting of the IEP team unless the meeting is convened as a result of an administrative proceeding or judicial action. A due process resolution session is not considered to be a meeting convened as a result of an administrative hearing or judicial action, nor an administrative hearing or judicial action for purposes of reimbursing attorney's fees. The Court may reduce the amount of any attorney's fee award when: (a) the parent, or the parent's attorney, during the course of the action or proceeding unreasonably protracted the final resolution of the controversy; (b) the amount of the attorney's fees otherwise authorized to be awarded unreasonably exceeds the hourly rate prevailing in the community for similar services by attorneys of reasonably comparable skill, reputation, and experience; (c) the time spent and legal services furnished were excessive considering the nature of the action or proceeding; or (d) the attorney representing the parent did not provide to LEA the appropriate information in the Due Process Hearing Request. These reductions do not apply in any action or proceeding if the court finds that the State or LEA unreasonably protracted the final resolution of the action or proceeding.

*Child's Status During Administrative Proceedings.* Except for discipline cases, which have specific rules, while the due process case, including appeal to a court of competent jurisdiction, is pending, the child must remain in his or her present educational placement unless the parent and LEA or State agree otherwise. If the due process hearing involves an application for initial admission to public school, the child, with parental consent, must be placed in the public school program until completion of all the proceedings, unless the parent and LEA agree otherwise.

*Private School Tuition Reimbursement.* In some cases, parents of children who were identified by the public school as eligible for special education and related services and who received such services can recover in a due

process hearing or from a court an award of private school tuition reimbursement. Parents can also receive such awards if their child was in need of special education and related services but were not offered such services in a timely manner. To obtain an award of tuition reimbursement, parents must notify their public school of their intent to enroll their child in a private school either verbally at the last IEP team meeting prior to withdrawing their child or in writing received by the public school at least ten days prior to the date on which the child is withdrawn from public school. Parents can obtain tuition only when they can prove at a special education due process hearing that (1) the public school failed to offer an appropriate program or placement to the child, (2) the parents therefore placed their child in a private school, and (3) the private school placement was proper. Tuition reimbursement awards can be denied or reduced if the parent's behavior was improper or if the parents delay unreasonably in asserting a claim against the public school in a due process hearing. Such awards can also be denied or reduced if the parents fail to do one of the following: (1) notify the public school of their intent to place the child in a private school at public expense during the last IEP team meeting prior to the planned placement, or (2) notify the public school in writing of their intent to place the student in a private school at public expense at least ten days before withdrawing the student for that purpose.

*Mediation.* Parties may agree to submit their dispute to the mediation process by requesting mediation from the Office for Dispute Resolution. Mediation may be requested in place of or in addition to a due process hearing. If a hearing is also requested, mediation cannot delay the scheduling of the due process hearing, unless the Hearing Officer grants a continuance for that purpose at the request of a party. An impartial, trained mediator facilitates the mediation process, which is scheduled at a time and location convenient to the parties. The parties are not permitted to have attorneys participate in the process. Any resolution reached through mediation must be reduced to writing, which will be binding on the parties.

*Rights under Section 504 of the Rehabilitation Act of 1973.* As noted above, some students with disabilities who are not in need of special education and related services are nevertheless entitled to adaptations and accommodations in their school program or in the physical environment of school buildings, grounds, vehicles, and equipment, when such adaptations or accommodations are required to enable the student to access and participate meaningfully in educational programming and extracurricular activities. Parents are entitled to a written description of the adaptations and accommodations that the public school is willing to offer. This written description is called a "service agreement" or "accommodation plan." The rights and protections described above under the headings "Notice," "Consent," "Protection in Evaluation Procedures," and "Maintenance of Placement" apply to students receiving adaptations and accommodations under Section 504. Parents who have complaints concerning the evaluation, program, placement, or provision of services to a student may request either an informal conference with the public school or a due process hearing. The hearing must be held before an impartial hearing officer at a time and location convenient to the parents. Parents have the right to request a free written or electronic transcript or recording of the proceedings, to present evidence and witnesses disclosed to the public school, to confront evidence and testimony presented by the public school, to review their child's complete educational record on request before the hearing, to receive a written decision from the hearing officer, and to be represented by counsel or an advocate of their choice. An appeal may be taken from the decision of the hearing officer to a court of competent jurisdiction.



*Compliance Complaints.* In addition to the above hearing rights, parents and others with complaints concerning the education of a child with disabilities or violations of rights guaranteed by either the IDEA or Section 504 may file complaints with the Pennsylvania Department of Education, which must investigate such complaints and issue written findings and conclusions. Information concerning such complaints can be obtained at the following address:

Pennsylvania Department of Education  
Bureau of Special Education

Division of Compliance Monitoring and  
Planning 333 Market Street, 7th Floor

Harrisburg, PA 17126-0333

(800) 879-2301

### **Students Who are Mentally Gifted**

All public schools, except charter schools, also offer special education services, in the form of acceleration or enrichment, for students who are identified by a gifted multidisciplinary team (“GMDT”) as “mentally gifted.” A child is considered mentally gifted when his or her cognitive ability or other factors, as determined by a multidisciplinary team evaluation, indicate that he or she has outstanding intellectual ability the development of which requires special programs and services not ordinarily available in the general education program. The school entity engages in screening activities during regular classroom instruction and uses the data thus generated to determine whether a GMDT evaluation is warranted. In addition, parents may request gifted screening or a GMDT evaluation at any time. Parents are part of the GMDT and, if their child is determined to be mentally gifted, are part of the development and annual review and revision of their child’s gifted individualized educational program (“GIEP”) as a member of the GIEP team. The GIEP describes the present levels, annual goals and measurable objectives, and specially designed instruction and related services through

which the District will provide the enrichment or acceleration, or both, that is needed to develop the outstanding mental ability of the child. Parents of students who are mentally gifted have the right to request a special education due process hearing or to file a compliance complaint with the Pennsylvania Department of Education at the above address. Details concerning the procedures governing hearing requests can be found on the Website of the Office for Dispute Resolution as <http://www.pattan.k12.pa.us>.

A child can be identified as both a child with a disability and mentally gifted. In such cases, the rights of the child and his or her parents are governed by the rules applicable to children with disabilities and their parents, as described above.

## Student Records

Public schools maintain records concerning all children enrolled in public school, including students with disabilities. Records containing personally identifiable information about or related to children with disabilities could include, but are not limited to, cumulative grade reports, discipline records, enrollment and attendance records, health records, individualized education programs, notices of recommended assignment, notices of intent to evaluate and reevaluate, comprehensive evaluation reports, other evaluation reports by public school staff and by outside evaluators, work samples, test data, data entered into the Penn Data system, correspondence between school staff and home, instructional support team documents, referral data, memoranda, and other education-related documents. Records can be maintained on paper, on microfiche, on audio or videotape, and electronically. Records can be located in the central administrative offices of the public school, the administrative offices of the Northeastern Educational Intermediate Unit, the school building or building at which the student attended or attends school, private schools and facilities at which the public school has placed the child for educational purposes, central storage facilities and electronic storage systems, and in the secure possession of teachers, building administrators, specialists, psychologists, counselors, and other school staff with a legitimate educational interest in the information contained therein. All records are maintained in the strictest confidentiality.

Records are maintained as long as they remain educationally relevant. The purposes of collecting and maintaining records are (1) to ensure that the child receives programs and services consistent with his or her IEP; (2) to monitor the ongoing effectiveness of programming for the child; (3) to document for the public school and the parents that the student is making meaningful progress; (4) to satisfy the requirements of state and federal agencies who have an interest in inspecting or reviewing documents concerning particular students or groups of students for purposes of compliance monitoring, complaint investigation, and fiscal and program audits; and (5) to inform future programming for and evaluations of the child. When educational records, other than those which must be maintained, are no longer educationally relevant, the public school must so notify the parents in writing and *may* destroy the records or, at the request of the parents, *must* destroy them. Public schools are not required to destroy records that are no longer educationally relevant unless the parents so request in writing.

The Pennsylvania Department of Education (“PDE”) will destroy or have destroyed all test booklets for the Pennsylvania System of School Assessment (“PSSA”), Keystone Exams, and Pennsylvania Alternative System of Assessment (“PASA”) one year from the date on which student results are delivered. PDE will also destroy or have destroyed all answer booklets for the PSSA and Keystone exams and all media recordings for the PASA three years from the date on which the assessment is completed.

*Parent consent.* Parent consent is required in writing prior to the release of any personally identifiable information concerning a child with disabilities. Parent consent is not required, however, prior to the release of information (1) to a hearing officer in a special education due process hearing; (2) to public school officials, including staff and contractors, with a legitimate educational interest in the information; (3) to officials or staff of other schools and school systems at which the student is enrolled or intends to enroll; (4) to federal or state education officials and agencies and to the Comptroller of the United States; (5) to accrediting organizations to carry out their accrediting functions; (6) to comply with a lawful subpoena or judicial order; (7) in conjunction with a health or

safety emergency to the extent necessary to protect the health and safety of the child or others; or (8) that the public schools have designated as “directory information.” Disclosure without consent of the parent is subject to certain conditions more fully described in the Family Educational Rights and Privacy Act, 20 U.S.C § 1332g, and its implementing regulation, 34 C.F.R. Part 99.

*Parent access.* Upon submitting a request to do so in writing, parents have the right to access the educational records of their child within forty five days or before any due process hearing or IEP team meeting, whichever is sooner. Access entitles the parent to the following: (1) an explanation and interpretation of the records by public school personnel; (2) copies of the records if providing copies is the only means by which the parent can effectively exercise his or her right of inspection and review; and (3) inspection and review of the records by a representative of the parent’s choosing upon presentation to the records custodian of a written authorization from the parent. The public school can charge a fee not to exceed its actual costs for copying records.

*“Directory information.”* Public school entities designate certain kinds of information as “directory information.” The public schools typically designate the following as “directory information”:

- (1) the name, address, telephone number, and photographs of the child;
- (2) the date and place of birth of the child;
- (3) participation in school clubs and extracurricular activities;
- (4) weight and height of members of athletic teams;
- (5) dates of attendance;
- (6) diplomas and awards received;
- (7) the most recent previous institution or school attended by the child; and
- (8) names of parents, siblings, and other family members.

The District will provide this information to any interested person, including armed forces recruiters who request it, without seeking consent from the parents of the student or the student. Parents who do not want the District to disclose such information *must so notify the District in writing on or before the first day of the school term.* Written notice must identify the specific types of directory information that the parent does not want the District to disclose without consent. If the parent fails to notify the District in writing by the first day of the school term, the District may release directory information upon request and without consent.

*Disclosure of records containing personally identifiable information to other schools and institutions.* Public school entities disclose personally identifiable information concerning students to educational agencies or institutions at which the student seeks to enroll, intends to enroll, or is enrolled, or from which the student receives services, when that agency or institution requests such records.

*Access to records by school officials with a “legitimate educational interest.”* School officials with a legitimate educational interest in the personally-identifiable information contained in education records can have access to personally identifiable information without parent or student consent. Each school entity designates in its education records policy those persons who have a “legitimate educational interest” that would allow such access to education records. Such persons typically include teachers of the child, building administrators, guidance counselors to whom the child is assigned, members of instructional support and multidisciplinary teams in the

course of screening and evaluation activities, records custodians and clerks, public school administrators with responsibility for programs in which the student is enrolled or intends to be enrolled, school board members sitting in executive session in consideration of matters concerning the child upon which only the school board can act, program specialists and instructional aides working with the child, therapeutic staff working with the child, and substitutes for any of the foregoing persons

*Amendment of education records.* After reviewing records, a parent or a student who has attained the age of 18 can request that records be amended. The school will make the requested changes or reject the request within forty-five days of the receipt of the request in writing. If the school rejects the request, the parent or student may request an informal hearing. The hearing can be held before any public school official who does not have a direct interest in its outcome. If the parents are dissatisfied with the outcome of the informal hearing, they may submit to the public school a statement outlining their disagreement with the record. The school thereafter must attach a copy of that statement to all copies of the record disclosed to third parties.

*Complaints to the United States Department of Education.* Complaints concerning alleged failure of a public school entity to comply with the requirements of the Family Educational Rights and Privacy Act may be addressed to the United States Department of Education as follows:

### **Family Policy Compliance Office**

U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202-4605

More detailed information concerning the student records policies of each public school, including information concerning the definition of the terms “directory information” and “school official with a legitimate educational interest,” the process of excluding individual child information from disclosure as “directory information,” and the process for seeking amendment of school records, can be obtained by contacting the Local School Entity at the addresses provided below.

This notice is only a summary of the special education services, evaluation and screening activities, and rights and protections pertaining to children with disabilities, children thought to be disabled, and their parents. For more information or to request evaluation or screening of a public or private school child contact the responsible school district listed below. For preschool age children, information can also be obtained, and screenings and evaluations requested, by contacting the Northeastern Educational Intermediate Unit.

### **Northeastern Educational Intermediate Unit 19**

Abington Heights/Ms. Karen Bukoski (570)585-8278  
Blue Ridge/Ms. Margot Parsons (570)465-3141

Carbondale Area/Ms. Heather Tolerico(844)330-2273

Dunmore/Mrs. Kaley Noone (570)207-9590

Elk Lake/Ms. Marybeth Howell (570)278-1106

Forest City Regional/Ms. Michelle Lesjack (570)785-2444

Lackawanna Trail/Ms. Amie Talarico (570)945-5184

Lakeland/Ms. Melissa Orman (570)254-9485

Mid Valley/Mr. Carlos Lopez (570)307-2165 Montrose Area/Mr. Gregory Adams (570)278-6219

Mountain View/Ms. Erica Loftus (570)434-8537

North Pocono/Dr. Donna Carey (570)842-3957

Old Forge/Ms. Michelle Hopkins (570)457-6721

Riverside/Ms. Kristin Samsell (570)562-2121

Scranton/Ms. Glenna Hazeltine (570)348-3438

Susquehanna Community/Ms. Elizabeth Shivoock (570)853-4921

Valley View/Mr. Jeremy Pichnay (570)876-4110

Wallenpaupack Area/Dr.Tanya Carrelle (570)226-4557

Wayne Highlands/Ms. Amanda Kerna (570)253-3402

Western Wayne/Ms. Jennifer DeNike (800)321-9973

NEIU 19/Ms. Kelly Dickey (570)876-9215

NEIU 19 Early Intervention/Ms. Colleen Penzone (570)876-9337

NEIU 19 Non-Public/Ms. Eliza Vagni (570)876-9220

Howard Gardner MI Charter School/Ms. Cathy Opshinsky (570)941-4100

Fell Charter School/Ms. Mary Jo Walsh (570)282-5199

# Right to Education-Local Task Force

Parent Support Group for Parents of a Child with a Disability –

“The Right to Education Local Task Force # 19”

Welcome!!

Understanding special education and the process of special education at times can be confusing and challenging. The parent support group of your intermediate unit region is called the Local Task Force (LTF). This group is composed of parents of children with disabilities, agencies that provide support to parents of children with disabilities, intermediate unit support, and local education agencies (public school representatives, charter school representatives, and cyber charter school representatives).

The purpose of the LTF is to outsource information and support to parents of children with a disability. These supports may be provided in the form of meetings, trainings, emails, video links, and other varied informational channels. The LTF meets at a minimum five times a year to provide this information exchange. The Chairperson and Vice-Chairperson of the LTF not only facilitates these LTF meetings, they also provide advocacy support to members and other parents that seek guidance and support as it relates to their children.

One of the most valuable attributes of the LTF, besides information sharing, is the parent networking, sharing each other’s experiences and challenges in maneuvering through the different avenues of information and support in raising their child.

If you wish to get involved with your LTF, please contact the individuals below to share your desire in joining the LTF within your intermediate unit region or to receive more information.

Also, listed below are the LTF scheduled meeting dates, times, and locations. Please feel free to come to the meetings to get a better idea on how the LTF works. The LTF is always looking at increasing attendance of new parents and other supporting individuals.

Sincerely,

Right to Education Local Task Force # 19

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Contact Phone Numbers:

The ARC-NEPA 570-346-4010



NEIU 19 570-876-9200

LSBH/ID/EI 570-346-5741

Leadership Team

Parent (Chair) : Roseann Polishan ([rpolishan@yahoo.com](mailto:rpolishan@yahoo.com) or [rpolishan@thearcnepa.org](mailto:rpolishan@thearcnepa.org))

Parent (Co-Chair): Adina Harkavy ([adinaharkavy@gmail.com](mailto:adinaharkavy@gmail.com))

	<h1 style="text-align: center;">Right to Education Local Task</h1>											
<p style="text-align: center;"><b>Purpose</b></p> <p><i>Parent Lead Group, supported by the PA State Task Force, with the purpose to assist in improving, expanding, and monitoring programs and services for children eligible for special education supports and services. LTF #19 includes family members, educators, providers, and professional representation from:</i></p> <p>The Arc-NEPA, NEIU 19 and Lackawanna -Susquehanna County administration. Together this group works to plan opportunities that ensure that all eligible children receive an individualized, free and appropriate public education (FAPE).</p>	<p style="text-align: center;"><b>2024-2025 Local Meeting Schedule</b></p> <p style="text-align: center;"><b>2<sup>nd</sup> Tuesday of the month October, November, February, March, April and May at 10 am</b></p> <p style="text-align: center;"><b>In Person:</b> The Arc of NEPA 115 Meadow Ave Scranton PA</p> <p style="text-align: center;"><b>Via Zoom:</b> Meeting ID 874 8881 1884 Passcode: 364196</p>											
	<p style="text-align: center;"><b>Membership</b></p> <p>LTF #19 invites all parents and guardians of students with disabilities to attend monthly meetings and/or become a member by attending at least 2 meetings. Meetings will begin with introductions, provider reports, State Task Force update, and a presentation on a relevant topic in special education.</p> <p>Following the meeting, there will be an opportunity to network with parents, providers, professionals, educators, and advocates.</p>	<p style="text-align: center;"><b>2024-2025 Meeting Details</b></p> <p><b>Tues Oct 8<sup>th</sup> - FAB (Framework for Access &amp; Belonging w/ Supplementary Aides &amp; Services) –Kristin Starosta (PaTTan)</b></p> <p><b>Tues Nov 12<sup>th</sup> - Office of Dispute Resolution Services -Ashley Smith Program Manager, ODR</b></p> <p><b>Tues Feb 11<sup>th</sup>- FBA- PBSP- Beyond Behavior Consulting</b></p> <p><b>Tues March 11<sup>th</sup> - Transition Services in the IEP- Gena Bersinger and Jessica Capwell -IU 19 TaC</b></p> <p><b>Tues April 8<sup>th</sup>- Building an Inclusive Classroom- Include Me – Arc of PA</b></p> <p><b>Tues May 13<sup>th</sup> -NAMI (National Alliance on Mental Illness) – JoAnna Van Tine-Community Engagement Coordinator</b></p>										
<p style="text-align: center;"><b>Key Areas for Discussion and Training</b></p> <p>Proper Identification &amp; Evaluation; Individualized Education Plans (IEP); Least Restrictive Environments (LRE); Inclusive Practices; Specially Designed Supports/Services; Extended School Year (ESY); Positive Behavior Support Plans; Transition Planning; Training Information and Resources</p>	<p style="text-align: center;"><b>Contacts</b></p> <table border="0"> <tr> <td>The Arc –NEPA</td> <td>570-346-4010</td> </tr> <tr> <td>NEIU 19</td> <td>570-876-9200</td> </tr> <tr> <td>LS BH/ID/EI</td> <td>570-346-5741</td> </tr> </table> <p style="text-align: center;"><b>Facebook Page</b></p> <p>Right to Education Local Task Force 19</p>	The Arc –NEPA	570-346-4010	NEIU 19	570-876-9200	LS BH/ID/EI	570-346-5741	<p style="text-align: center;"><b>Leadership Team</b></p> <table border="0"> <tr> <td style="text-align: center;"><b>Parent (Chair)</b></td> <td style="text-align: center;"><b>Parent (Co-Chair)</b></td> </tr> <tr> <td style="text-align: center;">Roseann Polishan rpolshan@yahoo.com</td> <td style="text-align: center;">Adina Harkavy adinaharkavy@gmail.com</td> </tr> </table>	<b>Parent (Chair)</b>	<b>Parent (Co-Chair)</b>	Roseann Polishan rpolshan@yahoo.com	Adina Harkavy adinaharkavy@gmail.com
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<p style="text-align: center;"><i>Serving the member school districts of the Northeastern Educational Intermediate Unit 19 (NEIU 19)</i></p> <p style="text-align: center;">Abington Heights * Blue Ridge *Carbondale Area * Dunmore * Elk Lake * Fell Charter * Forest City Regional * Howard Gardner* Lackawanna Trail * Lakeland * Mid Valley * Montrose Area *Mountain View * North Pocono * Old Forge * Riverside * Scranton * Susquehanna Community * Valley View * Wallenpaupack Area * Wayne Highlands * Western Wayne</p>												