

CHESTER COMMUNITY  
CHARTER SCHOOL

# 2024-2025

CHESTER COMMUNITY CHARTER SCHOOL  
**FAMILY HANDBOOK**

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## Directory

**Dr. David Clark - Chief Executive Officer**  
**Lyndsay Stephens - Chief Accountability Officer**

### East Campus

Building A-225 E. Fifth Street  
*Innovation Hall*  
Chester, PA 19013  
**Jessica Reynolds, Principal**  
Grades K-5

Building C-315 E. Fifth Street  
*Courtesy Hall*  
Chester, PA 19013  
**Timika Mills, Senior Principal**  
Grades K-5

Building D-405 Madison Street  
*Kindness Hall*  
Chester, PA 19013  
**Jared Shutt, Principal**  
Grades K-5

### Upland Campus

*Knowledge Hall*  
11<sup>th</sup> & Main Street  
Upland, PA 19015  
**Eric Sotsky, Principal**  
Grades K-5

**Fax: (610) 876-5716 (East)**  
**Fax: (610) 499-1757 (Upland)**

### West Campus

Building A-2730 Bethel Rd  
*Adventure Hall*  
Chester, PA 19013  
**Phil Meitner, Principal**  
Grades K-5

Building B-2730 Bethel Rd  
*Freedom Hall*  
Chester, PA 19013  
**Bridget Deal, Principal**  
Grades K-5

Building C-2730 Bethel Rd  
*Imagination Hall*  
Chester, PA 19013  
**Lisa Bellamy, Principal**  
Grades K-5

### Aston Campus

*Larry Yarbray Achievement Hall*  
200 Commerce Drive  
Aston, PA 19014  
**Donyatta Tinson-Smith, Exec. Director MS**  
**Dr. Bruce, 6<sup>th</sup> Grade Principal**  
**Dr. Pugh, 7<sup>th</sup> Grade Principal**  
**Gregory Love, 8<sup>th</sup> Grade Principal**

**Fax: (610) 477- 3056 (West)**  
**Fax: (610) 455-4276 (Aston)**

**Phone: (610) 447-0400**

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## INTRODUCTION

### DEAR FAMILY,

Welcome back to Chester Community Charter School, and for our new student families, welcome to our school. By joining the Chester Community Charter School family, you have become part of a network of people who have dedicated their professional lives to helping children reach their full potential. Our school mission is to develop a community of learners dedicated to empowering children. As with every family, we need a set of principles and guidelines to help us understand and respectfully co-exist with one another. The purpose of this handbook is to do just that. While you may not find the answer to every question, you should have a general idea of how we accomplish things. Keep in mind that our mission is to empower children. Simply stated we expect our students to learn to think for themselves and to take responsibility for their own actions. If you have any questions regarding any items not included in this handbook, feel free to call us at 610-447-0400. This is an evolving document, and could change based on input that we receive.

### PARENT & FAMILY ENGAGEMENT

Parents play an important role in the education of their children. Parent and Family Engagement provides a strong and positive force in the academic success of students. Chester Community Charter School is committed to working with parents collaboratively to keep and maintain a strong partnership focused on creating school and home environments to help children and youth thrive and succeed.

As a parent, there are many ways you can be involved in your child's education:

- Participate in PTA meetings held **each month around 6:00 p.m.** Notifications will be distributed prior to the meetings and will be posted on the CCCS website.
- Volunteer in your child's school as a career-day guest speaker, chaperone on field trips, or other activities.
- Communicate with your child's teacher regarding your child's progress and attend the Title 1 Annual Meeting, parent/teacher conferences and Back-to-School nights.

CCCS invites you as parents and guardians to be actively involved in your children's education. The school has defined meaningful Parent & Family Engagement as reflected in **(1) the parents'** attendance at Open House, PTA meetings, scheduled meetings, conferences, and special school activities, and **(2) the child's** completion of homework assignments, school attendance, arrival at school ON-TIME, adherence to the Dress Code, and following the school's behavioral code. Parents will receive a "Parent Report Card" that indicates the degree to which they have met these criteria for meaningful Parent & Family Engagement.

All of the parents and guardians ending the year with a rating above the cut-off score on the "Parent Report Card" will receive an invitation to an End-of-Year dinner celebration. During the celebration, tickets of those in attendance are eligible to receive *Thank You* prizes for helping us to provide the best possible education for your children. Additionally, parent representatives are included in school/district level policy development committees; and their feedback, input, and evaluations are encouraged regularly at PTA meetings. The Title I Family Programs Coordinator will survey parents

each spring and fall regarding Title I activities they wish to take part in during the school year and/or summer. Parent activities may include topics such as fitness, nutrition, financial planning, and violence prevention.

If you have any questions or suggestions for how parents can be involved, do not hesitate to contact your child's classroom teacher or the building principal. *(See Attachment A: Title 1 Parent and Family Engagement Notifications Requirements and Title 1 Compact)*

### **DRESS CODE**

CCCS uniforms are available for purchase from Cramer's Uniforms a Philadelphia-based company with three locations throughout the Philadelphia area. Orders can be placed throughout the entire school year in any school building, in-store or online at [www.cramersuniforms.com](http://www.cramersuniforms.com) and will be delivered via UPS.

#### **EAST, WEST, ASTON & UPLAND CAMPUS – ELEMENTARY, (GRADES K-5) AND MIDDLE, (GRADE - 6)**

**The dress code for elementary and middle school 6<sup>th</sup> boys** consists of the following: a royal blue polo shirt with the CCCS logo, grey uniform pants (*NO JEANS OR SWEATS*), navy blue solid socks or stockings, and solid black shoes or sneakers. **The dress code for elementary and middle school 6<sup>th</sup> girls** consists of the following: royal blue polo shirts with the CCCS logo, plaid uniform skirts or jumpers, navy blue solid socks/tights, and solid black shoes or sneakers. Sweaters should be navy or red button cardigan or pullover with the CCCS logo. Hats must be removed when entering the building. Note: earrings are permitted, however **small posts only**, no dangles. No bracelets or necklaces. **No open toed shoes, heels, flip flops, or sandals.**

The dress code for gym days is navy t-shirt with the CCCS logo t-shirts (*no undershirts and no printed t-shirts*) and navy sweat pants with the CCCS logo. **Blue jeans are not permitted on regular school days or gym days. Students also will not be allowed to wear hoodies while in school. Students must wear sneakers in the gym, otherwise they may not participate.**

#### **ASTON CAMPUS – MIDDLE SCHOOL (GRADES 7-8)**

**The dress code for Middle School 7<sup>th</sup> grade boys** consists of the following: green polo shirts with the CCCS logo, grey uniform pants (*NO JEANS OR SWEATS*), navy blue solid socks, and solid black shoes or sneakers. **The dress code for Middle School 7<sup>th</sup> grade girls** consists of the following: green polo shirts with the CCCS logo, plaid uniform skirts or jumpers, navy blue solid socks/tights, and solid black shoes. Sweaters should be navy or red button cardigan or pullover with the CCCS logo. Girls' hats must be removed when entering the building. Note: earrings are permitted, however **small posts only**, no dangles. **No open toed shoes, heels, flip flops, or sandals.**

**The dress code for Middle School 8<sup>th</sup> boys** consists of the following: red polo shirts with the CCCS logo, grey uniform pants (*NO JEANS OR SWEATS*), navy blue solid socks or stockings, and solid black shoes or sneakers. **The dress code for Middle School girls** consists of the following: red polo shirts with the CCCS logo, plaid uniform skirts or jumpers, navy blue solid socks/tights, and solid black shoes or sneakers. Sweaters should be navy or red button cardigan or pullover with the CCCS logo. Hats must be removed when entering the building. Note: earrings are permitted, however **small posts only**, no dangles. **No open toed shoes, heels, flip flops, or sandals.**

The dress code for gym days is navy t-shirt with the CCCS logo T-shirts (*no undershirts and no printed T-shirts*) and navy sweat pants with the CCCS logo. **Blue jeans are not permitted on regular school**

**days or gym days. Students also will not be allowed to wear hoodies while in school. Students must wear sneakers in the gym, otherwise they cannot participate.**

Several people have asked us why we feel it is necessary to have a dress code. The answer is three-fold. First, instituting a uniform dress code, we develop a sense that we, as a group, belong to something special, and Chester Community Charter School is certainly that. Second, we eliminate a major source of arguing among students. Children argue about clothes. A dress code will eliminate this source of disagreement. Third, many parents have told us that having a uniform dress code makes buying clothes for their children much easier. While these three reasons may not be the only reasons for having a uniform dress code, they represent three major points of view that are shared by the vast majority of parents whose children attend Chester Community Charter School. Parents themselves have been insistent that the dress code be followed 100%.

**Violations of the dress code will result in consequences/disciplinary action up to, including but not limited to:**

1. First letter to parent; phone call to parent. Student attends In-School Suspension (ISS) if uniform isn't brought in.
2. Second letter to parent; phone call to parent; Student attends In-School Suspension (ISS) if uniform isn't brought in.
3. Out of school suspension (1) day for additional offense going forward.

### **VISITORS**

With regard to our building safety and security for all students, we wish to inform parents that we have a security camera at the main entrances at all school buildings on each campus. (The camera is connected to a monitor located in the main office of each school, and enables us to screen all visitors to Chester Community Charter School during our regular hours (7:45 am to 3:30 pm).

All doors at each school will remain locked from the outside during regular school hours. **ALL VISITORS WILL BE DIRECTED TO THE MAIN ENTRANCE OF EACH BUILDING.** Please do not ask staff to open side doors, as it is a breach of security.

Upon entering any of our buildings, **visitors will be directed to the main entrance/front office and is required to sign in and out,** and wear a visitor's badge while in the school. Your support in relationship to our procedures designed to increase the safety and security for CCCS students is greatly appreciated.

**Parking is strictly prohibited on 5<sup>th</sup> Street from the hours of 7:15 am - 9:00 am (during morning arrival) and from 2:00 pm - 4:00 pm (during afternoon dismissal). 5<sup>th</sup> Street parking is only allowed between the hours of 9:00 am - 2:00 pm. Any cars parked on 5<sup>th</sup> Street during the prohibited times are subject to being ticketed and/or towed. Madison Street and Crosby Street (next to East A) will be used for parent parking only. Parents may also park on 4<sup>th</sup> Street or in any other available parking space within the school's designated parking lots.**

**On the West & Upland Campus visitors can park in any slot available in any lot. Bus lanes must remain clear for buses on all campuses.**

**Aston's Campus visitors can park in any slot available during the hours of 9:00 am - 2:00 pm. Visitor parking during morning arrival (7:15 am - 9:00 am) and dismissal (2:30 pm - 3:45 pm) is strictly prohibited. Visitors should park on the street during these times.**

## VIDEO CAMERA SURVEILLANCE

The Chester Community Charter School equips its schools with video cameras to ensure student and staff safety and to protect school property. Cameras are installed only in PUBLIC areas and student and staff privacy is respected at all times. There is no expectation of privacy in PUBLIC areas. Any questions regarding video camera surveillance should be directed to the School's CEO or his/her designee at 610-447-0400.

## SCHOOL HOURS

The regular school day for elementary students is **8:00 am - 2:45 pm**. The middle school students' regular day is **7:30 am - 2:30 pm**. Students will not be admitted into the building prior to the start of the school days, **7:45 am (Elementary)** unless they are registered in the Before Care Program (*Elementary students only*). Students arriving early should go to the playground area or through the back entrance to the cafeteria to have breakfast. Breakfast is served every day at **7:30 am** for a thirty-minute period prior to the start of school. Students registered in the Before Care Program will be admitted no earlier than 7:00 am. If you need information on our Before and Aftercare Programs, please call 610-447-0400 and ask for the Coordinator of the Before and Aftercare Programs.

Carpool students must be picked up on time - **3:00 pm (Elementary & Middle School)**. If a student, (*who is not registered in our Aftercare Program*) is left at the Elementary or Middle school after **3:45 pm**, the principal will have no recourse except to contact the appropriate Police Department. Students who are registered in the Aftercare Program must be picked up no later than **6:00 pm**. **STUDENTS CANNOT REMAIN IN THE BUILDING BEYOND THAT TIME**. If a student remains in the building after 6:00 pm, we will have no recourse but to contact our local police authorities.

## DISMISSAL/EARLY DISMISSAL/APPOINTMENTS

**Please note:** Students are engaged in academic learning until the end of their school day. Early dismissals interrupt student learning and are not acceptable, therefore any parents/guardians who arrive at school to pick up their child (ren) prior to dismissal will need to wait outside until dismissal.

However, if your child has a medical, dental appointment or a family emergency that requires early dismissal, **please write a note to the teacher ahead of time**. Whenever possible, these appointments should be arranged after school. **All early dismissals are made from the office, not from the classroom**. In this instance, the parent will sign the student out in the office. Students will not be called to the front office until parents arrive in the front office. **A child will be dismissed early only to a parent or other properly authorized and identified adult who is indicated on the emergency pick up/drop off form that you provided in the registration packet. If you are requesting that someone other than those authorized on that form pick up your child, either we must have a letter from you properly identifying another adult whom you authorize to pick up your child or you must come in and make the necessary change to the pickup/drop off form.** This procedure must be followed for the safety of your children.

## STUDENT ATTENDANCE

Students are expected to attend school every day that school is in session. All student absences and lateness should be reported to 610-447-0400. Excessive absences will be one factor to be considered in any retention decision. Parents will receive an automated call if their child is not in school. In addition, if a student is absent a total of more than six consecutive school days, they must provide a doctor's note upon the students return. If a student is absent a total of 10 days, family contact will be



made by the Truancy Officer. Failure to obtain valid written excuses for these absences will result in CCCS pursuing compulsory attendance prosecution/truancy. *(A formal complaint will be filed through the local Magisterial District Court office).*

Students are expected to be on time for class every day. The CCCS daily bell times for Elementary school are **8:00 am - 2:45 pm** and **7:30 am - 2:30 pm** for the Middle School. Students arriving **after 8:15 am** (*Elementary School*) are considered late. Habitual lateness will impact the student's ability to grasp the subject matter and will likely result in a lower grade for that class. If students arrive after 10:30 am, they will be marked absent for that day. If a student is late more than three times in a given month, a meeting between the parent and the administration will be required. **If excessive absences impede academic progress, students can be retained.**

*(See Attachment B: Student Attendance & Punctuality Policy)*

*(See Attachment C: Student Attendance & Punctuality Guidelines)*

### **LONG TERM ILLNESS/ABSENCE**

If you know your child is going to be absent for a week or more, please make arrangements with your child's classroom teacher to pick up long-term assignments. Depending upon the nature of the illness, children will be responsible for keeping up with their class work. Please fill out an explanation medical excuse form signed by physician or practitioner.

### **REPORTING A CHILD'S ILLNESS**

If your child is going to miss school because of illness, please call the school between 8:00 am and 8:30 a.m. to let us know. This should be followed up the next day with a note to the teacher signed by the parent or guardian. Staff will call to verify absences each day absent. **Further, a child who is absent for more than six days will require the explanation medical excuse note filled out by a physician or practitioner before returning to school.**

### **MEALS**

Once again, our school will be serving both breakfast and lunch **at no cost to the family!** Please note that breakfast will be served this year prior to the beginning of the school day, from 7:45 am to 8:10 am for both Elementary Schools and Middle School students. Please ensure that your child arrives during that time so that they will be assured of starting their day with a healthy meal! We will do everything possible to accommodate those students who are late *due to buses*. Lunches are only ordered by teachers in the homeroom when attendance is taken or by the front office staff up until 9:30 am. **Any student arriving after 9:30 am will need to have a packed lunch. This will ensure that all children will receive a properly prepared meal at a reasonably planned time.** If you pack a lunch for your child, please be sure to send it with them to school, as *there will be no dropping off/delivering of lunches to the school once classes are in session.*

Every child is assigned a Personal Identification Number, or PIN, that they will need to enter onto a pin pad for every meal that is received. Once your child receives this PIN, it will not change for the duration of their time at this school. Even if your child change campuses, grades or buildings, this is the only set of numbers that he/she will use to receive food from their assigned cafeteria.

### **SCHOOL NURSE**

It is essential that parents cooperate with the school nurse ensuring that all medical and dental records are current at the beginning of each school year. **Children's records that are not up to date**

**in accordance with the state law, may possibly be excluded from school.** Any student who does not have the appropriate medical records on file (*immunizations or physical*), will be excluded from school beginning in early December, until such records are brought up to date. Students will not be able to participate in any school or holiday activities during this time.

If your child has a chronic condition that may require medication during the school day, that medicine must be supplied to the school nurse. **The medication must be provided to the school nurse in its original prescription bottle/box**, including pharmacy instructions. The physician and parent also need to complete the school's form for administration of medication during school hours.

**Children should not carry medication, including inhalers or epi-pens in their school bags or pockets unless it has been approved by their doctor and the school nurse. This is a very dangerous practice for your child as well as other children should they discover it.** For your child's health and safety, please keep the school nurse informed about anything relating to your child's health, especially any new allergies or diagnosis that may be identified throughout the school year.

Also, children should not be sent to school if they are ill. They should also be free of a fever, (vomiting or diarrhea) for at least twenty-four (24) hours before returning. Children who become ill during the school day should be picked up promptly. Please remember to keep the nurse informed of changes in home or work phone numbers.

#### **IMMUNIZATIONS AND HEALTH RECORDS**

**The following policy applies to immunizations and health screenings of your child that are required by the Pennsylvania School Immunization Law (*Pennsylvania's school immunization requirements can be found in 28 Pa. CODE CH. 23*).**

##### **Immunization**

All students shall be immunized against specific diseases in accordance with state law and regulations, unless specifically exempt for religious or medical reasons.

**According to state law, we cannot allow your child to attend school unless we receive evidence that the above requirements are met by the 5<sup>th</sup> day after enrollment. For all students starting this fall, the dates are as follows: September 6<sup>th</sup> - grades 1<sup>st</sup> - 8<sup>th</sup> and September 10<sup>th</sup> - K. Your child will not be allowed to return to school after this date if immunization records have not been updated.**

A certificate of immunization shall be maintained as part of the health record for each student as required by the Pennsylvania Department of Health.

A student who has not been immunized in accordance with state regulations shall not be admitted to or permitted to attend the School, unless exempted for medical or religious reasons or provisionally admitted by the Chief Executive Officer requiring proof of at least one of each mandated immunization. Students, may be quarantined in the school setting or excluded entirely until he/she is compliant with the immunization requirements.

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.

Monitoring of immunization requirements shall be the responsibility of the CEO or his/her designee, and the building nurses. The CEO or his/her designee shall ensure that parents/guardians are informed prior to a student's admission to school of the requirements for immunization, the requisite

proof of immunization, exemption available for religious or medical reasons, and means by which such exemption may be claimed.

The CEO or his/her designee shall report immunization data on the required form to the Department of Health (*on or before the designated date of each year*).

**IMMUNIZATION REQUIREMENTS:**

**Children in ALL grades (K-12) need the following vaccines:**

DTP (Diphtheria, Tetanus, Pertussis)-----	4 doses ( <i>1 dose on or after 4<sup>th</sup> birthday</i> )
Polio.....	3 doses
Hepatitis B.....	3 doses
MMR (Measles, Mumps, Rubella) -----	2 doses ( <i>1 dose on or after the 4<sup>th</sup> birthday</i> )
Varicella (Chicken pox)-----	2 doses ( <i>1 dose on or after the 4<sup>th</sup> birthday</i> )

**MUST HAVE BEFORE ENTERING 7<sup>TH</sup> Grade**

**May be given in the 6<sup>th</sup> grade**

**\*\*Tdap** (Tetanus, Diphtheria, Acellular Pertussis)----- 1 dose at 12 years of age (*6<sup>th</sup> - 7<sup>th</sup> grade*)

**\*\*MCV** (Meningococcal) ----- 1 dose at 12 years of age (*6<sup>th</sup> - 7<sup>th</sup> grade*)

These requirements allow for exemptions for medical reasons and religious beliefs. If your child is exempt from immunization, he/she may be quarantined and not allowed to attend school during an outbreak.

**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. All health records shall be confidential, and their contents shall be divulged, only when necessary for the health of the student or to a physician at the written request of the parent/guardian.

The School shall require parents/guardians to annually complete a medical history report form that includes information regarding known communicable diseases.

**HEALTH EXAMINATIONS AND SCREENINGS**

In compliance with the School Code, students shall submit to health and dental examinations in order to protect the school community from the spread of communicable disease. To ensure that the student's participation in health, safety and physical education courses meets his/he individual needs and to ensure that the learning potential of each student is not lessened by a remediable physical disability.

Each student shall receive a comprehensive health examination upon original entry, in (K-1<sup>st</sup>), 6<sup>th</sup> grade, and 8<sup>th</sup> grade, conducted by the school physician with assistance from the school nurse, unless you have privately conducted a comprehensive health examination and provided the report.

Each student shall receive a comprehensive dental examination upon original entry, in (K-1<sup>st</sup>), 3<sup>rd</sup> grade, and 7<sup>th</sup> grade, conducted by the school dentist, unless you have privately conducted a comprehensive dental examination and provided the report.

A private health and/or dental examination conducted at the parents'/guardians' request and expense will be accepted in lieu of the school examination. The in-lieu examinations shall be made and the report shall be furnished prior to the scheduled date of the school examination but dated no earlier than four months prior to the opening of the school term during which the regular school examination is scheduled.

The school nurse shall administer to each student vision screenings, hearing screenings, scoliosis screenings, and height and weight measurements, at intervals established by the School and mandated by the Commonwealth of Pennsylvania. Height and weight measurements shall be used to calculate the student's height and weight for age ratio, also referred to as a Body Mass Index (BMI).

The individual records of health examinations shall be maintained as a confidential record, subject to statute and Board policy.

Where it appears to school health officials or teachers that a student deviates from normal growth and development, or where school examinations reveal conditions requiring health, surgical or dental care, the parent/guardian shall be informed, and a recommendation shall be made that the parent/guardian consult a private physician or dentist. In addition, all teachers shall report to the school nurse any unusual behavior, changes in physical appearance, changes in attendance habits and changes in scholastic achievement, which may indicate impairment of a child's health. The nurse may advise a child's parents/guardians of the apparent need for a special medical or dental examination. The parent/guardian shall be required to report to the school the action taken subsequent to such notification. When the parent/guardian informs the school of financial inability to provide an examination, the school shall advise him/her of the availability of public assistance. If no action is taken, the school may conduct further examinations.

The CEO or his/her designee shall instruct all staff members to continually observe students for conditions that indicate health problems or disability and to promptly report such conditions to the school nurse.

The CEO or his/her designee shall ensure that notice is provided to all parents/guardians regarding the existence of and eligibility for the Children's Health Insurance Program (*CHIP*).

#### **CELL PHONES, ELECTRONICS AND TOYS**

**Students are prohibited from using cell phones, tablets, electronic toys of any kind, or smart watches unless the teacher or Administrator permits its use. CCCS is not responsible for any items brought to school.** If a student violates this policy, he/she will be subject to the following disciplinary actions:

- 1<sup>st</sup> offense - Parent must pick up the phone, electronic device or toys within 24 hours
- 2<sup>nd</sup> offense - Parent must pick up the phone, electronic device or toys within 24 hours and letter given to parent stating next time student will be suspended for (1) day.
- 3<sup>rd</sup> and any additional offenses - Student will be placed on out-of-school suspension for (1) day for each additional offense. Repeated violations may result in additional disciplinary action.

Children are not permitted to bring toys of any kind to school. **All toys, cards, games, etc. will be confiscated and not returned.** Please help us eliminate this major source of distraction. (*See Attachment D: Electronic Devices by Students Policy*)

## **RECESS**

During the school day, your child may receive a short recess period. The purpose of recess is to provide your child with a short break, fresh air and informal participation in positive social and physical activities.

**All recesses will be held outside, except in extreme weather conditions. You are expected to ensure that your child is dressed appropriately for the weather. Parent requests for inside recess during cold weather impose a serious supervision problem, as teachers must be outside with children. If your child has a medical reason that he/she cannot participate in recess and/or be outside, we must have a doctor's note with the nurse, not a parent note.**

Also, our policy regarding recess privileges is to encourage students to act in a way to continue to receive these privileges. Teachers may revoke all or a portion of recess as a child's behavior dictates.

## **RIDING THE BUS**

Transporting students to and from school is the responsibility of the student's home school district. Concerns about bus drivers, concerns about problems on the bus, or bus stop locations can be reported to Transportation (ext. 1225) or email ([Transport1@chestercommunitycharter.org](mailto:Transport1@chestercommunitycharter.org)).

It is CCCS policy that all students riding the bus will be expected to ride the bus daily. It is the parent's responsibility to notify CCCS, **in writing**, no later than the morning of the change, if the parent/guardian needs to request that the child be picked up instead. Due to our growth, and for the safety of your child, we are no longer able to accommodate these types of changes, either verbally or without prior notice.

## **BUS RULES**

- Upon boarding the bus, children should be seated immediately
- Children on the bus may not leave their seats or stand while the bus is in motion
- Children should talk quietly and not shout or distract the bus driver
- Children must keep head and arms inside the bus - never outside the window
- Children are instructed to keep the bus clean
- Profane language or talking back will not be tolerated
- Fighting on the bus for any reason is forbidden
- Follow driver or aide's directions at all bus stops and crossings

Children violating the rules of safety and courtesy will be reported to the principal or behavioral specialist by the bus driver. The principal will then determine whether the child's riding privileges will be suspended or if they are to be suspended from school and for what length of time.

## **NO TEMPORARY TRANSPORTATION CHANGES**

**Please note:** last minute requests for your child to ride a different bus home to be with a friend, or go to a baby sitter are unfortunately, not honored at this time. Although, we have tried to accommodate such requests in the past, we cannot honor them any longer. The student must ride the bus that he/she is assigned. Any changes in bus assignments must go through Transportation (ext. 1225) or email: [Transport1@chestercommunitycharter.org](mailto:Transport1@chestercommunitycharter.org). **Last minute changes to alter a child's bus schedule are not being honored unless arrangements are made before afternoon pickup. If for some reason your child cannot ride his regularly scheduled bus home, please make alternate arrangements for the pickup from school. A note must be sent to the front office and teacher no**

**later than the morning of the day of the change.** The child/children will only be released to the designated adults listed on the student's record. Due to the large number of students and the number of calls at the end of the day, we cannot continue to accept *extremely* last minute calls for special arrangements.

### **SNOW CLOSINGS**

For snow closings and other emergencies, please listen to all major radio and television stations, or view the CCCS website ([www.chestercommunitycharter.org](http://www.chestercommunitycharter.org)) and CCCS Facebook.

### **VOLUNTEERS**

Parents/guardians who wish to volunteer should contact their student's Building Principal and follow appropriate protocol in order to volunteer in the Building. (See Attachment U: Clearance for Volunteers)

### **STUDENT BEHAVIOR**

Since our goal is to empower children, our focus is on self-discipline and choices our students make. Consequently, we have two major school rules: 1) Respect yourself, and 2) Respect everyone else. In addition, each classroom has its own rules developed jointly with the children. By example and by direct instruction we will be employing conflict resolution strategies. We ask that parents and guardians help us in making children take responsibility for their own behavior. Typical questions to ask are: What happened? How do you feel about what happened? How do you think the other party feels about what happened? What choices do we have to settle this problem? How can we go about deciding the best choice? How will we follow up to see that our choice is working? What can we do to avoid the problem in the future? Although we are working toward having children employ self-control over their behavior, we recognize the need to apply some external control over behavior as well. Consequently, we have developed a student code of conduct.

### **STUDENT CODE OF CONDUCT**

Chester Community Charter School is committed to providing a safe, secure learning environment for every child in our program. We believe that every child has the right to learn in an orderly, respectful environment. Consequently, no child has the right to disrupt the learning of other children. To enforce this belief, Chester Community Charter School's administration, teachers and paraprofessionals do everything we can to demonstrate our respect for your children. It is critical that they respect us as well. Accordingly, CCCS has adopted the following Code of Conduct along with consequences for violations. These violations apply to all students enrolled in the school whether they are on school property, at any school-sponsored activity or on any public conveyance providing transportation to a school or school sponsored activity.

***(See Attachment E: Student Code of Conduct)***

### **BULLYING/CYBER-BULLYING POLICY STATEMENT**

#### **Policy Statement on School Bullying Prevention**

Chester Community Charter School recognizes that safe learning environments are necessary for students to learn and achieve high academic standards. Our school strives to provide safe learning environments for all students and all employees **(See Attachment G: Bullying/Cyber-Bullying Policy)**.

## SAFE 2 SAY SOMETHING SYSTEM

Each year in schools and communities across the United States, there are millions of youth who hurt themselves or others through verbal, physical and digital means. These behaviors can cause youth to experience emotional trauma and physical injury, mental health or wellness issues, stress, anxiety, and/or feelings of being unsafe. Too often the outcome results in self-harm, suicide or homicide.

The Safe2Say Something system teaches youth and adults how to recognize warning signs and signals, especially within social media, of individuals who may be a threat to themselves or others and say something, using our anonymous reporting system, BEFORE it is too late.

### **What is Safe2Say Something?**

Safe2Say Something is a youth violence prevention program run by the Pennsylvania Office of Attorney General. The program teaches youth and adults how to recognize warning signs and signals, especially within social media, from individuals who may be a threat to themselves or others and to “say something” BEFORE it is too late. With Safe2Say Something, it’s easy and confidential to report safety concerns to help prevent violence and tragedies.

### **Here’s how it works:**

- **Submit an anonymous tip report through the Safe2SaySomething system, which is located on the CCCS website**
- **Crisis center reviews, assesses and processes all submissions**
- **Crisis center sends all submissions to school administration and/or law enforcement for intervention**
- **If needed, crisis center may contact tipster anonymously through the app.**

## MISUSE OF SCHOOL COMPUTERS BY STUDENTS

Chester Community Charter School has a high-tech and up-to-date firewall that regulates what can be viewed on the internet on computers within our district’s network. We have implemented a filtration process called WebBlocker which receives daily incremental updates from SurfControl. SurfControl is a URL based database that is one of the world’s largest global databases of Web sites, updated daily to give us the most current and accurate protection available. Although this blocks 99% of sites that we do not permit our students to view, there are new sites being created all the time and it is almost impossible to block every one. We do our best to make sure that our students are monitored at all times while on the internet, and we will continue to do all we can to prevent them from viewing any material that is not suitable for them to see. **Please stress to your children that appropriate use of school computers is a privilege and if they abuse this privilege, they will be barred from using them, as well as other possible disciplinary action, including detention or suspension from school.** *(See Attachments F: Care of School Property Acknowledgement and Acceptable Use and Internet Safety Policy)*

## ATTENDANCE GUIDE PRINCIPLE

Part of the commitment to learning is working hard every day. We are enthusiastic about learning and we show that by coming to school on time every day *(See Attachment B: Student Attendance and Punctuality Policy)*.

## **HOMEWORK**

It is our policy to assign homework on a regular basis. The purpose of homework is to reinforce skills taught in the class. Generally new skills will not be introduced as homework. Children are responsible for returning homework promptly when due. Teachers will specify which assignments will require parent assistance. Parents are encouraged to check all homework assignments and to make comments as to how difficult or easy the assignments were for their children to complete. Please remember that homework can and does have an impact on grades.

## **STUDENT SERVICES DEPARTMENT**

Student Services consist of Special Education, Occupational Therapy, Physical Therapy, Speech Therapy, School Psychologist, Counseling, Social Work, Nursing and any other professional needed to provide appropriate services to our students.

## **INDIVIDUAL EDUCATIONAL PLANS (I.E.P.'S)**

Parents should advise the Special Education Department of new students who have had individual I.E.P.'s. Further, if a teacher believes a student should be evaluated to determine qualifications for Special Education services, parental permission will be sought and obtained before any such evaluation is done. Such evaluations will begin with an in-school committee consisting of the Principal, Director of Student Services, a certified special education teacher, a regular teacher, the referring teacher, and the parent. You may request a full evaluation at any time if you have concerns with your child's progress in school. Our Special Education Department follows the requirements of I.D.E.A. Please contact the SPED department at (610)447-0400 with any concerns or requests. Our purpose is to determine the most support we can provide for each child in the least restrictive environment.

## **CLASSROOM VISITATIONS**

We at Chester Community Charter School pride ourselves in being a school that is completely open to parents. We welcome parents as visitors as well as partners. Also, we look forward to you helping us with tutoring as well as small group instruction under the supervision of the classroom teachers. If you wish to visit your child's classroom, please make the arrangements with your child's teacher in advance. Also, please refrain from interacting with your child or other children in the classroom, as this would be disruptive to the educational process. **All visitors must sign in at the office.** Given the incidence of recent school violence nationwide, we are instituting this policy for the safety of your children. We welcome you as partners in the learning process. We are confident that you understand our need to maintain the integrity of the instructional process.

## **GRADING SYSTEM**

Our grading system and reporting system links grades to our curriculum objectives by grade level. These objectives are directly related to our testing program. Homework, classwork, projects, participation, quizzes, and tests all have an impact on a student's grades.

## **PROMOTION/RETENTION**

Chester Community Charter School is dedicated to the continuous development of each student. Students will be promoted on the recommendation of the classroom teacher and approval of the principal. The classroom teacher will base his/her recommendation upon the following criteria:



Adequate progress in reading, writing and mathematics as demonstrated by the school's and classrooms assignments and assessments.

- Students will pass to the next grade if they have passing grades (*no lower than D grade point average - 60%*) in *all core subject areas (reading and math)* and content area subjects (*social studies, science, etc.*)
- Students will pass to the next grade if they have passing grades in (no lower than D grade point average - 60%) *one of the core subject areas (reading or math)* and all content area subjects (*social studies, science etc.*)

**The decision to retain is based on the following criteria:**

- Students will not pass to the next grade if they do not have passing grades (*D grade point average or higher - Passing = 60% and above*) in all core subject areas (reading and math) and content area subjects (*social studies, etc.*)
- Students will not pass to the next grade if they do not have passing grades in (*Passing = 60% and D grade or higher point average- 60%*) in *one of the core subject areas (reading or math)* and one of the content area subjects (*science, social studies, etc.*)
- Attendance and Tardy: Students should be present in class each day. However, students who are absent ten or more days or have excessive lateness's will be at risk for retention.

If a student is being considered for retention, the school will notify the parents by the end of January. An Individual Learning Plan will be created to outline how the school and the parent/guardian agree to help the student progress to the next grade. If the student does not make adequate progress in the last tri-semester, the student may be retained in the same grade level. Retention is ultimately determined by the CEO or his/her designee in consultation with teachers and other administrators.

Students enrolled in special education may also be retained but these decisions will be made on a case-by-case basis, consistent with each student's Individualized Education Plan. Retention is considered when it is in the student's best interest. It is not viewed as a punitive measure, but as an enhanced opportunity to meet ultimate graduation requirements.

For English Language Learners, the decision to promote or retain will be based on the students' academic skills, and not upon English language proficiency.

**GRADUATION REQUIREMENTS**

In order for a student to graduate from the Chester Community Charter School and matriculate to the ninth grade, that student must have a final passing grade in all major academic subjects in the eighth grade, and demonstrate appropriate citizenship. All major subjects include: Math, Reading, Science, Social Studies, and Technology.

**CRISIS PLAN**

CCCS has a Comprehensive Crisis Plan in place to meet any emergency. The events of our time have made it imperative that all school districts have a crisis plan. The entire staff of Chester Community Charter School is familiar with the plan, and able to respond with cool efficiency in emergency situations. Copies of the plan can be viewed in our front offices.

**YOUR SIGNATURES AND ACKNOWLEDGMENTS**

There are CCCS Policies and other important information attached to this Handbook. A few require your written acknowledgement. Please review all attachments and complete the acknowledgements as requested and return to your Principal.

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Signature

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Print

## ATTACHMENT: A

### TITLE I PARENT & FAMILY ENGAGEMENT NOTIFICATION REQUIREMENTS

Chester Community Charter School receives Title I funding and is included under the regulations of the “Every Student Succeeds Act” (ESSA) that was signed into law by President Obama on December 10, 2015. The ESSA builds upon the critical work States and local educational agencies (LEAs) have implemented over the last few years. The reauthorized law sets high standards and contains policies that will help prepare all students for success in college and future careers. It prioritizes excellence and equity and recognizes the importance of supporting great educators in our nation’s schools.

As a recipient of Title I funds, the school is required to notify parents of the status of the school and of their parental options. Title I Requirements relating to Parental & Family Engagement is specified below:

- 1. Parents/Guardians’ Right-to-Know:** Parents have the right to request information about professional qualifications of their children’s teachers. If requested, CCCS will provide to a parent: certification and/or licensing status of the teacher; degrees held by the teacher; emergency or provisional status of the teacher, if applicable; and qualifications of any paraprofessionals serving the child. In addition, parents will be notified if a teacher who is not “PA certified” is instructing their child for four or more weeks.
- 2. Program Information:** In the Parent Corner of the school website CCCS has posted information regarding the following: the school’s Title I School-Wide Program; the CCCS curriculum; and school assessment measures. Parents are informed of the school’s expectations of students and parents through the CCCS Family Policies Handbook, the Parent-Student-Teacher Compact, monthly newsletter, and PTA meetings. Parents are informed of their child’s academic achievement through report cards (*4 times a year*), parent-teacher conferences (*2 times a year or more if needed*), interim academic progress reports (as needed), and teacher phone calls (as needed).
- 3. Parent & Family Engagement Policies:** Parent & Family Engagement policies will be distributed to parents in an understandable and uniform format and, if possible, in a language the parents understand. The entire policy will be directly disseminated to parents. Schools will update these policies and school-parent compacts periodically to meet the changing needs of parents and the school. Also, the school will evaluate the content and effectiveness of the school’s Parent & Family engagement activities on an annual basis. (*See Attachment T: CCCS Parental & Family Engagement Policy*)
- 4. School - Parent Compact:** In partnerships with parents, CCCS has developed a written school parent compact defining how the parents and the school will work to improve the student’s academic achievement. The compact is part of the school’s Parent Involvement Policy. (*See Acknowledgement: Care of School Property Policy*)
- 5. Title I Annual Parent Meeting:** CCCS convenes an annual meeting to inform parents of CCCS participation in Title I, Part A. At this meeting, the Title I Family Programs Coordinator and/or a Building Principal explains the Title I, Part A requirements, how students will be assessed, how parents will be kept informed, and the right of parents to be involved. This meeting is held at a time convenient for parents. All parents are invited and encouraged to attend.



**Chester Community Charter School**

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West Campus: 2730 Bethel Road, Chester, PA 19013  
Upland Campus: 1100 Main Street, Upland, PA 19015  
Aston Campus: 200 Commerce Drive, Aston, PA 19014  
East Campus: 5th and Madison, Chester, PA 19013  
Phone: (610) 447-0400 Fax: (610) 490-4004  
www.facebook.com/chestercommunitycharter  
www.chestercommunitycharter.org

**TITLE 1 COMPACT**

**Student Name** \_\_\_\_\_ **Date** \_\_\_\_\_

This compact is a statement of understanding which was designed by a representative body of parents and school staff to serve as a tool by which the school, parents, and students will develop and build a partnership to help children achieve the State’s high content and performance standards.

- **Goal 1: Reading.** Every student will learn to *read and comprehend well, read often, and enjoy reading* through family, teacher, and community support.
- **Goal 2: Studying.** Every student will *become a self-directed learner* through teaching that incorporates study skills; homework practices that build study habits, and parental guidance.
- **Goal 3: Respect & Responsibility.** Every student will *develop a sense of responsibility and respect* for self and others through consistent direction and support from the family and the school.
- **Goal 4: Community.** The *school will function as a community* of parents, students, teachers, and other support members of the community.

As a **PARENT/GUARDIAN**, I will encourage my child’s learning. I will:

- Know what skills our child is learning in reading and math.
- Read with, or to, our child for 15 – 20 minutes each day, five days a week.
- Get a library card for our child. Visit the library and encourage our child to bring home reading materials from the library.
- Check our child’s assignment notebook each night.
- Ensure that our child spends the necessary time completing homework assignments and return them to their teacher the next day.
- Establish a study place at home that is quiet, well lit, and where our child can sit to study.
- Make sure that our child attends school regularly, is on time, and is prepared to learn, with necessary supplies and homework completed.
- Expect our child to behave responsibly and treat other people with respect.
- Attend conferences, open houses and other school functions.
- Participate in the school’s PTA programs.

**PARENT SIGNATURE** \_\_\_\_\_

As a **STUDENT**, I will become a partner in my own learning. I will:

- Read regularly and discuss reading with family members for 10 - 15 minutes each day.
- Study at home in a quiet place.
- Complete my homework on time in a thorough and legible way.
- Return my completed homework to my teacher, on time.
- Keep and update the Agenda Book daily
- Pay attention and listen attentively.
- Behave responsibly and treat other people with respect.
- Recognize and accept the positive and negative outcomes of my behavior.
- Keep my parents informed about conferences and what I am learning and doing at school.

**STUDENT SIGNATURE** \_\_\_\_\_

As a **TEACHER**, I will encourage and support students’ learning. I will:

- Keep parents informed about school activities.
- Teach students reading for the purpose of mastering the material.
- Assign homework regularly to reinforce classroom instruction.
- Teach students study skills.
- Encourage students to behave responsibly and treat other people with respect.
- Teach and model responsible decision-making.
- Communicate frequently with parents about their children’s progress and show them how they can help.

**TEACHER SIGNATURE** \_\_\_\_\_

**Grade** \_\_\_\_\_ **Room #** \_\_\_\_\_



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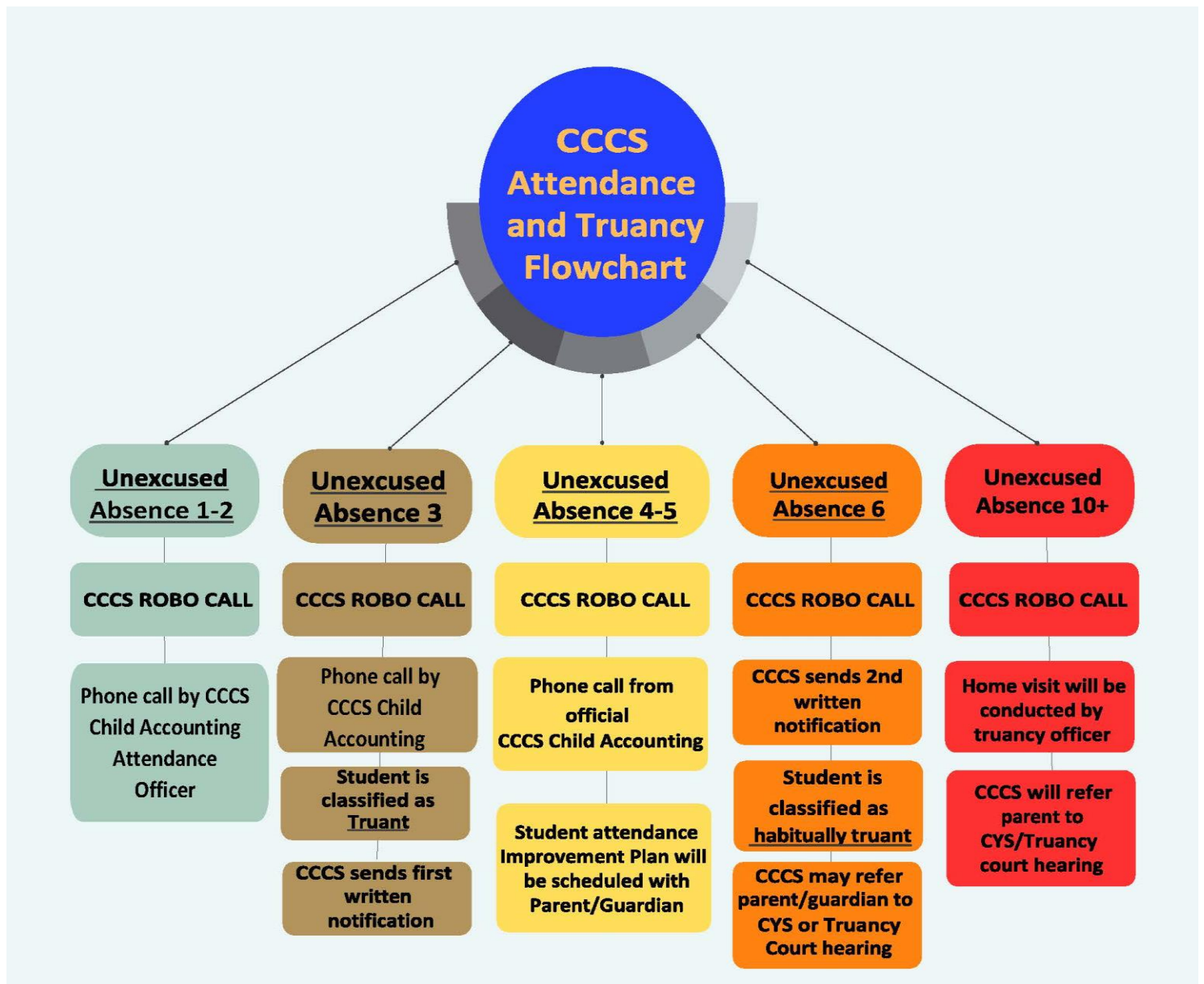
[www.facebook.com/chestercommunitycharter](http://www.facebook.com/chestercommunitycharter)

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

### ATTACHMENT: B

## Chester Community Charter School

### Attendance and Truancy Flowchart



**ATTACHMENT: C**

**Chester Community**

**Charter School Board of**

**Trustees Policy**

**STUDENT ATTENDANCE AND PUNCTUALITY POLICY**

The Board of Trustees (“Board”) requires that students enrolled at the Chester Community Charter School (“Charter School”) attend school daily and on time in accordance with the compulsory attendance laws of the Commonwealth of Pennsylvania.

Parents or guardians are required to ensure that their children attend school every day that school is in session through the procedures required by the Charter School.

The education program offered by the Charter School is based upon the presence of the student and requires continuity of instruction and classroom participation.

The Chief Executive Officer or his/her designee shall have the responsibility to develop procedures following the guidelines developed by the Board to assure that students attend school regularly and that said procedures comply with all Federal, State and local laws.

A component of the procedures shall be an early intervention process to assure that assistance is given to students who are experiencing problems in attending school.

Attendance and punctuality procedures will be delineated in the Student Handbook and distributed to every student.

Said attendance and punctuality guidelines are subject to periodic review by the entire Board of Trustees.



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### ATTACHMENT: D

## Chester Community Charter School

### Attendance **Guidelines**

The Chester Community Charter School bell times are **8:00 am to 2:45 pm daily for Elementary school** learners and approximately **7:30 am to 2:30 pm for Middle school**. Elementary students attending school after 8:15 am will be considered late. Middle school students are considered late after 7:45 am. The early dismissal cutoff for ALL students will be at 2:00 pm daily. At 10:30 a.m., the automatic dialing system will notify parents that students are absent. **10:30 am will be the cutoff at which students will be considered absent for that instructional day.** (Unless a valid excuse is submitted within three days of official absence). Please see the list below of valid excuses that may be submitted for review.

Parents are expected to turn in excuse notes when a child returns to school following an absence. Three or more absences that are NOT followed with an excuse note from a parent will lead to truancy. Parents or legal guardians can submit excuse notes via [www.chestercommunitycharter.org](http://www.chestercommunitycharter.org) through the “**FAMILIES**” portal drop-down tab on our schools’ website and complete the ‘absent & tardy form’ for submission. The attendance department will respond to the inquiry within 24 hours for processing. Don’t hesitate to get in touch with your child’s specific school building for additional assistance.

*Please Note: Excessive absences can result in grade retention. Such decisions are at the discretion of the CEO in consultation with teachers and administrators.*

Excused absences include:

- Failure of the bus to arrive at the bus stop
- Personal illness
- Medical and dental examination or treatment of the student when such appointments cannot be scheduled other than during school hours
- Death in the family of the parent/guardian or close family member
- Observation of a religious holiday
- Emergency conditions in the student’s home (upon student return, documentation is necessary)

Ex: Major Utility Failure

Power Outage

Fire

**Excused absences DO NOT include:**

- Uniform issues
- Vacations
- Anything that is not considered “excused,” as noted above

**Extended Medical Absences:** If a student is absent for medical reasons for 10 consecutive days, the parent/guardian must provide a written note/certification from a doctor’s office. All excuse notes are to be received by front office personnel, the school’s principal, and the CCCS attendance department for verification and processing.

**LEGAL REQUIREMENT FOR SCHOOL ATTENDANCE AND TRUANCY LAW**

The Commonwealth of Pennsylvania has laws that compel children to attend school and impose potential sanctions upon parents who have truant children. The following list explains CCCS’ unexcused absence procedures.

1. All absences are unexcused unless a written excuse is received explaining the reason for the absence.
2. Upon returning to school, parents/guardians should submit a written explanation of the absence (either in person or through their student) in addition to online submissions through the CCCS website.
3. If parents do not provide a written excuse within three days of the student returning to school, reasonable allowances may be made to accept a parent’s explanations for the absence without initiating any punitive response. Some notes may not be accepted, depending on the excuse and/or format. Examples include absent notes submitted by anybody outside the parent/legal guardian and online absent forms where all required fields are not completed properly before submission. All excuse notes are received by Front office personnel, the school’s principal, and the CCCS attendance department for verification and processing.
4. If a third unexcused absence occurs, the school will notify the parents in writing within ten (10) days of the third unexcused absence sent as a “First Notice.”
5. After the ‘First Notice’ has been served, and if no improvement has occurred in student attendance, and after a 6<sup>th</sup> unexcused absence, a Student Attendance Improvement Plan (SAIP) conference will be initiated. The school will initiate the SAIP conference and contact the parent/guardian regarding the date and time of the meeting. The presence of the parent/guardian at this conference is strongly encouraged. However, if a parent cannot attend, the conference will be held without the parent/guardian’s presence, and the outcomes will be mailed to them. The SAIP represents a collaborative effort between school officials and the parent/guardian to improve student attendance.



**NOTE:**

] **3 unexcused absences** - a student is **TRUANT**.

] **6 unexcused absences** - a student is **HABITUALLY TRUANT**.  
*The student will be referred to either school or community-based attendance improvement programs.*

**Children and Youth Agency.** *Children and Youth Services (CYS) may be contacted regarding parents/legal guardians not abiding by the state's truancy laws. CCCS may file a citation, which would result in a proceeding before a magisterial district judge, provided a School Attendance Improvement Conference ("Conference") has already been held and is not pending.*

] **10 unexcused absences**—*Students who miss ten school days without a valid excuse will be referred to the county Children and Youth Agency, and the Chester Community Charter School Social Worker will be contacted. CCCS may file a citation, resulting in a proceeding before a magisterial district judge.*

- **18 excused absences** submitted online or in person, cumulative or consecutive, will need to be verified by the school's principal.
- Students with 18 or more (10% of instructional days) excused absences may be subject to similar proceedings as truant students, including referral to a school social worker and referral to local children and youth organizations.

**ATTACHMENT: E**

**Chester Community Charter School**

**Board of Trustees Policy**

**ELECTRONIC DEVICES BY STUDENTS POLICY**

The Board of Trustees (“Board”) of the Chester Community Charter School (“Charter School”) recognizes that the use of electronic devices by Charter School personnel where supportive of the general welfare and the instructional program of the school is endorsed. The use of electronic devices by students has been found not only disruptive but, in many instances, contributory to illegal purposes. This policy is to serve notice to all concerned that use of electronic devices by students on school premises is prohibited.

Students are permitted to have cell phones. However, a student’s cell phone is to be turned off upon entering the school. The Charter School will not assume responsibility for the loss or theft of cell phones.

Electronic devices shall include all devices that can take photographs; record audio or video data; store, transmit or receive messages or images; or provide a wireless, unfiltered connection to the Internet. Examples of these electronic devices include, but shall not be limited to, radios, walk-mans, CD players, iPods, MP3 players, DVD players, handheld game consoles, Personal Digital Assistants (PDAs), cellular telephones, Black Berries, and laptop computers, as well as any new technology developed with similar capabilities.

The Board prohibits use of electronic devices by students during the school day in Charter School buildings; on Charter School property; on Charter School transportation; during the time students are under the supervision of the Charter School at Charter School sponsored activities; and specifically, in locker rooms, bathrooms, health suites and other changing areas at any time. Use of designated electronic devices may be permitted during the times outlined in applicable student handbooks.

The Board prohibits the possession of laser pointers and attachments and telephone paging devices/beepers by students during the school day in Charter School buildings; on Charter School property; on Charter School transportation; during the time students are under the supervision of the Charter School at Charter School sponsored activities.

The Board authorizes the Chief Executive Officer of the Charter School (CEO) to develop and enforce regulations to prohibit use of electronic devices by students. Such regulations shall include:

- (a) Confiscation of electronic devices whose use has not been approved by the CEO
- (b) Investigation of the incident by the CEO who may:
  - (1) Return the electronic device to the parent
  - (2) Suspend the student in accordance with the Charter School Code of Conduct
  - (3) Recommend expulsion of the student for repeated violations of the

- Charter School Code of Conduct of this prohibition  
(4) All of the above

The Charter School shall not be liable for the loss, damage or misuse of any electronic device.

### **Electronic Images and Photographs**

The Board prohibits the taking, storing, disseminating, transferring, viewing, or sharing of obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or other means, including but not limited to texting and e-mailing. Because such violations may constitute a crime under state and/or federal law, the Charter School will report such conduct to state and/or federal law enforcement agencies. Such prohibited activity shall also apply to student conduct that occurs off Charter School property if:

- There is a nexus between the proximity or timing of the conduct in relation to the student's attendance at Charter School programs or activities sponsored by the Charter School.
- The student is a member of an extracurricular activity and has been notified that particular off-campus conduct could result in exclusion from such activities.
- The conduct has a direct nexus to attendance at Charter School programs or activities sponsored by the Charter School, such as an agreement made on Charter School property to complete a transaction outside of school that would violate the applicable Student Code of Conduct.

The CEO may delegate responsibility for the enforcement and reporting of the progress of this policy to appropriate school officials. The CEO shall inform the students of this policy by general announcement, by inclusion in the Charter School's Handbook, Code of Conduct and a letter to parents. Staff shall be kept informed continually of the provisions of the policy and its effectiveness.

### **Exceptions**

The CEO may grant approval for possession and use of an electronic device by a student for the following reasons:

1. Health, safety or emergency reasons.
2. An individualized education program ("IEP").
3. Classroom or instructional-related activities.
4. Other reasons determined appropriate by the CEO.

The CEO may grant approval for possession and use of a telephone paging device/beeper by a student for the following reasons:

1. Student is a member of a volunteer fire company, ambulance or rescue squad.
2. Student has a need due to the medical condition of an immediate family member.
3. Other reasons determined appropriate by the CEO.

### **Student Laptops**

In order to maintain the security and integrity of the Charter School's networks and systems, student-owned laptops are not to be brought to and used in school. Students may request an exception to this policy for an educationally necessary reason.

## ATTACHMENT: F

### STUDENT CODE OF CONDUCT

#### Mission Statement

Chester Community Charter School is a K-8 public charter school dedicated to educating the whole child in a data-driven learning community. To accomplish this, the school's environment is built on Social-Emotional Learning and a commitment to empowering students to become the drivers of their own learning, with the support of all staff, families, and community stakeholders.

#### Vision

Chester Community Charter School aspires to be the leader in utilizing our regional, national, and global communities to educate the whole child. Through data-driven best practices, within a positive school-wide culture and climate for learning, we will provide our scholars, staff, and community with opportunities for continuous growth and achievement in an ever-changing world.

#### Goal

By the time Chester Community Charter School students graduate from 8th grade, they will be self-sufficient learners, with the skills and voice to advocate for their learning for the rest of their lives. They will be able to communicate confidently in the digital world and will be academically astute, resourceful, and impassioned in their continual pursuit of learning. They will have an appreciation for the unique role our region has played in the development of fine arts and technical innovation, and have an awareness of their rights and responsibilities as citizens to utilize their knowledge and skills to advocate for themselves, our local community, and our world, for the good of all.

# Student Code Summary

The Chester Community Charter School's Code of Student Conduct provides a four-step level system in response to disruptive, unsafe and/or harmful behaviors.

**Step 1:** Our disciplinary plan is based on the tenets of positive reinforcement. Whenever circumstances permit, we endeavor to seize the "*teachable moments*." These Moments are defined as opportunities to increase the students' skills in self-management and their ability to respect self and others even in difficult situations. The act of seizing the "*teachable moment*" is similar to coaching. Its goal is to teach by promoting student reflection and self-correcting behaviors. Such initial responses are offered to those committing first time, lower level offenses barring there is no threat to the physical well-being of others, no violation of the law, and no destruction or loss of property. Teachers, Guidance Counselors, or other qualified adults may be involved in this process. This step does not require any disciplinary responses.

**Step 2:** The second step refers to offenses managed in most cases by classroom teachers. These are referred to as Level 1 offenses that are listed, along with their potential consequences.

**Step 3:** The third step recruits the involvement of other professionals whose insights influence may help to redirect a student's persistent misbehavior. These professionals can include but are not limited to, the use of a buddy teacher, Principal, Assistant Principal, Dean of Students, Guidance Counselor, Academic Coach, Building Director or other trusted adults who have a supportive relationship with the student. In all of these steps, the school informs parents of their child's behaviors and invites a partnership that can help the child re-engage positive behaviors at school. This step generally involves Levels 2 and 3 violations.

**Step 4:** The fourth step in this disciplinary code provides guidelines for addressing the most dangerous and disruptive behaviors. Those behaviors are considered Level 4 violations that may result in an alternative placement or expulsion.

**Shared Responsibilities:** The 4-step approach mentioned above reinforces the African proverb, "*it takes a village to raise a child*." This belief is further supported by the need to establish a sense of shared responsibility in nurturing and educating children.

\*This student code of conduct does not list all student offenses. If a student's offense is not listed, the building principal or designee can classify it as a closely related offense listed in the code.

# Level 1 Offenses & Consequences

## Offenses

- Cursing lewd/inappropriate language
- Pushing, showing aggressive or intimidating physical postures
- Defiant, disrespectful behavior
- Dress Code Violation
- Unprepared for class
- Teasing, taunting, trash talk
- Defiance/Non-Compliance
- Disruptive behavior
- Incomplete Assignments
- Misuse of school property
- Loitering
- Leaving class without permission (class cutting)
- Stealing/Theft – Minor
- Minor altercation (Any altercation not physical)

## Potential Consequences

- Parent Communication
- Verbal Reprimand
- Student reflections and self-corrective actions
- Teacher contacts parents (telephone)
- Offending student makes amends
- Removal of Recess
- Teacher detention
- Peer consequence (youth court)
- Temporary loss of privileges
- Behavior Contract
- Parent conference

**\*Persistent Level 1** misbehaviors will result in more stringent disciplinary responses and behavior monitoring. This monitoring may include a conference with a Dean or an administrator with a notation from the teacher that “no further action is required” beyond the conference itself. Frequently, repeated Level 1 offenses that are undeterred will escalate to a level 2 offense and be handled by an administrator.

# Level 2 Offenses & Consequences

## Offenses

- Academic cheating
- Abusive language
- Leaving class without permission/Class cutting - escalated
- Failure to attend detention
- Forgery
- Presence in a prohibited area
- Unauthorized use of electronic device
- Disrespect to staff - escalated
- Defiance to staff - escalated
- Disruptive behavior - escalated
- Physical altercation (not rising to fight)
- Technology Violation
- Slander, gossip, spreading rumors
- Stealing/Theft
- Dress Code Violation – Escalated

## Potential Consequences

- Parent Communication
- In-person parent conference
- After school detention (teacher/Administrator)
- In School Suspension (ISS)
- Loss of technology use privileges
- Out of School Suspension
- Temporary confiscation of cell phone until parent pickup
- Any combination of consequences listed under level 1

\*Administrators handle Level 2 offenses, and the classroom teacher maintains documentation. Students who miss class assignments due to out-of-school suspensions are expected to arrange with their classroom teachers to receive missing work.

# Level 3 Offenses & Consequences

## Offenses

- Elopement - Leaving school without authorization
- Offensive touching student to student
- Offensive touching student to staff
- Unlawful restraint
- Threatening school officials or staff
- Threatening student
- Gang-related attire
- Stealing/Theft – Escalated
- Fighting
- Bullying/Cyber (persistent teasing)
- Unauthorized use of an Electronic Device (Cell Phone, etc.)

## Potential Consequences

- Out of School Suspension (OSS)
- In School Suspension (ISS, for longer periods of time than Level 2 offenses)
- Parent conference prior to re-entry
- Police involvement
- Referral to counseling
- Behavior contract
- Denial of bus transportation
- Any combination of consequences listed under Level 1 and Level 2
- Referral to the Board of Trustees for expulsion
- Referral to appropriate outside social agency
- Replacement of or compensation for damaged property

\* **Level 3** offenses represent the more severe student misbehaviors. The list above is representative of these offenses and does not include all possible situations. Offenses not specifically mentioned will be handled on “*case by case*”. Students who miss class assignments due to out-of-school suspensions must arrange with their classroom teachers to receive missing work.



# Level 4 Offenses & Consequences

## Offenses

- Simple Assault on Student
- Indecent Assault
- Indecent Exposure
- False Fire Alarm/Alarm Tamper
- Obscene and other sexual materials and performances
- Sexual harassment
- Racial and ethnic intimidation
- Other forms of harassment or intimidation
- Fighting
- Stalking
- Aggravated assault of student
- Kidnapping or interference with custody of child
- Reckless endangerment
- Robbery
- Theft and related offenses – escalated
- Crimes related to criminal homicide
- Bullying/Cyber – escalated
- Simple assault on staff
- Burglary
- Arson and related offenses
- Vandalism
- Criminal trespass
- Rioting
- Bomb threats/Swatting
- Terroristic threats
- Failure of disorderly persons to disperse upon official orders
- Disorderly conduct
- Aggravated assault on staff
- Possession, use, or under the influence of a controlled substance
- Sale or distribution of a controlled substance
- Sale, possession, use, or under the influence of alcohol
- Rape
- Possession, use or sale of tobacco
- Cyber harassment of a child
- Institutional sexual assault
- Possession, use, or sale of vaping material
- Possession of weapon
- Involuntary sexual deviant intercourse
- Statutory sexual assault

- Sexual assault
- Open lewdness
- Inciting a riot or a fight
- Drug possession (illegal or prescription, including edibles)
- Severe bodily injury to oneself or another
- Violation of social media policy
- Extortion
- Security threat
- Severe bodily injury to another student or staff
- Spitting
- Stealing/Theft – Major Escalated
- Escalated – Unauthorized use of an Electronic Device (Cell Phone, etc.)

## Potential Consequences

- Out of School Suspension (OSS)
- In School Suspension (ISS, for longer periods of time than Level 2 offenses)
- Parent conference before re-entry
- Police involvement
- Mandatory drug screening
- Mandatory counseling
- Behavior contract
- Denial of bus transportation
- Any combination of consequences listed under Level 1 and Level 2
- Referral to Board of Trustees for expulsion
- Referral to appropriate outside social agency

\* Level 4 Offenses represent the most severe student behaviors. The list above is representative of these offenses and does not include all possible situations. Offenses are not specifically mentioned will be addressed on a case-by-case basis.

# Potential Expulsion/Alternative Placement Offenses

- Simple Assault on Student
- Indecent Assault
- Indecent Exposure
- False Fire Alarm/Alarm Tamper
- Obscene and other sexual materials and performances
- Sexual harassment
- Racial and ethnic intimidation
- Other forms of harassment or intimidation
- Fighting
- Stalking
- Kidnapping or interference with custody of child
- Reckless endangering another person
- Robbery
- Theft and related offenses
- Crimes related to criminal homicide
- Bullying /Cyber
- Simple assault on staff
- Burglary
- Arson and related offenses
- Vandalism
- Criminal trespass
- Rioting
- Bomb threats/Swatting
- Terroristic threats
- Failure of disorderly
- Disorderly conduct
- Aggravated assault on staff
- Possession, use, or under the influence
- Sale or distribution of a controlled substance
- Sale, possession, use, or under the influence of alcohol
- Rape
- Possession, use, or sale of tobacco
- Cyber harassment of a child
- Institutional sexual assault
- Possession, use, or sale of vaping material
- Possession of weapon
- Involuntary sexual deviant intercourse
- Statutory sexual assault
- Sexual assault
- Aggravated indecent assault
- Inciting a riot or a fight

- Inciting a riot or a fight
- Drug possession (illegal or prescription, including edibles)
- Extortion
- Misuse of technology; violation of social media policy
- Repeated violation of school code of conduct
- Security Threat
- Open lewdness
- Severe bodily injury to another student or staff

\* This list is not all-inclusive, and a student committing an act of misconduct not listed may be subjected to disciplinary action (including alternative placement or expulsion). Serious or excessive behavior that necessitates a more severe disciplinary action than that which is listed shall be subject to the discretionary authority of the CEO or designee.

Please Note: Students that have a history of reported offenses may be recommended for alternative placement once the building level student support team has demonstrated that they have exhausted all school-based interventions. A student may only be referred to a “district level” alternative placement committee.

# Mandatory Report to Police

- Violent felonies (All violent felonies that occur against students, school employees, and school volunteers must be reported):
  - Homicide
  - simple assault
  - aggravated assault
  - terroristic threats
  - harassment
  - stalking
  - kidnapping
  - unlawful restraint
  - rape
  - statutory sexual assault
  - institutional sexual assault
  - indecent assault
  - indecent exposure
  - arson
  - vandalism
  - burglary
  - criminal trespass
  - robbery – including of a motor vehicle
  - riot
- Assault against a student, school employee or volunteer
- Unlawful sexual contact and or sexual harassment against a student, school employee or volunteer
- Possession of a dangerous instrument or deadly weapon or bomb by a student
- Possession of an unlawful controlled substance including prescription drugs and counterfeit drugs

\*The principal or designee will make every effort to notify the parent(s)/guardian(s) conduct a thorough investigation and if warranted by statute, report it to the police authorities. In addition, the principal/deans will make every effort to notify the parent(s)/guardians(s) of any juvenile victim. The following list is not all-inclusive, but at a minimum, the following shall be reported to the appropriate law enforcement agency:

Evidence that suggests the commission of the crimes of assault and extortion against a pupil or an assault or extortion against a school employee.

Evidence that suggests a felony, for example, reckless endangering, assault offenses; homicide, arson; criminal mischief, bombs, robbery; rape; extortion; fraud; forgery; weapon; etc. may have occurred.

Evidence that suggests violations of the laws concerning controlled substances and alcohol; may have occurred.

Evidence that suggests incest, sexual abuse of the neglect, or other abuse of children; may have occurred.

Evidence that suggests the use, possession, or sale of dangerous instruments or deadly weapons, (i.e. knives, firearms, ammunition, explosives, or blasting caps); may have occurred.

Evidence that suggests moral offense (i.e. pornography, exhibitionism, peeping, etc.); may have occurred.

Evidence that suggests organized gambling; may have occurred.

Evidence of offenses involving school property, i.e. false fire alarms, telephone threats, computer crimes, vandalism and criminal mischief, trespass, burglary and theft, reckless driving, and safety hazards; may have occurred.

There have been reports of suspicious or unauthorized persons on or near school grounds or property, and rumors, information or observations of gang rivalries may have occurred.

# Definitions

1. **Abusive Language/Gestures/Cursing** shall mean student uses, or threatens to use, Written or spoken language, gestures, electronic images, photos, or actions that are offensive, obscene and vulgar.
2. **Academic Cheating** is the act or instance of deception in preparing or presenting course work or class assignments as a student's own authentic work when it is not. This includes, but is not limited to:
  1. Copying another student's paper
  2. Unauthorized use of notes or sharing answers during a test or examination
  3. Presenting another person's work as one's own
  4. Presenting quotations, words, or ideas without proper references or credit (plagiarism)
    1. **Note:** The person sharing the information will receive the same consequences as
    2. the person who turned the work in as their own. These examples also apply to electronic information retrieved from the internet.
3. **Alcohol** shall mean any alcoholic liquor capable of being consumed by a human being, including alcohol, spirits, wine and beer.
4. **Arson** shall mean a person recklessly or intentionally starting a fire or causing an explosion.
5. **Assault** shall mean:
  1. The person intentionally causes serious physical injury to another person using a deadly weapon or a dangerous instrument or
  2. The person intentionally disfigures another person seriously and permanently, or deliberately destroys, amputates or disables permanently a member or organ of another person's body.
6. **A Behavior Contract** is a written agreement among a student, the student's parent/guardian and an administrator that explicitly states the conditions that must be met; failure to do so will result in further disciplinary action. A behavior contract may be used in addition to specified actions.
7. **Bullying** shall mean an intentional written, electronic, verbal or physical act or actions against another student, school volunteer or school employee that a reasonable person under the circumstances should know will have the effect of:
  1. Placing a student, school volunteer or school employee in reasonable fear of substantial harm to their emotional or physical well-being or significant damage to their property, or:
  2. Creating a hostile, threatening, humiliating or abusive educational environment due to the pervasiveness of actions or due to a power differential between the bully and the target; or
  3. Interfering with a student; having a safe school environment that is necessary to facilitate educational performance, opportunities or

benefits; or

4. Perpetuating bullying by inciting, soliciting or coercing an individual or group to demean, dehumanize, embarrass, or cause emotional psychological or physical harm to another student, school volunteer, or school employee.

8. **Cyberbullying** shall mean the use of uninvited and unwelcome electronic communication directed at an identifiable student or group of students, through means other than face-to-face interaction which:

1. Interferes with a student's physical well-being; or
2. Is threatening or intimidating; or
3. Is so severe, persistent, or pervasive that it is reasonably likely to limit a student's ability to participate in or benefit from the Charter School's educational programs.

**Note:**

1. Communication shall be considered to be directed at an identifiable student or group of students if it is sent directly to that student or group or posted in a medium that the speaker knows is likely to be available to a broad audience within the school community.

9. **Dangerous Instrument(s) Possession/Concealment/Sale** shall mean the: Unauthorized possession/sale by a student in the school environment of any instrument, article of substance readily capable of causing serious physical injury or death.

10. **Defiance/Non-compliance/Disrespectful Behavior of School Authority shall mean:**

1. A verbal or non-verbal refusal to immediately comply with a reasonable request from the school personnel, or refusal to identify oneself at the request of school personnel and/or refusal to comply with disciplinary action; or
2. A verbal or non-verbal display of disrespect or uncivil behavior toward school personnel causes a substantial disruption or material interference with school activities.

11. **Disorderly Conduct** is unruly behavior constituting a minor offense.

12. **Disruptive Behavior:**

1. Conduct that materially and substantially interferes with or obstructs The teaching or learning process in a classroom or educational setting.

13. **Destructive Device:**

1. Any explosive incendiary, or poison gas; bomb, grenade, rocket having a propellant charge of more than ounces, missile having an explosive incendiary charge of more than one-quarter ounce, mine, or device similar to any of the devices described in the preceding clauses.
2. Any type of weapon (other than a shotgun shell which the U.S. Secretary of Treasury finds is generally recognized as particularly suitable for sporting



- purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by an action of an explosive or other propellant and which has any barrel with a bore of more than one-half in diameter, and
3. Any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (a) or (b) and from which a destructive device may be readily assembled. Destructive Device shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although initially intended for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing safety, or similar device, surplus ordinance sold or loaned.
14. **Denial of Bus Transportation** is the temporary or permanent withholding of bus transportation due to misconduct on the school bus, disrespect to the driver or vandalism to the bus. Such action may be taken only by an administrator. During the period of denial of school bus transportation parents/guardians are responsible for getting the student to and from school.
  15. **Detention** is an established time outside the regular instructional time when a Student is detained in a supervised area.
  16. **Distribution of Drugs and/or Alcohol and/or Drug Paraphernalia** shall mean a sale, transfer, or distribution in school on school property, or on a school field trip of Drugs and Alcohol.
  17. **Drug** shall mean any controlled substance or counterfeit substance including, for example, narcotic drugs such as heroin or cocaine, amphetamines, anabolic steroids and marijuana and shall include any prescription substance that has been given to or prescribed for a person other than the student in whose possession it is found.
  18. **Drug-like-substances** mean any non-controlled and/or non-prescription substances capable of producing a change in behavior or altering a state of mind or feeling, including, for example, some over-the counter cough medicines, certain types of glue and caffeine pills.
  19. **Escalation** An offense is elevated to a higher level within the Code of Conduct due to either the frequency of its occurrence or the severity of the violation. This process signifies a significant concern regarding the individual's behavior and underscores the need for more stringent consequences to effectively address ongoing or intensified misconduct
  20. **Extortion** shall mean to obtain money, goods, services or information from another by force or the threat of force.
  21. **Fighting** shall mean any aggressive physical altercation between two or more Individuals.
  22. **Forgery** is the making, altering, use, or possession of a false writing to commit fraud.

23. **Gambling** shall mean participation in games of chance for money or other things of value.
24. **Harassment** shall mean any actions or statements made with the intent to harass, annoy or alarm another person which:
1. Insults, taunts or challenges the other person or;
  2. Is a cause of alarming or distressing conduct which serves no legitimate Purpose and is done in a manner which the actor knows is likely to provoke a violent or disorderly response or cause a reasonable person to suffer fear, alarm or distress.
25. **Indecent Assault** is the crime of attacking someone in a way that involves touching or threatening them sexually but not forcing them to have sexual intercourse
26. **In-School Suspension** is the temporary placement of a student in a supervised area within the school.
27. **Inhalant Abuse** shall mean chemical vapors that are inhaled for their mind-altering effects.
28. **Loitering** is to delay, linger, or idle about a school or public place without lawful business for being present.
29. **Misuse of Technology** shall mean the use of school technology equipment in:
1. Soliciting, using, receiving, or sending pornographic or obscene material;
  2. Accessing unauthorized email;
  3. The unauthorized downloading and installing of files;
  4. Intentionally damaging technology equipment I the school environment
  5. A situation in which a student tampers with, damages, alters, accesses, crashes, or corrupts the computer/communications system in the school environment, resulting in the loss or corruption of information or the ability of the system to operate or
  6. In any way disrupts or degrades the school's technology infrastructure
30. **Offensive Touching** shall mean intentionally inappropriate touching another person either with a member of his or her body or with any instrument, knowing that the person is thereby likely to cause offense or alarm to such other person; or intentionally striking another person with saliva, urine, feces or any bodily fluid, knowing that the person is thereby likely to cause offense or alarm to such other person.
31. **Open Lewdness** is any act involving sexuality, nudity, or sexual behavior performed openly in public.
32. **Paraphernalia** includes but is not limited to roach clips, miniature cocaine spoons, containers for packaging drugs.
33. **Pornography** shall mean the possession, sharing or production of any known obscene material in the school environment.

34. **Possess, Possessing or Possession** means that a student has prohibited items or substances on his or her person, in his or her belongings, or under the student's reasonable control.
35. **The Principal** includes the Principal's designee
36. **Rape or Attempted Rape** shall respectively mean sexual intercourse without the Consent of the victim in both cases.
37. **Reckless Endangerment** is engaging conduct that places or may place another person in danger of death or serious bodily injury.
38. **Reprimand** is a verbal or written warning that behavior is unacceptable.
39. **Restitution** refers to seeking the payment for or restoration of damaged property from the student(s) responsible in no event is the district responsible for the restitution.
40. **Rioting** is the violent disturbance of the peace by a crowd.
41. **Sexual Assault** shall mean any unwanted sexual behavior committed by a Perpetrator who is a stranger to the victim or by a perpetrator who is known by the victim or related to the victim by blood, marriage or civil union.
42. **Sexual Harassment** is a behavior characterized by making unwelcome and inappropriate sexual remarks or physical advances in a workplace or other professional or social situation.
43. **Sexual Misconduct** shall mean a consensual sexual act(s) between two individuals within the school environment.
44. **Slander** is the action or crime of making a false statement damaging to a person's reputation.
45. **Smoking** includes the burning of any lit pipe, cigar, cigarette, vaping, or any other smoking equipment, whether filled with tobacco or any other type of material:
1. Tobacco is defined as all tobacco-derived or containing products, including but not limited to cigarettes (e.g., clove, bidis, kreteks, electronic cigarettes, cigars, and cigarillos), hookah-smoked products, pipes, oral tobacco (e.g., spit and spitless, smokeless, chew, snuff), and nasal tobacco. It also includes any product intended to mimic tobacco products, contain tobacco flavoring, or deliver nicotine. Products approved by the U.S. Food and Drug Administration for cessation are not considered tobacco under this policy.
46. **Stealing** means taking, exercising control over or obtaining the property of another person intending to deprive that person of it or appropriate it.
47. **Swatting** is the action or practice of making a prank call to emergency services to dispatch many armed police officers to a particular address.

48. **The School administrator can designate suspensions** as in-school or out-of-school:
1. **In-School Suspension (ISS):** Students assigned to in-school suspension will remain in school, but will be assigned to a designated, supervised area within the school. A student assigned to in-school suspension cannot participate in any extra-curricular activities during their suspension.
  2. **Out of School Suspension (OSS) is a student's temporary exclusion from** the school, school grounds, and all school-related activities by a building administrator for a period not to exceed five (5) days. The CEO or designee may extend the suspension for a period not to exceed ten (10) days, except after a hearing and approval of the Board of Trustees.
49. **Out-of-School Suspension (OSS):** Students assigned to out-of-school suspensions are not to be permitted on school property during their suspension, and it is the parent/guardian's responsibility to arrange for their care. Students assigned to out-of-school suspension are not permitted to participate in any extra-curricular activities during their suspension. Students may request to receive their assignments during the time of their suspension if the time period exceeds 3 days.
50. **Terroristic Threatening shall** mean when:
1. A person threatens to commit any crime likely to result in death or a severe injury to a person or property; or
  2. A person commits an act with the intent of causing an individual to believe that the individual has been exposed to a substance that will cause the individual death or serious injury.
51. **Under the Influence/Usage** – a student has either smoked, snorted, drank or injected an illegal drug or substance or drank alcohol, beer, wine, cough syrup or ingested pills.
52. **Vandalism** involves deliberate destruction of or damage to public or private property.
53. **Violent Felony** involves the use of threat or force against another person.
54. **Weapon/Dangerous Instrument & Sale of Weapon/Dangerous Instrument** – any instrument from which a shot may be discharged, including the discharge of a pellet, slug, bullet or BB shot by compressed air or by spring discharge: a knife of any sort; switchblade knife, box cutter, razor, blackjack, bludgeon, metal knuckles, slingshot, bicycle chain, ice pick; or any other article commonly used or designated to inflict bodily harm or to intimidate others, or used in an aggressive and threatening manner articles commonly used for other purposes. A laser light is a dangerous instrument when used in a manner that intentionally or recklessly presents a risk of injury to a person's eye. In all events, laser lights are not permitted in school. This includes the sale of weapon/dangerous instrument.

# Exclusion from School

Charter schools follow § 711.61 of the Pennsylvania Code regarding suspension and expulsion. Exclusion from school includes either “suspension” or “expulsion.” Unless otherwise indicated, the Charter School will follow the definitions and procedures in Chapter 12 of the Pennsylvania Code.

**Suspension** is exclusion from school for a **period of 1 to 10 consecutive school days**. Suspensions may be given by the principal or person in charge of the school. A student will be informed of the reasons for the suspension and given an opportunity to respond. Prior notice of the intended suspension need not be given when it is clear that the health, safety or welfare of the school community is threatened. The parents or guardians shall be notified in writing when the student is suspended.

When the suspension exceeds three school days, the student and parent shall be given the opportunity for an informal meeting on the 4th day. Students shall make up exams and work missed during the suspension.

In-school suspension may be given to a student after the student has been informed of the reasons for the suspension and has been given an opportunity to respond before the in-school suspension becomes effective. Communication to the parents or guardian shall follow the in-school suspension action taken by the school. If the in-school suspension exceeds 10 consecutive school days, an informal hearing with the principal shall be offered to the student and the student’s parent or guardian prior to the 11th school day in accordance with the procedures in § 12.8 (relating to hearings). The Charter School will provide education during the period of the in-school suspension.

**Expulsion** is exclusion from school by the governing board for a period **exceeding 10 school days** and may be **permanent expulsion** from the school rolls.

Expulsions require a prior formal hearing. During the period prior to the hearing and decision of the governing board in an expulsion case, the student shall be placed in his normal class except if it is determined after an informal hearing that a student’s presence in his normal class would constitute a threat to the health, safety or welfare of others and it is not possible to hold a formal hearing within the period of a suspension, the student may be excluded from school for more than ten school days. A student may not be excluded from school for longer than fifteen school days without a formal hearing unless mutually agreed upon by both parties. Student’s parents or guardians must comply with compulsory attendance laws and provide the expelled student with another educational program or must notify the Charter School or school district of their inability to do so.

**Students with Disabilities:** When a child with a disability has been expelled, the Charter School shall provide the child with a disability with the education required under § 12.6(e) (related to compulsory attendance laws) and under the Individuals with Disabilities Education Act until the Charter School is notified in writing that the child is enrolled in another public agency, private school, approved private school or private agency.

Notwithstanding the requirements incorporated by reference in 34 CFR 300.530(b) and 300.536 (relating to authority of school personnel; and change of placement because of disciplinary removals), a disciplinary exclusion of a student with a disability for more than fifteen cumulative school days in a school year will be considered a pattern so as to be deemed a change in educational placement.

Any removal from the current educational placement is a change of placement for a student who is identified as intellectually disabled.

**45 Day Unilateral Placement** – Charter School personnel may unilaterally remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child’s disability if the child:

1. Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function;
2. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

## Care of School Property Acknowledgement

We \_\_\_\_\_ (name of student) and \_\_\_\_\_ (name of parent) acknowledge that it is our responsibility to properly care for school property including but not limited to textbooks, supplies, and equipment (ex., Chromebooks, etc.). We acknowledge that we must promptly return school property when asked and we understand that we could be assessed penalties for loss or damage to school property. We further acknowledge that intentional damage or destruction of school property will result in disciplinary action in accordance with the School's Student Code of Conduct.

The Board of Trustees ("Board") of the Chester Community Charter School ("Charter School") believes that Charter School should help students learn to respect property and develop feelings of pride in community institutions. The Board also recognizes the relationship between effective use of property and Charter School financial solvency.

The Board charges each student with responsibility for the proper care of Charter School property and the school textbooks, supplies, and equipment entrusted to his/her use.

Students are responsible for the care, maintenance and timely return of all textbooks, supplies, equipment and any other school property. Charter School shall require students and/or parents to sign a compact acknowledging their responsibility for the care and prompt return of textbooks and any other materials or equipment lent to them by the Charter School.

Students and/or their parents will be assessed penalties for lost or damaged textbooks, equipment or school property in accordance with a schedule of fines maintained by School Administration. Imposition of one or more of the following penalties is permitted: a charge for replacement of the school property; requiring the student to perform a prescribed number of hours of school service; and/or loss of privileges such as participation in sports or other extracurricular activities, proms and other special events or graduation-related activities.

Students who willfully cause damage to school property shall be subject to disciplinary measures pursuant to the School Code of Conduct. Students and others who damage or deface school property may be prosecuted and punished under law. Parents and guardians shall be held accountable for student actions. The CEO or his/her designee may report to the appropriate juvenile authorities any student whose damage of school property has been serious or chronic in nature.

X \_\_\_\_\_  
(User Signature) (Date)

(MAINTAIN ONE COPY AND RETURN ONE COPY TO CHARTER SCHOOL)

**ATTACHMENT: G**

**Chester Community Charter School**

**Board of Trustees Policy**

**ACCEPTABLE USE AND INTERNET SAFETY POLICY**

The Board of Trustees of the Chester Community Charter School (“Charter School”) provides computer network and Technology Resources to enhance educational opportunities for Charter School students, employees, and the Charter School community. This policy details acceptable use of Technology Resources provided by the Charter School. These services and equipment are provided by the Charter School as a privilege to the User (as defined below) and appropriate and ethical use of any Charter School Technology Resources, tools and equipment is required.

It is every Technology Resource User’s duty to use Technology Resources responsibly, professionally, ethically and lawfully. Access to these resources may be designated a privilege, not a right. This policy applies to aspects of both adult and minor acceptable use of Technology Resources.

This policy is intended to fulfill requirements of state and federal laws to the extent applicable, including the Federal Children’s Internet Protection Act (CIPA), 47 U.S.C. §§ 254(h) and (l) and the Neighborhood Children’s Internet Protection Act (NCIPA), the 2008 Broadband Improvement Act, P.L. 110-385 and any applicable implementing regulations. As such, this policy addresses the following:

- (A) Access by minors to inappropriate matter on the Internet and World Wide Web;
- (B) The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
- (C) Unauthorized access, including so-called “hacking,” and other unlawful activities by minors online;
- (D) Unauthorized disclosure, use, and dissemination of personal information regarding minors; and
- (E) Measures designed to restrict minors’ access to materials harmful to minors.

In using or accessing the Charter School’s Technology Resources, Users must comply with the following provisions:

**Definitions**

For the purposes of this policy and related procedures and forms, the following terms are defined as follows:

**Child Pornography.** Under federal law, any visual depiction, including any photograph, film, video, picture, or computer image or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:



the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;

1. Such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or
2. Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

18 U.S.C.A. §2256(8)

Under Pennsylvania law, any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction or other material depicting a child under the age of eighteen (18) years engaging in a prohibited sexual act or in the simulation of such act.

18 PA CSA §6312(d)

**Minor.** For purposes of compliance with CIPA, an individual who has not yet attained the age of seventeen. For other purposes, minor shall mean any person under the age of eighteen (18).

**Obscene.** Under federal and Pennsylvania law, any material if:

1. the average person, applying contemporary adult community standards, would find that the material, taken as a whole, appeals to the prurient interest;
2. the subject matter depicts or describes sexual conduct in a patently offensive way; and
3. the subject matter, taken as a whole, lacks serious literary, artistic, political or scientific value.

Miller v. California, 413 U.S. 15 (1973)

**Password.** A unique word, phrase or combination of alphanumeric and non-alphanumeric characters used to authenticate a User ID as belonging to a specific User.

**Sexual Act and Sexual Contact.** Has the meanings given such terms under 18 U.S.C. § 2246(2), 18 U.S.C. § 2246(3), and 18 Pa.C.S.A. § 5903.

**Technology Protection Measure.** A specific technology that blocks or filters Internet access to content that is Obscene, Child Pornography or harmful to Minors and the material is covered by a certification regarding CIPA.

**Technology Resources.** Technologies, devices and resources used to access, store or communicate information. This definition includes, but is not limited to, computers, information systems, networks, laptops, iPads, modems, printers, scanners, fax machines and transmissions, telephonic equipment, audio-visual equipment, digital cameras, wireless reading devices, i.e. Kindles and Nooks, Internet, electronic mail, electronic communications, devices and services, multi-media resources, hardware and software, including Moodle software.

**User:** Any person who has signed this policy and is permitted by the Charter School to utilize any portion of the Charter School's Technology Resources including, but not limited

to, students, parents, employees, Board of Trustee members, contractors, consultants, vendors and agents of the Charter School.

**User Identification (ID):** Any identifier that would allow a User access to Charter School's Technology Resources or to any program including, but not limited to, e-mail and Internet access.

**Vandalism:** Any malicious attempt to harm or destroy Technology Resources, data of another user, Internet or other networks. This includes, but is not limited to, the uploading or creation of computer viruses.

### **Authorized Users**

Charter School's Technology Resources may be used by any authorized User. Use of Charter School's Technology Resources is a privilege, not a right. If a potential User has a history of discipline problems involving Technology Resources, the CEO or his/her designee may make the decision not to give the potential user access to certain Charter School Technology Resources.

### **User Privacy**

Computer accounts and Technology Resources are given to Users to assist them in the performance of Charter School related functions. A User does not have a legal expectation of privacy in the User's electronic communications or other activities involving Charter School's Technology Resources, including e-mail, in anything they create, store, send, share, access, view or receive on or through the Internet.

By using Charter School's network and Technology Resources, all Users are expressly waiving any right to privacy and consenting to having their electronic communications and all other use accessed, reviewed and monitored by the Charter School. A User ID with e-mail access will only be provided to authorized Users on condition that the User consents to interception of or access to all communications accessed, sent, received or stored using Charter School technology and signs this policy.

Electronic communications, downloaded material and all data stored on the Charter School's Technology Resources, including files deleted from a User's account, may be intercepted, accessed or searched by the Charter School administrators or designees at any time in the regular course of business to protect Users and the Charter School's equipment. Any such search, access or interception will be reasonable in inception and scope and shall comply with all applicable laws.

### **Technology Administration**

The Board of Trustees directs the CEO or his/her designee to assign trained personnel to maintain the Charter School's technology in a manner that will protect the Charter School from liability and will protect confidential student and employee information retained on or accessible through the Charter School's Technology Resources.

Administrators may suspend access to and/or availability of the Charter School's Technology Resources to diagnose and investigate network problems or potential violations of the law or the Charter School policies and procedures. All Charter School Technology Resources are considered Charter School property.

The Charter School may maintain or improve Technology Resources at any time. The

Charter School or authorized Charter School agents may remove, change or exchange hardware, equipment or other technology between buildings, classrooms or Users at any time without prior notice.

### **Content Filtering and Monitoring**

The Charter School employs technology protection measures and will monitor the online activities of Minors on the Charter School network and/or all Technology Resources and equipment with Internet access, as required by law. At a minimum, they are meant to block visual depictions that are obscene, illegal, pornographic, Child Pornographic and/or harmful to Minors as well as Internet/World Wide Web/computer resource access to such material. If Users find a website deemed inappropriate, such website must be reported to CEO. After review of the site, appropriate steps will be taken to block inappropriate site from Users.

For purposes of bona fide research or other lawful purposes, certain blocked sites may be made available for those purposes only after approval of the request by the CEO.

In making decisions to disable the Charter School's Technology Protection Measure device, the administrator shall consider whether the use will serve a legitimate educational purpose or otherwise benefit the Charter School. If a student claims he/she is being denied access, he/she must notify the teacher, who must submit an IT ticket requesting that the IT Department review the website to ensure that the website does not violate requirements set forth in CIPA. If the request is for a video game, the IT Department will deny the request unless the game has a legitimate educational purpose or otherwise benefits the Charter School. If a question arises as to the legitimacy of the website the IT Department must consult with the Principal, who will make the final determination.

The Technology Protection Measures will be used to protect against access to visual depictions that are Obscene, harmful to Minors, illegal, pornographic, and Child Pornographic, as required by law.

Technology Protection Measures are not foolproof, and the Charter School does not warrant the effectiveness of Internet filtering except to the extent expressly required by federal and state laws. Evasion or disabling, or attempting to evade or disable, a Technology Protection Measure device installed by the Charter School is prohibited.

The Charter School shall not be held responsible when a student or other User knowingly or willingly accesses inappropriate material or communicates or shares such materials with others.

### **Viruses**

Viruses can cause substantial damage to Technology Resources. Users are responsible for taking reasonable precautions to ensure they do not introduce viruses to the Charter School's Technology Resources.

All material received on disk, flash drive, or other magnetic or optical medium, and all materials downloaded from the Internet or from Technology Resources or networks that do not belong to the Charter School must be scanned for viruses and other destructive programs before being transferred to Charter School's Technology Resources. Any User receiving an e-mail from a questionable source must contact the IT Department before opening the e-mail or any attachment included in the e-mail. To ensure security and avoid the spread of viruses, Users accessing the Internet through a Technology Resources

attached to the Charter School's network must do so through an approved Internet firewall or Technology Protection Measure.

### **Encryption Software**

Users shall not install or use encryption software on any Charter School Technology Resource without first obtaining written permission from the CEO. Users shall not use passwords or encryption keys that are unknown to the CEO.

The federal government has imposed restrictions on export of programs or files containing encryption technology. Software containing encryption technology shall not be placed on the Internet or transmitted in any way outside the United States.

### **Web Content Developed by Students**

As part of class/course assignments, students may be developing and/or publishing content to the Internet via web pages, electronic and digital images, blogs, wikis, podcasts, vodcasts, and webcasts, or may be participating in videoconferences.

The following guidelines must be adhered to when students develop and publish information to the Internet:

1. Personal information such as phone numbers, addresses, e-mail addresses or other specific personal information shall not be published or shared to a public page or videoconference.
2. All web content must comply with this policy.
3. All web content and videoconferencing must be under the direction and supervision of the teacher/administrator and is to be used for educational purposes only.
4. All web content is subject to copyright law and fair use guidelines.
5. All web content shall only be posted to Charter School approved web pages, blogs, wikis, podcasts, webcasts, vodcasts and videoconferences.

### **Prohibitions**

Students, staff and all Users are expected to act in a responsible, ethical and legal manner in accordance with Charter School policies and federal and state laws. Specifically, the following uses of the Charter School's Technology Resources are prohibited:

1. To facilitate illegal activity, including unauthorized access and hacking;
2. To engage in commercial, for-profit, or any business purposes, except where such activities are otherwise permitted or otherwise authorized;
3. Non-work or non-school related work;
4. Product advertisement or political lobbying;
5. Production or distribution of hate mail, unlawfully discriminatory remarks, and offensive or inflammatory communication;
6. Unauthorized or illegal installation, distribution, reproduction, or use of copyrighted materials;
7. To access or transmit material that is harmful to Minors and/or Users,

- indecent, Obscene, pornographic, Child Pornographic, terroristic, or advocates the destruction of property;
8. Use of inappropriate language or profanity;
  9. To transmit material likely to be offensive or objectionable to recipients;
  10. To intentionally obtain or modify files, data and passwords belonging to other Users, or integral to system and network operations;
  11. Impersonation of another User, anonymity and/or use of pseudonyms;
  12. Loading or use of unauthorized games, programs, files, or other electronic media;
  13. To disrupt the work of other Users;
  14. Destruction, modification, evasion, disabling, or abuse of Technology Resources and peripheral hardware or software including Go Guardian software.
  15. Relocation of Charter School hardware without prior administrative consent;
  16. Quoting personal communications in a public forum without the original author's prior consent;
  17. To access or use any form of electronic mail on Charter School Technology Resources unless authorized by the CEO or his/her designee;
  18. Using the network to participate in online or real-time conversations unless authorized by the teacher/administrator for the purpose of communicating with other classes, students, teachers, experts or professionals for educational purposes;
  19. Using a disk, removable storage device or CD/DVD brought into the Charter School from an outside source that has not been properly scanned for viruses or authorized for use by a teacher/administrator in accordance with Charter School established procedures;
  20. To discriminate against, advocate violence against, harass, intimidate, bully or cyberbully others;
  21. To send unsolicited ("spamming") or forwarded e-mails and chain letters to persons;
  22. Using "spoofing" or other means to disguise User identities in sending e-mail or other electronic communication via bulletin boards, newsgroups, social networking sites, instant messages, e-mail systems, chat groups, chat rooms, or through other Technology Resources;
  23. To send, transmit or otherwise disseminate proprietary data, trade secrets, or other confidential information of the Charter School;
  24. Posting or allow the posting of personal information about themselves or other people on the Technology Resources unless authorized by the CEO. Personal information includes address, telephone number (including home, work and cell phone numbers), school address, work address, pictures or video bites, clips, etc.;
  25. To refer to or attempt to refer to the Charter School or its employees, agents,

- trustees, parents or students in any electronic communication, posting, blog, website, e-mail or social networking site, without written authorization of the CEO;
26. To access or transmit gambling, pools for money, or any other betting or games of chance;
  27. To solicit information with the intent of using such information to cause personal harm or bodily injury to another or others;
  28. Posting, sharing or attempting to post information that could endanger an individual, cause personal damage or a danger of service disruption; and
  29. Indirectly or directly making connections that create “backdoors” to the Charter School, other organizations, community groups, etc. that allow unauthorized access to the Technology Resources or the Charter School.

### **Security**

The Charter School intends to strictly protect its Technology Resources against numerous outside and internal risks and vulnerabilities. Users are important and critical players in protecting these assets and in lessening the risks that can harm Technology Resources. Therefore, Users are required to comply fully with this Policy and to immediately report any violations or suspicious activities to the CEO.

System security is protected in part by the use of passwords. All passwords must be at least eight (8) characters and include alphanumeric and special characters. After three (5) unsuccessful access attempts, an attempted User will be locked out and must contact the CEO or his/her designee.

Failure to adequately protect or update passwords could result in unauthorized access to personal or Charter School files. Users shall be responsible for safeguarding their passwords for access to the Charter School’s Technology Resources and for all transactions made using their passwords. To protect the integrity of the Charter School’s Technology Resources and systems, the following guidelines shall be enforced:

1. Students and other Users shall not reveal their passwords to another unauthorized individual.
2. Passwords shall not be printed or stored online.
3. Students and other Users are required to log off from the network when they complete working at a particular station.
4. Users are not to use a computer that has been logged in under another student's, teacher's or User's name.
5. Any User identified by the CEO or his/her designee as having a history of discipline problems involving Technology Resources may be denied access to any or all of the Charter School’s Technology Resources.
6. Students and other Users shall not alter a communication originally received from another person or computer with the intent to deceive.
7. Users shall not misrepresent the identity of a sender or source of communication.
8. Users shall not disable or circumvent any Charter School security; software

or hardware. More specifically, users must not disable or evade Go Guardian software.

9. Users shall not interfere with or disrupt the Charter School's systems, network accounts, services or equipment.
10. Files, system security software/hardware or any Charter School system shall not be altered or attempt to be altered without the written authorization of the CEO or his/her designee.
11. Unauthorized hardware and electronic devices shall not be connected to the Charter School system.
12. Users shall comply with requests from the CEO or his/her designee to discontinue activities that threaten the operation or integrity of the Charter School system.

Use of passwords to gain access to Technology Resources or to encode particular files or messages does not imply that Users have an expectation of privacy in the material they create or receive on Technology Resources. The Charter School retains access to all material stored on the Technology Resources regardless of whether that material has been encoded with a particular User's password, subject to limitations as set forth in the Charter School's policy governing Remote Access and Monitoring of the Charter School's Technology Resources, as well as applicable law.

Users shall not alter or copy a file belonging to another User without first obtaining permission from the owner of the file. Ability to read, alter, or copy a file belonging to another User does not imply permission to read, alter, or copy that file. Users shall not use the Technology Resources to "snoop" or pry into the affairs of other Users by unnecessarily reviewing the files and e-mails of another.

A User's ability to connect to another computer's system through the network or by any other electronic means shall not imply a right to connect to those systems or to make use of those systems unless specifically authorized by the administrators of those systems and the CEO.

### **Students Using Approved Personal Technology for Classroom Use**

The Charter School retains the right to determine where and when personal technology may access the Charter School network. The CEO or designees will determine if Users are permitted to connect on a space-available basis and Charter School resources will receive priority over non-Charter School equipment and may connect on a space-available basis and Charter School resources will receive priority over non-Charter School equipment. Peripheral devices such as printers may not be disconnected from the network and connected to personal technology.

All personal technology must be running up-to-date, with Charter School-approved virus detection software and operating system critical updates prior to accessing the Charter School network. Equipment must be certified as virus-free before being connected to the network.

Charter School-owned software may not be installed on personal technology without written permission from the CEO or designee.

File storage on the network is limited to schoolwork only. The User must supply all necessary hardware and software.

The CEO or his/her designee has the right to deny the connection of personal technology to the network. Personal technology may be removed from the Charter School network at any time on the recommendation of the CEO or his/her designee.

Photos, digital images, videos, and recordings taken of Charter School students and staff without their consent or knowledge will not be tolerated. Violators will be subject to disciplinary actions that may include losing the privilege to possess and use electronic devices on Charter School property, at Charter school sponsored events/activities and on Charter School transportation.

Personal technology discovered on the Charter School network without authorization from the CEO shall be confiscated.

### **Safety**

To the greatest extent possible, Users of the network will be protected from harassment or unwanted or unsolicited communication. Any network User who receives threatening or unwelcome communications shall immediately bring them to the attention of a teacher, staff member or an administrator.

Communications through Charter School Technology Resources are limited to only that which serves a demonstrable educational purpose. For safety reasons, Charter School Users shall not reveal personal addresses or telephone numbers to other Users on Charter School networks or on the Internet.

The CEO or his/her designee shall be responsible for implementing protection measures to determine whether Charter School's computers, laptops, iPads, Kindles and other Technology Resources and technology related devices such as USB drives, digital cameras and video cameras, PDAs, MP3 players, printers, etc. are being used for purposes prohibited by law or for accessing sexually explicit materials. The procedures shall include but not be limited to:

1. Utilizing technology protection measures that block or filter Internet access for minors and adults to certain visual depictions that are Obscene, Child Pornography, harmful to minors with respect to use by Minors, or determined inappropriate for use by Minors by the Board of Trustees.
2. Approved employees and/or vendors with access to the room that contains Charter School's server.
3. Removing terminated employees and vendors from the Charter School's system in a timely manner.
4. Analyzing the impact of proposed program changes in relation to other critical business functions before adopting the proposed program changes.
5. Developing compensating controls to mitigate information technology (IT) weakness to student data, i.e. reconciliations to manual records, analysis of student trends, data entry procedures and review, etc.

### **Vendors**

If the Charter School shares internally sensitive or legally/contractually restricted Charter



School data with parties outside the Charter School community, the Charter School shall first enter into a Non-Disclosure Agreement with the party. The Non-Disclosure Agreement is needed to protect the Charter School's proprietary or otherwise sensitive information. Non-Disclosure Agreements are typically needed when entering into a business relationship with vendors, consultants and contractors. All Non-Disclosure Agreements must be reviewed by the Charter School's legal counsel before signing.

All vendors, consultants and/or contractors shall only be granted access to the Charter School's Technology Resources to make changes or updates with prior written authorization from the CEO or his/her designee. Once the vendor, consultant and/or contractor, completes its work, access to the Charter School's Technology Resources will be removed.

Vendors, consultants and contractors are required to assign unique user IDs and passwords to each of their employees authorized to access the Charter School's system. Vendors, consultants and/or contractors may be terminated for violating this Policy and/or violating any state or federal laws.

All vendors, consultants and/or contractors and their employees who have direct contact with students must comply with the mandatory background check requirements for federal and state criminal history and child abuse. An official child abuse clearance statement for each of the vendors', consultants' and/or contractors' employees shall be submitted to the Charter School prior to beginning employment with the Charter School. Failure to comply with the background check requirements shall lead to immediate termination.

### **Closed Forum**

The Charter School's Technology Resources are not a public forum for expression of any kind and are to be considered a closed forum to the extent allowed by law.

All expressive activities involving Charter School Technology Resources that students, parents/guardians and members of the public might reasonably perceive to bear the approval of the Charter School and that are designed to impart particular knowledge or skills to student participants and audiences are considered curricular publications. All curricular publications are subject to reasonable prior restraint, editing and deletion on behalf of the Charter School for legitimate educational reasons. All other expressive activities involving the Charter School's technology are subject to reasonable prior restraint and subject matter restrictions as allowed by law and Board of Trustees policies.

### **Records Retention**

Charter School personnel shall establish a retention schedule for the regular archiving or deletion of data stored on Charter School Technology Resources that complies with the Charter School's Record Retention and Destruction Policy as well as all federal and state laws and regulations. It is the User's responsibility to know which records are subject to these conditions and to comply with these laws and regulations or to contact the CEO for clarification.

In the case of pending or threatened litigation, the Charter School's attorney will issue a litigation hold directive to the CEO or his/her designee. A hold directive will direct all Charter School administration and staff not to delete or destroy any electronic mail or other documentation on a computer as related to a specific student, employee, issue and/or for a specific time period. Failure to follow such a directive could result in negative

legal consequences for the User and/or within the actual or threatened litigation. The litigation hold directive will override any records retention schedule that may have otherwise called for the transfer, disposal or destruction of relevant documents until the hold has been lifted by the Charter School's attorney.

E-mail and computer accounts of separated employees that have been placed on a litigation hold will be maintained by the Charter School until the hold is released. No employee, who has been so notified of a litigation hold, may alter or delete any electronic record that falls within the scope of the hold. Violation of the hold may subject the individual to disciplinary actions, up to and including termination of employment, as well as personal liability for civil and/or criminal sanctions by the courts or law enforcement agencies.

### **Drafting E-mails**

Like any other document, an e-mail message and other computer information is discoverable during litigation. An e-mail may be used in litigation to indicate what a User knew or felt. It is important to keep this in mind when creating e-mails and other documents. Even after you delete an e-mail message or close a computer session, it may still be recoverable and may remain on the system. Since e-mail communications are discoverable during litigation, they will have to be turned over to the opposing party unless determined to be privileged by the Charter School's legal counsel.

### **Privileged Attorney-Client Communications**

Confidential e-mail sent to or retained from counsel or an attorney representing the Charter School shall include this warning header on each page: "ATTORNEY CLIENT PRIVILEGED: DO NOT FORWARD WITHOUT PERMISSION."

### **Damages**

All damages incurred by the Charter School due to a User's intentional or negligent misuse of Charter School's Technology Resources, including loss of property and staff time, may be charged to the User. Charter School administrators have the authority to sign any criminal complaint regarding damage to Charter School technology.

### **No Warranty/No Endorsement**

The Charter School makes no warranties of any kind, whether expressed or implied, for the services, products or access it provides.

The electronic information available to students and staff on the Internet or through web-based services does not imply endorsement of the content by the Charter School, with the exception of resources approved and adopted by the Board of Trustees. Nor does the Charter School guarantee the accuracy of information received using the Charter School's Technology Resources.

The Charter School is not and shall not be responsible for the loss of data, delays, non-deliveries, miss-deliveries or service interruptions. The Charter School is not and shall not be responsible for any information that may be damaged or unavailable when using Charter School Technology Resources or for any information that is retrieved via the Internet. The Charter School is not and shall not be responsible for any damages incurred as the result of using the Charter School's Technology Resources, including but not limited to, the loss of personal property used to access Technology Resources. Further, the Charter School is not and shall not be responsible for any unauthorized charges or fees resulting from access to the Internet or other commercial online services.

## **Unauthorized Disclosure of Information of Minors**

It is a violation of state laws, including, but not limited to Chapter 12 of Title 22 of the Pennsylvania Code, the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g) and all other federal laws and regulations, to access data of a student the User does not have a legitimate educational interest in or to disclosure information about a student without parental permission or absent an exception to the disclosure requirements. Access and distribution of student data is recorded.

Questions regarding the disclosure of student information must be directed to the CEO prior to disclosure and must conform to the Charter School's student records and confidentiality policies. Unauthorized disclosure, use and dissemination of personal information regarding Minors is prohibited.

## **Compliance with Applicable Laws and Licenses**

In their use of Technology Resources, Users must comply with all software licenses/copyrights and all other state, federal, and international laws governing intellectual property and online activities. Users shall not copy and distribute copyrighted material (e.g., software, database files, documentation, articles, graphics files, and downloaded information) through the e-mail system or by any other means unless it is confirmed in advance from appropriate sources that the Charter School has the right to copy or distribute the material. Failure to observe a copyright may result in disciplinary action by the Charter School, as well as legal action by the copyright owner. Any questions concerning these rights should be directed to the CEO or his/her designee.

## **Violations of Acceptable Technology Usage Policies and Procedures**

Use of Technology Resources and equipment in a disruptive, manifestly inappropriate or illegal manner impairs the Charter School's mission, squanders resources and shall not be tolerated. Therefore, a consistently high level of personal responsibility is expected of all Users granted access to the Charter School's Technology Resources. Any violation of Charter School policies or procedures regarding technology usage may result in temporary, long-term or permanent suspension of User privileges. User privileges may be suspended pending investigation into the use of the Charter School's Technology Resources and equipment.

Employees may be disciplined or terminated, and students suspended or expelled, for violating this Policy. Any attempted violation of the Charter School's policies or procedures, regardless of the success or failure of the attempt, may result in the same discipline or suspension of privileges as that of an actual violation.

## **Consequences for Inappropriate Use**

Charter School Users shall be responsible for damages to the equipment, systems, and software resulting from deliberate or willful acts.

Illegal use of Charter School Technology Resources includes, but is not limited to: intentional copying, deletion or damage to files or data belonging to others, copyright violations, or theft of services. Any illegal usage of Charter School Technology Resources will be immediately reported to the appropriate legal authorities for possible prosecution.

General rules for behavior and communications apply when using the Internet or any Charter School Technology Resource. Suspension of access, loss of access and other

disciplinary actions may be consequences for inappropriate use. Vandalism may result in cancellation of access privileges, discipline and possible criminal action.

### **Cessation of Access**

Upon termination or ending of enrollment, employment or the termination of any contract with or from the Charter School, no further access to or use of Technology Resources is permitted without the express authorization from the CEO.

### **Education of Technology Resource Users**

The Charter School shall implement a program that educates students and staff about acceptable use and internet safety associated with the Charter School's Technology Resources. All students must complete a designated Technology Resources and Internet training prior to unsupervised use of the Charter School's Technology Resources as required by the 2008 Broadband Data Improvement Act. This training includes, but is not limited to: appropriate online behavior, including interacting on social networking websites and in chat rooms; cyberbullying awareness and response; proper use of Technology Resources; restricted activities with Technology Resources; and access and monitoring of school-issued Technology Resources to students.

### **No Additional Rights**

This Policy is not intended for and does not grant Users any contractual rights. Users of the Charter School's Technology Resources must review this policy closely and sign and return to Charter School a form acknowledging receipt and acceptance of the terms in this policy, which is attached hereto. Venue for any legal action arising out of an alleged and/or actual violation of the attached Agreement(s) shall be in Delaware County, Pennsylvania.

**Acknowledgement of the Acceptable Use and Internet Safety Policy  
(Student User Agreement)**

Dear Parent/Guardian:

Please review the following Student User Agreement with your child. Then please return both the signed Student User Agreement and the signed Parent User Agreement, which acknowledges receipt of **Chester Community Charter School's** ("Charter School") Acceptable Use and Internet Safety Policy ("Policy"), to your child's principal by {DATE}. This form is valid for the duration of your child's enrollment in Charter School until replaced by another form or revoked in writing by a parent or guardian.

I, \_\_\_\_\_, a student of Charter School, have read the entire Acceptable Use Policy, which consists of 17 pages, understand it and agree to comply with the Policy. In addition to complying with all terms of the Policy, when using any Charter School Technology Resources, as defined above, I accept the following basic rules:

I shall treat all Technology Resources with care and will leave them in good working condition when I am finished. I will not damage, deface, destroy or render inaccessible Technology Resources. I also will not evade or disable any school technology.

I shall use appropriate language on all Technology Resources. If the language is obscene, vulgar, defamatory, harassing, degrading, sexually explicit, threatening, violent, insulting, demeaning, harmful to minors, child pornographic, pornographic, advocating illegal acts, or otherwise inappropriate as deemed by the CEO, I will not access it, use it, send it, share it, create it or attempt to access, use, create, share or send it.

I shall always treat people online with respect. I shall not use any Charter School Technology Resources to insult, harass, threaten, bully or cyberbully other Users, as defined above. I assume responsibility for the content of messages I send to others or that are sent to others via my account.

I shall respect the privacy of other Users and will not make any attempts to gain access into the private mailboxes or accounts of those Users. I shall not allow other Users access to my mailbox and will keep my password private.

I understand that Technology Resources are to be used for educational/professional/contractual use.

I understand that all Technology Resources belong to Charter School and I shall treat them with respect.

I will not install or download any applications (games), programs or materials from the Internet or from any Technology Resources unless the CEO gives me prior permission in writing.

I shall not add any software to Charter School's Technology Resources unless the CEO gives me prior permission in writing.

I understand that the Technology Resources provided to me for use may be protected under copyright law. I agree not to copy resources unlawfully and/or distribute any materials provided for my use without express prior permission by the CEO.

I shall comply with all applicable state and federal laws and regulations regarding the use of Technology Resources, including but not limited to laws regarding child welfare and the Internet protection of minors, such as CIPA and N-CIPA.

By signing below, I agree to abide by the Acceptable Use Policy and understand that failure to follow all rules as explained in this document may result in the loss of my privileges to Technology Resources; disciplinary action, including student disciplinary action up to and including expulsion from Charter School in accordance with the Code of Conduct; charges for damages; and civil or criminal penalties.

X \_\_\_\_\_ (Date)

(MAINTAIN ONE COPY AND RETURN ONE COPY TO CHARTER SCHOOL)

**Acknowledgement of the Acceptable Use and Internet Safety Policy  
(Parent/Guardian User Agreement)**

I, \_\_\_\_\_, a parent/guardian of \_\_\_\_\_, a student of **Chester Community Charter School** ("Charter School"), have read the entire Acceptable Use and Internet Safety Policy ("Policy"), which consists of 17 pages, understand it and agree to comply with the Policy. In addition to complying with all terms of the Policy, when using any Charter School Technology Resources, as defined above, I acknowledge the following:

My child and I shall treat all Technology Resources with care and will leave them in good working condition when he/she is finished. My child and I will not damage, deface, destroy or render inaccessible Technology Resources.

My child and I shall use appropriate language on all Technology Resources. If the language is obscene, vulgar, defamatory, harassing, degrading, sexually explicit, threatening, violent, insulting, demeaning, harmful to minors, child pornographic, pornographic, advocating illegal acts, or otherwise inappropriate as deemed by the CEO, my child and I will not access it, use it, send it, share it, create it or attempt to access, use, create, share or send it.

My child and I shall always treat people online with respect. My child and I shall not use any Charter School Technology Resources to insult, harass, threaten, bully or cyberbully other Users. My child and I assume responsibility for the content of messages we send to others or that are sent to others via his/her account.

My child and I shall respect the privacy of other Users and will not make any attempts to gain access into the private mailboxes or accounts of those Users. My child and I shall not allow other Users access to my child's mailbox and we will keep his/her password private.

My child and I understand that Technology Resources are to be used for educational/professional/contractual use.

My child and I understand that all Technology Resources belong to Charter School and we shall treat them with respect.

My child and I will not install or download any applications (games), programs or materials from the Internet or from any Technology Resources unless the CEO gives prior permission in writing.

My child and I shall not add any software to Charter School's Technology Resources unless the CEO gives prior permission in writing.

My child and I understand that the Technology Resources provided may be protected under copyright law. My child and I agree not to copy resources unlawfully and/or distribute any materials provided for our use without express prior permission by the CEO.

My child and I shall comply with all applicable state and federal laws and regulations regarding the use of Technology Resources, including but not limited to laws regarding child welfare and the Internet protection of minors, such as CIPA and N-CIPA. In addition, my child and I have had a conversation about this policy.

By signing below, I agree to abide by the Acceptable Use Policy and understand that failure to follow all rules as explained in this document may result in the loss of my and my child's privileges to Technology Resources; disciplinary action, including student disciplinary action up to and including expulsion from Charter School in accordance with the Code of Conduct; charges for damages; and civil or criminal penalties.

X \_\_\_\_\_  
(Date)

(MAINTAIN ONE COPY AND RETURN ONE COPY TO CHARTER SCHOOL)

**ATTACHMENT: H**

**BULLYING/CYBER-BULLYING POLICY**

**A. POLICY: *Approved by Board of Trustees, March 2011***

**I. Prohibition of Bullying**

To further these goals, Chester Community Charter School prohibits the bullying of any person on school property, at school functions, by use of data or computer software accessed through a computer, computer system, computer network or other electronic technology of the school from kindergarten through grade eight. Chester Community Charter School further prohibits reprisal, retaliation or false accusation against a target, witness or one with reliable information about an act of bullying.

**II. Definition of Bullying**

As used in this policy, bullying means any intentional written, electronic, verbal or physical act or actions against a student, school volunteer or school employee that a reasonable person under the circumstances should know, would have the effect of:

- a. Placing a student, school volunteer or school employee in a reasonable fear of substantial harm to his or her emotional or physical well-being, or substantial damage to his or her property; or
- b. Creating a hostile, threatening, humiliating or abusive education environment due to persuasiveness or persistence of actions, or due to a power differential between the bully and the target; or
- c. Interfering with a student having a safe school environment necessary to facilitate educational performance, opportunities or benefits; or
- d. Perpetuating bullying by inciting, soliciting or coercing an individual or group to demean, dehumanize, embarrass or cause emotional, psychological or physical harm to another student, school volunteer or school employee.

**V. Reporting Requirements**

Bullying is unacceptable and a culture of openness is the best way to counter such behavior. It is the responsibility of each member of the school community: pupils, staff and parents to report instances of bullying or suspicions of bullying, with the understanding that all such reports will be heard and taken seriously. Any school employee with reliable information that would lead a reasonable person to suspect a person is a target of bullying shall immediately report it to the school administration.

## VI. Investigative Procedures

- a. Chester Community Charter School shall maintain a procedure to promptly investigate in a timely manner and determine whether bullying has occurred.
- b. All confirmed bullying incidents must be reported to the principal, assistant principal, or behavior specialist immediately.
- c. Some acts of bullying may also be crimes, which will be reported to the police.

## VII. Consequences for Bullying

Consequences for bullying are described in the Chester Community Charter School's Student Code of Conduct. **(See Code of Conduct - Attachment E)**

## VIII. Retaliation

Retaliation for reporting bullying is prohibited. The consequences and appropriate remedial action for a person who engages in retaliation shall be determined by the administrator after consideration of the nature, severity, and circumstances of the act.

## IX. Accountability

Each school shall verify for the Chief Executive Officer the method and date the policy has been distributed to all students, parents, faculty and staff.



## ATTACHMENT: I

### FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974 (FERPA)

Under the FAMILY EDUCATION RIGHTS AND PRIVACY ACT OF 1974 (FERPA), you have the right to inspect and review your student's education records. This right includes the right to seek amendment of the student's education records that you believe are inaccurate, misleading or otherwise in violation of the student's privacy rights. You have the right to consent to disclosures of personally identifiable information contained in the student's education records except for those provisions under FERPA, which authorizes disclosure without consent. For instance, records may be disclosed to other school officials, including teachers, school social workers, school psychologist or psychiatrists, occupational, physical or speech therapists, assistant principals, reading and math specialists, and administrative staff members, so long as that disclosure serves a legitimate educational interest. A legitimate educational interest arises when in the professional opinion of school officials, disclosure of the record (file) serves to enhance or benefit the student's educational progress. You have the right to file with the Department of Education a complaint if we fail to comply with the requirements of FERPA.

If you would like to review your student's education record (file), please contact the principal for an appointment. If you seek to amend the records, you must: 1) place your request in writing to the principal fully explaining the section of the record that you seek to amend and the basis for this request; 2) within a reasonable period of time after reviewing this request, school officials shall decide whether to amend the record as requested; 3) if school officials determine an amendment is not necessary, you as the parent shall be informed of this decision and of the right to a hearing. Outlined below are changes in the NCLB (No Child Left Behind) that do not amend FERPA, but relate to the disclosure of personally identifiable information from students' education records.

#### Suspension and expulsion disciplinary records:

- Section 4155 of the Elementary and Secondary Education Act of 1965 (ESEA), 20 U.S.C. Section 7165, as amended by the NCLB, requires that each State have "a procedure in place to facilitate the transfer of disciplinary records, with respect to a suspension or expulsion, by local educational agencies to any private or public elementary school or secondary school for any student who is enrolled or seeks, intends, or is instructed to enroll, on a full or part-time basis, in the school" no later than January 8, 2004. LEAs (local educational agencies) should include a notice in their annual notification of rights under FERPA that they forward education records to other schools that have requested the records and in which the student seeks or intends to enroll (34 CFR Sections 99.7 and 99.34(a)(ii)). (See enclosed model notification of rights.)
- Section 9528 of the ESEA, 20 U.S.C. - 7908, as amended by the NCLB, and 10 U.S.C. 503, as amended by - 544 of the *National Defense Authorization Act for Fiscal Year 2002* (Pub.L No. 107-107), require LEAs to:
  - give military recruiters the same access to secondary school students as provided to postsecondary institutions or to prospective employers; and,
  - provide students' names, addresses, and telephone listings to military recruiters, when requested, unless a parent has opted out of providing such information. (Military Recruiter Guidance is on FPCO Web site.)

## **Protection of Pupil Rights Amendment (PPRA)**

Statute: 20 U.S.C. Section 1232h. Regulations: 34 CFR Part 98.

PPRA governs the administration to students of a survey, analysis, or evaluation that concerns one or more of the following eight protected areas:

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating, or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. religious practices, affiliations, or beliefs of the student or student's parent; or
8. income (other than that required by law to determine eligibility for participation in the program or for receiving financial assistance under such program).

PPRA also concerns marketing surveys and other areas of student privacy, parental access to information, and the administration of certain physical examinations to minors.

**GENERAL NOTIFICATION** - LEAs must provide parents and students effective notice of their rights under PPRA. In addition, the NCLB amendments to PPRA require that LEAs provide for reasonable notice of the adoption or continued use of the policies described below. The LEA must provide such notice at least annually, at the beginning of the school year, and after any substantive change in such policies. This new notification requirement may be included in the PPRA general notification.

The general notification must indicate that PPRA applies to surveys that contain questions about one or more of the eight protected areas listed above. The notification must explain that for surveys that contain questions about one or more of the eight protected areas and that are funded in whole or in part by Department funds, the LEA must obtain prior written consent from parents before students are required to submit to the survey.

The general notification must also indicate that, for surveys that contain questions from one or more of the eight protected areas but are not funded in whole or part by Department funds, the LEA will notify the parent, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when it will administer the survey(s) and provide an opportunity for the parent to opt his or her child out of participating.

In addition, LEAs must notify parents that they have the right to review, upon request, any survey that concerns one or more of the eight protected areas, and any instructional material used as part of the educational curriculum for the student. (A model PPRA general notification for use by LEAs is attached and may also be obtained on FPCO's Web site).

Section 1061 of NCLB amended PPRA to give parents more rights with regard to the surveying of minor students, the collection of information from students for marketing purposes, and certain non-emergency medical examinations. Here are some of the changes made to PPRA by NCLB:

- An eighth category of protected information was added to PPRA. See No. 7 above, "religious practices, affiliations, or beliefs of the student or student's parent."

- The following new provisions apply to educational agencies and institutions that receive funds from any Department program.

1. LEAs are required to develop and adopt policies - in consultation with parents regarding the following:

1. The right of parents to inspect, upon request, a survey created by a third party before the survey is administered or distributed by a school to students.
2. Arrangements to protect student privacy that are provided by the LEA in the event of the administration of a survey to students containing one or more of the eight protected items of information noted above (including the right of parents to inspect, upon request, a survey that concerns one or more of the eight protected items of information).
3. The right of parents to inspect, upon request, any instructional material used as part of the educational curriculum for students, and the procedure for granting a request by a parent for such access.
4. The administration of physical examinations or screenings that the school may administer to students.
5. The collection, disclosure, or use of personal information (including items such as a student's or parent's first and last name, address, telephone number or social security number) collected from students for the purpose of marketing or selling, or otherwise providing the information to others for that purpose, including the LEA's arrangements for protecting student privacy in the event of collection, disclosure, or use.
6. The right of parents to inspect, upon request, any instrument used in the collection of personal information, as described above in paragraph 5, before the instrument is administered or distributed to a student and the LEA's procedure for granting a parent's request.

**B. SPECIFIC NOTIFICATION** - An LEA must "directly" notify, such as through U.S. mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and must provide an opportunity for the parent to opt his or her child out of participation in the specific event or survey. The notification must be provided at least annually at the beginning of the school year and must include the specific or approximate dates during the school year when activities described below are scheduled, or expected to be scheduled. If the LEA is unable to identify the specific or approximate dates of the activities or surveys requiring specific notification the beginning of the school year, it must provide this notification to parents once the activity or survey is scheduled. Parents should be provided reasonable notification of the planned activities and surveys, and be provided an opportunity to opt their child out, as well as an opportunity to review any pertinent surveys. A model specific notification for use by LEAs is attached and may also be obtained on the Web site noted at the end of this guidance. **LEAs must offer an opportunity for parents to opt their child out of participating in the following activities:**

→ Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information,

or otherwise providing that information to others for that purpose.

→ Any non-emergency, invasive physical examination or screening that is: 1) required

as a condition of attendance; 2) administered by the school and scheduled by the school in advance; and 3) not necessary to protect the immediate health and safety of the student, or of other students.

→ The administration of any survey containing one or more of the eight protected areas of information listed above and that is not funded in whole or in part by Department funds. (LEAs must obtain active consent, and may not use an opt-out procedure, if the survey is funded in whole or in part with Department funds).

- C. An LEA is not required to develop and adopt new policies if the SEA or LEA has in place, on the date of enactment (January 8, 2002) of the NCLB, policies covering the requirements set forth in this law; however, the LEA must still provide annual notice of these policies to parents.
- D. The requirements concerning activities involving the collection and disclosure of personal information from students for marketing purposes do not apply
- E. to the collection, disclosure or use of personal information collected from students or services for or to students or educational institutions, such as the following:
  - 1. College or other postsecondary education recruitment, or military recruitment.
  - 2. Book clubs, magazines, and programs providing access to low-cost literary products.
  - 3. Curriculum and instructional materials used by elementary schools and secondary schools.
  - 4. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or
  - 5. Achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
  - 6. The sale by students of products or services to raise funds for school-related or education-related activities.
  - 7. Student recognition programs.
- F. This law does not pre-empt applicable provisions of State law that require parental notification.
- G. This law does not apply to any physical examination or screening that is permitted or required by State law, including physical examinations or screenings permitted without parental notification.
- H. A SEA or LEA may use funds provided under part A of title V of the ESEA to enhance Parent & Family Engagement in areas affecting the in-school privacy of students, such as reimbursement for costs associated with this direct notification.

**DEFINITION OF SOME TERMS USED IN PPPA:**

“Instructional Material” - instructional material that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible throughout the Internet). The term does not include academic tests or academic assessments.

“Invasive Physical Examination” - any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

“Personal Information”- individually identifiable information including -

- (1) a student’s or parent’s first and last name;
- (2) a home or other physical address (including a street name and the name of a city or town);
- (3) a telephone number; or
- (4) a social security-number

The Family Policy Compliance Office (FPCO) in the Department administers both FERPA and PPRA.

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-5920  
(202) 260-3887

Information inquiries may be sent to FPCO via the following email addresses: [FERPA@ED.gov](mailto:FERPA@ED.gov) and [PPRA@Ed.Gov](mailto:PPRA@Ed.Gov).

The FPCO Web site address is: [www.ed.gov/policy/gen/guid/fpc](http://www.ed.gov/policy/gen/guid/fpc).

**ATTACHMENT: J**

**Chester Community Charter School**

**Board of Trustees Policy**

**CHILDREN'S INTERNET PROTECTION ACT (CIPA) POLICY**

According to the Pennsylvania Department of Education ("PDE"), the Federal Children's Internet Protection Act ("CIPA"), Pub. L. No. 106-554 and 47 USC 254(h), mandates that schools that receive federal technology funds must develop and implement measures and policies to prevent access to "visual depictions" that are determined to be "obscene", "child pornography", or "harmful to minors" as defined herein.

PDE has further stated that schools receiving certain E-rate discounts are also mandated by the Neighborhood Children's Internet Protection Act (N-CIPA) to adopt and enforce an Acceptable Use and Internet Policy that addresses harmful or inappropriate online activities. N-CIPA was passed as part of CIPA.

The Board of Trustees of the Chester Community Charter School ("Charter School") has adopted this Policy in order to establish specific standards to comply with CIPA and N-CIPA requirements.

This Policy is to be read in conjunction with the Charter School's Acceptable Use of Computer Resources Policy and shall supplement, not supplant, the Charter School's Acceptable Use of Computer Resources Policy.

The Chief Executive Officer of the Charter School ("CEO") or his/her designee is directed to include this Policy in the Parent and Student Handbook and the Employee Handbook. Failure to comply with this Policy and/or Internet safety requirements of Charter School shall result in consequences as set forth in the school's Parent and Student Handbook, Code of Conduct or Employee Handbook and/or as allowed by applicable law. Consequences may include, but are not limited to: denial of or restriction to access to technology, suspension, expulsion, notification of authorities, termination, commencement of civil and/or criminal proceedings and/or other consequences available under school policy and/or applicable state and/or federal laws.

The Charter School uses computer resources to facilitate the education of students and to aid in matters related to the operations of Charter School. The Charter School further places student Internet safety as a primary concern.

It is every computer user's duty to use computer resources, including the Internet, responsibly, professionally, ethically and lawfully. Access to these resources shall be designated a privilege, not a right.

This policy applies to aspects of both adult and student compliance with Internet safety at the Charter School.

## CIPA/N-CIPA Compliance/Internet Safety

It is the policy of the Charter School to:

- (1) Prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, and all other forms of direct electronic communications;
- (2) Prevent unauthorized access and other unlawful online activity;
- (3) Prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and
- (4) Comply with the Children’s Internet Protection Act, Pub. L. No. 106-554 and 47 USC 254(h).

To the extent consistent with applicable state and federal laws and reasonably practical, technology protection measures (or “Internet filters”) shall be used at the Charter School to block or filter Internet, and other forms of electronic communications, and access to inappropriate information. The form and type of technology protection measures used during the school year include: SonicWall Comprehensive Gateway Security Suite, Google G Suite Management for Chromebooks, Meraki Layer 7 application and content blocking.

The term “technology protection measure” means a specific technology that blocks or filters Internet access to visual depictions that are:

- (1) Obscene, as that term is defined in section 1460 of title 18, United States Code;
- (2) Child Pornography, as that term is defined in section 2256 of Title 18, United States Code; or
- (3) Harmful to minors. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
  - a. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
  - b. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
  - c. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

The terms “sexual act” and “sexual contact” have the meanings given such terms in section 2246 of title 18, United States Code.

As required by the Children’s Internet Protection Act (CIPA), blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Technology protection measures shall only be disabled pursuant to the direction of the CEO or his /her designee to the extent allowed by applicable law and regulation, for bona fide research or other lawful purposes of an adult as determined by the CEO or his / her

designee. The development of procedures for the disabling or otherwise modifying of any technology protection measures shall be the responsibility of the CEO of the Charter School or his or her designee.

The CEO or his /her designee shall take reasonable steps to promote the safety and security of users of the online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

As required by the Children's Internet Protection Act, prevention of inappropriate network usage at Charter School shall include:

- (1) Unauthorized access, including so-called 'hacking,' and other unlawful activities; and
- (2) Unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

It shall be the responsibility of all members of the Charter School staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and applicable laws, including the Children's Internet Protection Act as well as in accordance with any administrative procedures developed by the CEO in furtherance of this Policy.

In accordance with the "Protecting Children in the 21st Century Act" and its requirement to certify to the Schools and Library Division ("SLD") that the school's Internet Safety Policy includes educating minors about appropriate online behavior, students shall be educated about appropriate online behavior, including cyber-bullying awareness and response and interacting with other individuals on social networking sites and in chat rooms.

With regard to educating minors about appropriate online behavior, the CEO or his / her designee is directed to:

- (1) Make such educational opportunities available to students during the school year;
- (2) Notify students and their parents about these educational opportunities in advance; and
- (3) Maintain documentation of:
  - a. educational programs offered;
  - b. the dates and locations of such opportunities;
  - c. how online safety was taught and what was covered in the programs offered; and
  - d. those in attendance at the programs offered.

The CEO or his /her designee is directed to file and/or provide the appropriate certifications evidencing compliance with CIPA and N-CIPA as required by applicable state and/or federal laws and regulations.

The CEO or his /her designee is directed to maintain documentation of compliance with CIPA and N-CIPA certification requirements including the annual filing of FCC Form 486.

The CEO or his /her designee is directed to ensure that the Charter School employs necessary technology protection measures in accordance with this Policy and shall report to the Board when modifications are needed to technology protection measures at the Charter School.



The online activities of students shall be monitored and minors' access to harmful materials shall be restricted to the extent required by applicable laws and regulations.

To the extent not inconsistent with applicable laws and regulations, the following disclaimers apply:

- (1) There shall be no expectation of privacy by users of the Charter School's Computer Resources;
- (2) The Charter School does not guarantee the effectiveness of technology protection measures or internet filtering; and
- (3) The Charter School does not guarantee network functionality or accuracy of online information.

The CEO is directed to implement any procedures that may be necessary to implement this policy as well as to timely submit any forms and paperwork as required by CIPA and N-CIPA and/or applicable state and federal Internet safety laws and regulations.

You can find out more about CIPA or apply for E-rate funding by contacting the Universal Service Administrative Company's (USAC) Schools and Libraries Division (SLD) at [www.sl.universalservice.org](http://www.sl.universalservice.org). SLD also operates a client service bureau to answer questions at 1-888-203-8100 or via email through the SLD website.

**ATTACHMENT: K**

**Chester Community Charter School**

**Board of Trustees Policy**

**REMOTE ACCESS AND MONITORING  
OF SCHOOL-ISSUED TECHNOLOGY**

The Board of Trustees (“Board”) of the Chester Community Charter School (“Charter School”) recognizes the need to establish regulations for school-issued Technology Resources consistent with the educational mission of the Charter School.

**Definitions**

**Technology Resources** means technologies, devices and resources used to access, store or communicate information, as issued by the Charter School to Charter School students and employees for use in connection with the Charter School academic programs. This definition includes, but is not limited to: computers, laptops, iPads, modems, printers, scanners, fax machines and transmissions, telephonic equipment, audio-visual equipment, digital cameras, e-readers, i.e. Kindles and Nooks, Internet, electronic mail, electronic communications devices and services, multi-media resources, hardware and software, including the Moodle software (abbreviation for “Modular Object-Oriented Dynamic Learning Environment”).

**Remote Access of Technology Resources** means a situation where a Charter School employee or designee, using client management software, accesses a Technology Resource in the student’s possession or employee’s possession. Software maintenance, which will download software and configuration changes automatically when a student or employee connects to the Charter School Network with the Technology Resource, does not constitute remote access of the Technology Resource. Remote access of Technology Resources does not include voluntary participation by the student or employee or other User in web conferences, chat rooms or other web-based activities not required as part of the Charter School’s academic program.

**Software maintenance** means any software or configuration changes sent out to all Technology Resources even if it only affects certain Technology Resources that are necessary for the maintenance and security of the Charter School’s Technology Resources and to ensure that only authorized software is installed on the Technology Resources.

**Repair and Maintenance of Technology Resources**

Technology Resources are the property of the Charter School. Students and employees are responsible for the appropriate use of Technology Resources whether in the Charter School facility or if used in the student’s or employee’s home in accordance with Charter School policies. If Technology Resources are in need of repair, service or other maintenance, students and employees are to report to repairs to the IT Department. Students and employees should not attempt to repair or service any Technology Resources. Vandalism to

any Technology Resource or any of their accessories is strictly prohibited by the Charter School Student Code of Conduct and Employee Handbook.

### **Remote Access**

Certain Technology Resources may be equipped with the ability to be accessed remotely in the following two scenarios:

1. **Technical Problems.** In some instances, it may be necessary for Charter School or its designee to access the Technology Resource remotely to resolve a technical problem. If this is needed, the student or employee may be asked for permission. Software maintenance may involve the correction of altered code or programming and in some cases may remove files from the Technology Resource if the files are deemed to be a threat to the operation or security of the Network or are stored in unauthorized software.
2. **A Technology Resource Reported Missing or Stolen.** If the student or parent/guardian parent/guardian) or employee believes the Technology Resource is missing or stolen, a written report of the incident must be filled out by the student (and parent/guardian) or employee and filed with the IT Department. Once the report is filed, the Charter School or designee may initiate the following procedures for reporting Technology Resources missing or stolen which provide as follows:
  - i. Activate Internet Protocol tracking may be used for the sole purpose of retrieving the equipment.
  - ii. At no time will the Technology Resource's camera be activated remotely nor will screen shots, audio, video or on-screen text be remotely monitored.

NOTE: The Board of Trustees may from time to time approve other tracking technologies; however, no tracking technology will be used unless its function and capabilities have first been explained to the parent/guardian and student or employee.

### **Review of Records**

The Charter School's Student Information System or information applicable to employees permits only authorized Charter School users or designees to remotely access student records and various remote levels of access are permitted depending on the reason for review and level of authority of authorized user, in accordance with applicable state and federal law.

### **Review of Student or Employee Files**

At no time will any Charter School employee (or designee), other than as stated above, review a student's files stored on the Technology Resource, except as follows:

- After the Student or Employee Technology Resource has been returned for reason of end of school year, disenrollment or for a replacement Technology Resource because of a defective Technology Resource.
- If the Charter School has a reasonable suspicion that a student is violating applicable state or federal laws, Charter School Code of Conduct and/or

Charter School rules or policies, authorized Charter School administrators or designee may remotely access and/or take custody of the Technology Resource and review student or employee files. "Reasonable suspicion" means reasonable grounds exist that the search will uncover evidence that the student has violated state or federal law, Charter School Code of Conduct, or Charter School rules or policies. The scope of the search must be reasonably related to the violation that justified the search.

- Where a Technology Resource is reported missing or suspected stolen, pursuant to a written and signed consent form that clearly and conspicuously sets forth the ability of the Charter School to access or review student files. Parents/guardians and student or employee must be informed in writing that the failure to sign the consent form or to otherwise cooperate with the Charter School or an investigating law enforcement agency in connection with the retrieval of the Technology Resource may subject the parents/guardians and/or student or employee to the cost of the full replacement value of the Technology Resource.

**ATTACHMENT: L**

**Chester Community Charter School**

**Board of Trustees Policy**

**WIRELESS READING DEVICES POLICY**

The Board of Trustees (“Board”) of the Chester Community Charter School (“Charter School”) believes in the advancement of student learning through the use of new and innovative technology. Consequently, the Board has approved student and staff usage of wireless reading devices, including, but not limited to Chromebooks, Kindles, Nooks, eBooks and Cool-ERs, and directs that the following shall be observed:

All wireless reading devices and their parts, stored content, and applications made available to students and/or staff are considered the property of Charter School. Therefore, the Charter School requires that all wireless reading devices and their contents, parts and applications be maintained and used in accordance with manufacturer recommended specifications, administrative procedures and applicable federal and state laws and regulations.

All wireless reading devices and their parts and applications shall be inventoried and inspected for functionality on a periodic basis by the Charter School as deemed appropriate, but, at least yearly.

The Board charges each student and/or staff member entrusted with or in possession of any wireless reading device for any period of time with responsibility for the proper care, maintenance and use of the wireless reading device and any and all related applications, content and parts thereof.

No materials shall be purchased, used, stored, retrieved, downloaded and/or maintained on or for wireless reading devices and no attempt shall be made to do so without the prior express consent of the Chief Executive Officer (“CEO”) of the Charter School or his/her designee.

The Charter School shall not be responsible for any unauthorized usage or attempted unauthorized usage of wireless reading devices and/or their content, applications and/or parts. Students and staff are responsible for any and all loss or damage in connection with wireless reading devices and their content applications and/or parts and may be required by the Charter School to reimburse the Charter School for any associated damages, fines or losses. The Charter School is not responsible for any claims, demands, damages or awards sought against student or staff in connection with their use or attempted use of wireless reading devices and/or their applications, content or parts.

Students and staff shall comply with the Charter School’s Acceptable Use and Internet Safety Policy, CIPA Policy and any and all other Charter School policies and procedures. Students and staff shall also adhere to state and federal copyright laws and any regulations regarding the use and possession of wireless readings devices and their applications and parts as well as any content stored, shared or attempted to be stored, shared and/or accessed on wireless reading devices.

The Charter School may report to the appropriate authorities any student or staff member whose damage or reckless or inappropriate use of a wireless reading device or its content or related applications or parts has violated applicable state and/or federal laws and regulations.

Wireless reading devices shall be used for school purposes only during those periods and times expressly authorized by Administration and in the manner and scope as directed by Administration. Failure to adhere to reasonable administrative procedures, directions and guidelines regarding wireless reading devices may result in any or a combination of the following consequences: the Charter School's confiscation of the wireless reading device; reports to appropriate authorities; consequences under the Charter School's Student Code of Conduct (up to and including suspension and/or referral to the Board for expulsion depending upon the severity of the incident); consequences under the Charter School's employee handbook (up to and including warnings, suspension and/or termination of employment depending upon the severity of the incident); and/or the imposition of fines and/or damages as may be deemed appropriate by the Charter School and allowed by applicable federal and/or state laws and regulations.

The Board directs the CEO to develop procedures necessary to implement this policy which shall include: (1) Rules for the safekeeping and accounting of wireless reading devices; and (2) establish potential fines or penalties for lost or damaged wireless reading devices.

**ATTACHMENT: M**

**Chester Community Charter School**

**Board of Trustees Policy**

**PROHIBITION FROM RECORDING POLICY**

It is the goal of the Board of Trustees (“Board”) of the Chester Community Charter School (“Charter School”) to protect Charter School employees, independent contractors and/or volunteers from parents/guardians, students and others who attempt to record them and/or do record them in the course of their professional and/or volunteer duties at the Charter School. This includes while such persons are working with students in the home classroom, testing site, clinical setting, private school, Intermediate Units, other placements made by the Charter School, school sponsored event, activity, on school transportation, and/or any partial program and/or residential placements made by Student’s parents/guardians or outside entities other than the Charter School.

The Board declares it to be their policy to ensure that the Charter School is protected from any unlawful video or audio recording of the provision of educational programming to Charter School students, including but not limited to academic instruction, related services, behavioral supports, and the like, during a school day, after school at a school-sponsored event or activity, or on school transportation. These unlawful recordings could potentially put the Charter School at risk for liability. Charter School employees, independent contractors, and volunteers have an expectation of privacy when they provide services to the Charter School and to its students. No Charter School employees, independent contractors, or others may be recorded, videotaped, or audio taped, in the course of their duties with the Charter School without the express written consent of the Chief Executive Officer (“CEO”)of the Charter School or his/her designee.

**Definitions:**

“Recording” refers to any audio or video taping, by any method used to record sounds or visual images, stored on any device.

“Charter School employees” refers to any employees, with requisite background clearances, of the Charter School, acting in their professional capacity.

“Independent Contractors” refers to any certified and/or licensed professional, with requisite background clearances with whom the Charter School contracts.

**Pennsylvania Wiretapping Statute:**

18 Pa.C.S.A. § 5703 states the general rule for the interception, disclosure or use of wire, electronic or oral communications:

*Except as otherwise provided in this chapter, a person is guilty of a felony of the third degree if he/she:*

- 1) *intentionally intercepts, endeavors to intercept, or procures any other person to intercept or endeavor to intercept any wire, electronic or oral communication;*
- 2) *intentionally discloses or endeavors to disclose to any other person the contents of any wire, electronic or oral communication, or evidence derived therefrom, knowing or having reason to know that the information was obtained through the interception of a wire, electronic or oral communication; or*
- 3) *intentionally uses or endeavors to use the contents of any wire, electronic or oral communication, or evidence derived therefrom, knowing or having reason to know, that the information was obtained through the interception of a wire, electronic or oral communication.*

18 Pa.C.S.A § 5704 states exceptions to the rule, most of which pertain to law enforcement investigations. However, subsection (4) states that it is an exception to the prohibition of interception and disclosure of communications of a person, to intercept a wire, electronic or oral communication, **“where all parties to the communication have given prior consent to such interception.”** 18 Pa.C.S.A § 5704(4) (emphasis added).

### **Prohibition Against Consent:**

Charter School personnel, independent contractors, volunteers and others do **not** have authority to consent to be recorded while in the course of performing their professional duties with the Charter School. The only person at the Charter School who has the authority to consent to any recordings of anyone is the CEO and/or his or her designee. Parents/guardians, students, and others are not permitted to record any Charter School personnel without the express written permission of the Charter School’s CEO and/or his or her designee.

As soon as any Charter School personnel, independent contractors, volunteers and others learn that they are being privately recorded by parents/guardians, students or others without the express written permission of the Charter School’s CEO and/or his or her designee, such persons must immediately report this matter in writing to the Charter School’s CEO and/or his or her designee. Any and all programming or services being provided will cease immediately upon notice of recording and will only begin again once recording devices are stopped and/or disabled and recording is turned over to the Charter School personnel, independent contractor, volunteer, or other agent of the Charter School.

### **Penalties:**

The Pennsylvania Wiretapping Act carries both civil and criminal penalties.

- Criminal penalties: A person found guilty of violating the wiretapping statute could be subject to a third-degree felony conviction and face up to seven (7) years in prison.
- Civil penalties: A successful plaintiff seeking damages against a person who has violated the wiretapping act can seek:
  - Actual damages, but not less than liquidated damages computed at the rate of \$100 a day for each day of violation, or \$1,000, whichever is higher.
  - Punitive damages.
  - Reasonable attorney’s fees and other litigation costs reasonably incurred.

If the Charter School becomes aware of a person who records, or attempts to record Charter



School personnel or contracted personnel without the express written permission of the Charter School's CEO, such persons could be subject to both civil and criminal penalties, including the penalties and consequences outlined in the Charter School Student and Parent/Guardian handbooks and Student Code of Conduct.

The Charter School has the right to retrieve, from the unauthorized maker, any recordings of its personnel and contracted personnel, made without the express written permission of the Charter School's CEO or designee. The Charter School may seek court involvement to secure the recording, including injunctive relief to prevent dissemination of the unlawful recording.

**Notice Provisions:**

The Board authorizes the Charter School Administration to include, in the Student/Parent Handbook, notice of this prohibition of unauthorized recording of Charter School employees, independent contractors and/or volunteers, and the penalties for such unauthorized recording.

The Student/Parent Handbook shall also provide notice to parents/guardians, and students of the need to secure written authorization from the Charter School CEO or designee before any such recording shall be permitted and that any such unauthorized recording shall be retrieved on-site by the Charter School employee or independent contractor or by legal means if not turned over voluntarily at the time of recording.

The Student/Parent Handbook shall also contain a provision that notifies parents/guardians that any/all programming and services being provided will cease immediately upon notice of recording such programming and services. Programming and services will only begin again once the recording device is stopped and/or disabled and the unauthorized recording is turned over to the Charter School personnel or to the independent contractor or other agent of the Charter School, who will forward such recording(s) to the Charter School.

The Charter School administration is also directed to include notice to Charter School employees in their handbook and/or by other means of the prohibition of recording by a parent/guardian, student or other person of the provision of programming, services, supports, and the like, of a Charter School employee without the express written authorization of the Charter School CEO or his/her designee.

The Charter School administration is further directed to include notice in any/all independent contractor agreements of the prohibition of recording by a parent/guardian, student or other person of the provision of programming, services, supports, and the like, of an independent contractor without the express written authorization of the Charter School CEO or his/her designee.

**ATTACHMENT: N**

**Chester Community Charter School**

**Opt Out Notice**

**Exemption from Specific Instruction**

This form needs to be completed by the student's parent/guardian. Parents may request that their child be excused and exempted, for the current school year (see request date below), from the following school instruction and/or activities. An alternative assignment will be provided. Please identify the units and lessons from which you would like your child to be excused and exempted:

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Describe reason for request:

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Four (4) copies will need to be made of the completed notice.

Sign and date each copy in blue/black ink. One copy stays in the child's cumulative file, one goes to the principal, one to the teacher, and one for the parent/guardian's records.

Child's Name: \_\_\_\_\_ School: \_\_\_\_\_ Grade Level: \_\_\_\_\_

Date: \_\_\_\_\_ Parent/Guardian's Name(s): \_\_\_\_\_

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

Districts prohibits discrimination and harassment based on any basis protected by law, including but not limited to, an individual's actual or perceived race, color, religion, sex, sexual orientation, gender identity, gender expression, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, veteran status, or because of a perceived or actual association with any other persons within these protected classes.

**ATTACHMENT: O**

**Chester Community Charter School**

**Board of Trustees Policy**

**STUDENT ASSISTANCE PROGRAM POLICY**

The Board of Trustees (“Board”) of the Chester Community Charter School (“Charter School”) recognizes that the provision of an educational program to its students may require services and supports in addition to academic instruction. Therefore, the Board, through this policy, directs the Administration to implement a comprehensive student assistance program in accordance with applicable law, implementing regulations and best practices. The Charter School, through its Student Assistance Process Team will not diagnose, treat or refer for treatment but a referral for assessment may be made in the appropriate circumstances.

**Guidelines**

Pursuant to 22 Pa. Code §12.41, entitled “Student Services”, the Charter School administration is directed to:

- Prepare a written plan for the implementation of a comprehensive and integrated K-12 program of the student services based on the needs of its students. The plan shall be prepared and revised in accordance with the timeframes and procedures described in 22 Pa. Code §§4.13(a), (b), (d), (e) and (f) (relating to strategic plans). Services offered by community agencies in public schools shall be coordinated by and under the general direction of Charter School. The plan shall include policies and procedures for emergency care and administration of medication and treatment under the Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. sections 780-101 – 780-144) and guidelines issued by the Department of Health. The Department of Health guidelines are available from the Division of School Health, Department of Health, P.O. Box 90, Harrisburg, PA 17108.

The following categories of services shall be provided in planning student services:

- Developmental services for students that address their developmental needs throughout their enrollment in school. Developmental services include guidance counseling, psychological services, health services, home and school visitor services and social work services that support students in addressing their academic, behavioral, health, personal and social development issues.
- Diagnostic, intervention and referral services for students who are experiencing problems attaining educational achievement appropriate to their learning potential. Diagnostic services are used by student services staff to identify barriers that limit a student’s success in school. Intervention services actively engage student services staff in activities planned to reduce or eliminate specific barriers to student success. Student services staff may arrange for referrals to other school-based or school-linked professionals or

may refer parents and guardians to appropriate community-based services for assistance.

- Consultation and coordination services for students who are experiencing chronic problems that require multiple services by teams or specialists. Consultation services are used by student services staff, in partnership with parents or guardians, to obtain assistance to address barriers and issues that are outside the scope of the student services professional. Consultation and coordination services may be used to assist in the diagnosis, intervention or referral of students who face barriers to success. Coordination services connect school resources with other available resources to assist students in meeting their educational objectives.
- Student services shall:
  - Be an integral part of all levels of the Charter School's' instructional program.
  - Provide information to students and parents or guardians about educational opportunities of the Charter School's instructional program and how to access these opportunities.
  - Provide career information and assessments so that students and parents or guardians might become aware of the world of work and of a variety of career options available to individual students.
  - Provide basic health services outlined in Article XIV of the Public School Code for students and information to parents or guardians about the health needs of their children.
- When student assessments using individual surveys are administered, parents or guardians shall be informed of the nature and scope of the surveys and of their relationship to the educational program of their child, consistent with the requirements of the Protection of Pupil Rights Amendment (20 U. S. C. section 1232h). Parents or guardians shall have the right to refuse to participate in the survey via procedures established by the Charter School.
- All Charter School employees delivering student services shall be specifically licensed or certified as required by statute or regulation.
- The Charter School will refer to the Department of Education for guidelines and technical assistance in planning student services.
- The Charter School administration may refer to the following website for information: [www.sap.state.pa.us/](http://www.sap.state.pa.us/).

**ATTACHMENT: P**

**Chester Community Charter School**

**Board of Trustees Policy**

**FOSTER CARE POLICY**

The Board of Trustees of the Chester Community Charter School (“Charter School”) desires to articulate its responsibilities as to foster care students in order to ensure that students in foster care have equal access to the same free, appropriate public education, including a public preschool education, as is provided to other children and youth. Of the approximately 400,000 children and youth in foster care, nearly 270,000 children in foster care are school-aged.

State educational agencies (SEAs), State child welfare agencies (SCWAs) and local educational agencies (LEAs), such as the Charter School, are obligated to coordinate efforts to ensure the educational stability of students in foster care under the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act). The Fostering Connections Act legislation requires child welfare agencies to collaborate with educational agencies to keep children in foster care in the same school when living placements change, if remaining in that school is in their best interest. The Fostering Connections Act also requires child welfare agencies to ensure that children in foster care who do change schools are promptly enrolled in a new school, with the relevant school records.

In December 2015, Every Student Succeeds Act (ESSA) reauthorized the Elementary and Secondary Education Act of 1965 (ESEA). Complementing the Fostering Connections Act, the focus of ESSA, with regard to students in foster care, is to enhance collaboration and align education and child welfare systems to improve educational outcomes for foster care youth. According to the U.S. Department of Education, data show that foster care youth are more likely than their peers to experience a host of barriers that lead to troubling outcomes, including low academic achievement, grade retention and lower high school graduation rates. Children in foster care often face steep challenges to school success, including high rates of mobility. The new protections for children in foster care under ESSA will apply to all children in foster care enrolled in public schools.

Pursuant to The Fostering Connections Act, and consistent with the ESSA, foster care means 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and pre-adoptive homes.

All children in foster care (with the exception of voluntary placements) are placed under order of the court. As such, court determinations, findings and orders are critical to best interest discussions.

The LEA should decide with the State or local child welfare agency what documentation or records should be shared, establish criteria to be used in any decision-making process, and identify a structure, such as regularly scheduled meetings, in which relevant individuals can participate in a particular process.

PDE is tasked with ensuring that LEAs, like the Charter School, consider all factors when making a best interest determination for students in foster care, including appropriateness of the current educational setting and proximity of foster care placement. Importantly, transportation costs should not be considered when determining a child's best interest, which is a requirement under the Every Student Succeeds Act, along with the Fostering Connections Act. In making best interest determinations, the Charter School and County Children and Youth Agency ("CCYA") should work together to develop clear policies, protocols, guidelines and procedures - including identifying who should be involved in the decision-making process.

Best interest determinations are to be made jointly with input from all relevant parties (including, as appropriate, the child's biological family and resource family, CCYA staff, school staff, and legally-appointed education decision makers. Teams making decisions should consider a number of factors, including a child's attainment and engagement in their current school, placement of siblings, school environment, quality of services, history of school transfers, and the impact of commuting on a child. Best interest determinations should reflect, where applicable, a child's need for, and entitlement to, special services, including special education and/or English learner supports.

### **Foster Care Point of Contact**

The Charter School shall establish a foster care "Point of Contact" (POC) and communicate this designation to the Pennsylvania Department of Education (PDE). This staff member will act as a liaison between the CCYA, districts of residency, and the Charter School for each foster care student. The responsibilities of this person have been described by PDE to include:

- Leading the LEA's development of best interest determination process, in partnership with the CCYA;
- Facilitating with the CCYA the transfer of student records, including immunizations, medical records, and copies of Individualized Education Program (IEP) and Section 504 plans, to ensure immediate enrollment when a student in foster care changes schools;
- Facilitating data sharing with the CCYA, consistent with FERPA and other privacy protocols;
- Developing and coordinating local transportation procedures, including protocols for resolving transportation disputes;
- Ensuring that children in foster care are enrolled in and regularly attending school; and
- Providing professional development and training for school staff on the Title I foster care provisions and education needs of children in foster care, as needed.

### **English Learners**

Some children in foster care are also English learners ("ELs"), who are students identified as having limited English proficiency in speaking, listening, reading, or writing English through procedures established by school districts. Title VI and the Equal Educational Opportunities Act of 1974 require public schools, including charter schools, to ensure that all EL students, including EL students in foster care, can participate meaningfully and equally in educational programs.

## **Individuals with Education Assistance (“IDEA”) and Section 504 of the Rehabilitation Act of 1973 (“Section 504”)**

A very significant number of students in foster care receive special education services pursuant to IDEA or if not IDEA eligible, meet the definition of a disabled student pursuant to Section 504. A greater percentage of students who are in foster care receive educational programming and services through an Individual Education Plan or a Section 504 Plan respectively, than students who are not in foster care and foster care students change schools more often than peers not in the foster care system. Such factors will be taken into consideration by the Charter School in identifying and programming for foster care students who have needs pursuant to either the IDEA or Section 504.

### **Student Data and Privacy**

The Uninterrupted Scholars Act (Public Law 112-278), which was signed into law on January 14, 2013, amends the Family Education Rights and Privacy Act (“FERPA”) in the following two ways:

1) Educational agencies and institutions are permitted to disclose a student's education records, without parental consent, to a caseworker or other representative of a State or local child welfare agency or tribal organization authorized to access a student's case plan "when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student."

2) Educational agencies and institutions are permitted to disclose a student's education records pursuant to a judicial order without requiring additional notice to the Parent by the educational agency or institution in specified types of judicial proceedings in which a parent is involved. The theory behind this change is that the Parent has already been informed by being involved in the child abuse, neglect, or dependency proceeding

The child welfare agency can then disclose (or re-disclose) the records to “an individual or entity engaged in addressing the student’s education needs”. This individual or entity must be authorized to receive the records and the disclosure (or re-disclosure) must be consistent with State confidentiality law.

These changes to FERPA (and, consequently, to the confidentiality provisions applicable to Parts B and C of the IDEA), help in improving educational and developmental outcomes for children in foster care by providing those agencies that are legally responsible for such children access to specific information that is maintained by those agencies that provide early intervention or educational services to such children. More specifically, child welfare agency workers must develop a written case plan for each child in foster care, which includes the education records of the child, including the most recent information regarding:

- The names and addresses of the child’s education providers;
- The child’s grade level performance;
- The child’s school record;
- Any other relevant education information the child welfare agency
- Determines to be appropriate.

As part of the Student's Educational Stability Plan, which is revised when placing a child in foster care, or, when a child is changing foster care placements, the agency must consider the appropriateness of the child's current school and the proximity of that school to the foster care placement; and coordinate with the local educational agency to ensure the child can stay enrolled in his or her school of origin despite the foster care placement. However, if the child welfare agency determines it isn't in the child's best interests to stay in the same school, the agency must ensure that the child is immediately enrolled in a new school, and all the child's education records are provided to that new school.

Child welfare agencies must assure that each child receiving a Federal foster care payment is a full-time elementary or secondary school student (or is incapable of attending school due to a medical condition). Federal child welfare guidance encourages child welfare agencies to ensure that children are not only enrolled, but are actually attending school.

### **Training**

The Charter School Point of Contact will provide professional development and training to Charter School administration and staff on the Title I provisions and educational needs of children in foster care, as needed.

The CEO, or designee, is directed to develop any/all procedures that may be necessary to implement this policy.



**ATTACHMENT: Q**

**Custody/Subpoena/Domestic Matters**

The Charter School will not accommodate parental requests related to custody and domestic matters without a validly issued, signed and dated court order or subpoena.

**ATTACHMENT: R**

**Chester Community Charter School**

**Board of Trustees Policy**

**DIABETES MEDICATION, EQUIPMENT, AND SELF-ADMINISTRATION POLICY**

The Board of Trustees of the Chester Community Charter School (“Charter School”), recognizes that a number of students have a medically certified diabetic condition requiring medication, equipment or machinery to be administered during school hours in order to maintain health and to function in the school setting. A student with diabetes shall be permitted to monitor glucose levels and otherwise attend to the care and management of his or her diabetes in the classroom in any area of the school or school grounds and at any school-related activity if requested by the parent or guardian in accordance with this Policy and Charter School procedures. The key to optimal blood glucose control is to carefully balance food, exercise, and insulin or medication. As a general rule, food makes blood glucose levels go up, while exercise and insulin make blood glucose levels go down. Other factors, including growth and puberty, illness, mental stress, or injury can also affect blood glucose levels.

Diabetes is a chronic disease in which the body does not make or properly use insulin. Insulin is a hormone needed to convert sugar, starches, and other food into energy. When insulin is no longer made, it must be obtained from another source, such as insulin injections or an insulin pump. When the body does not use insulin properly, oral medications may be taken instead of, or in addition to, insulin injections. There is not currently any cure known for diabetes. The goal of managing a student’s diabetes and of medication therapy is to maintain even blood sugar levels and allow the student to benefit from the Charter School’s education program.

The goal is to control blood glucose levels by keeping them within a target range that is determined for each child. The school should work with the student’s parents to ensure the child’s health and safety.

If the school is not provided with a Diabetes Medical Management Plan (DMMP) by student’s parent(s), the school must contact the parent(s) and inform them of the need to have a DMMP developed with their child’s healthcare provider and to provide a copy of this plan to the school as soon as possible.

Depression is another concern for students with diabetes. It is increasingly being recognized as quite common among children and teens generally, and even more so in those with diabetes. Healthcare providers and school personnel must be aware of emotional and behavioral issues related to diabetes care and management and refer students with diabetes and their families for counseling and support as needed.

**Written plans for effective diabetes management may include:**

**Individualized Healthcare Plan (IHP)** – This plan is required by professional standards of practice and uses the nursing process (assessment, diagnosis, planning, implementation, and evaluation) to determine a plan of action that meets the healthcare needs of a student during the school day. This plan, initiated by the Certified School Nurse, provides written directions for school health personnel to follow in meeting the individual student’s healthcare needs. While parental involvement is not required, it is strongly encouraged.

**Emergency Care Plan** – This plan is based on the information provided in the student’s Individualized Healthcare Plan and specifically describes how to recognize hypoglycemia (low blood sugar) and hyperglycemia (high blood sugar) and what to do when signs or symptoms of these conditions are observed in students with diabetes. The school nurse usually coordinates the development of the Emergency Plan, and the plan should be distributed to all school personnel who have responsibility for students with diabetes including administrators, teachers, counselors, bus drivers, food service managers, and lunchroom personnel, once the student’s parent(s)/guardian(s) have signed any necessary consent form(s) allowing such disclosure.

**Diabetes Medical Management Plan** – This plan should be part of the Individualized Healthcare Plan (IHP) and Emergency Care Plan (ECP). This plan is developed by a student’s personal healthcare team and family. It outlines the prescribed healthcare regimen and should be signed by the student’s physician or another member of the student’s personal healthcare team. The Medical Management Plan may include information such as the student’s date of diagnosis, current health status, list of diabetes equipment and supplies, specific medical orders, and emergency contact information.

The following information must be provided in the DMMP to the Charter School’s Nurse:

- The name of the medication;
- The dose and maximum dosages;
- The times when medication is to be taken;
- The diagnosis or reason medicine is needed (unless this is confidential);
- Information on serious reactions that could occur and appropriate emergency responses;
- That the child is qualified and able to self-administer the medication;
- Consent for administration of medication or equipment, contact with student’s personal and emergency health care providers and the release of information to such health care providers and school personnel;

The Charter School will require a written statement in the DMMP from the parent or guardian that states:

- The Charter School is to comply with the health care provider’s orders;

- The Charter School and/or school employee comply with the order of the healthcare provider and that the School/School employee be relieved of any responsibility for the benefits or consequences of the prescribed medication which is parent-authorized; and
- The Charter School bears no responsibility or liability for ensuring that the medication is taken.

The Charter School has the right to require a statement from the health care provider for continued use of any medication beyond a specified time period. The Charter School may also require updated prescriptions and parental approvals on an annual basis.

### **School Nurse Duties:**

Under the Pennsylvania Nurse Practice Act, there is no provision for a registered nurse (RN) to delegate nursing tasks, such as assessing blood glucose or administering insulin or glucagon to an unlicensed individual. Supplemental licensed nurses who are not certified school nurses must work under the direction of the school nurse and cannot be assigned a caseload. A licensed nurse must have an order for medications. Without an order, licensed nurses administering medication are diagnosing and prescribing treatment, which is outside of nursing practice parameters and is within the practice of medicine defined by the Medical Practice Act of 1985.

### **Section 504/IEP Considerations:**

Students with IHPs and ECPs may also have an Individualized Education Plan (IEP), or a 504 Student Accommodation Plan to ensure school nursing services and access to the learning environment.

If a student's diabetes condition worsens to the point that it interferes with the student's ability to access his/her education at the Charter School, the student may be eligible for a Section 504 Plan or IEP. The Section 504 regulations define a person with a disability as any person who (i) has a physical or mental impairment that substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment. In determining whether a student with diabetes is covered by Section 504, both the medical condition and extent of the student's treatment program must be considered. The standard for coverage is the same pursuant to Title II of the ADA as it is pursuant to Section 504. Under Section 504, a student does not have to receive special education services in order to receive related aids and services.

Pursuant to IDEA, the category of "other health impairment" includes diabetes as one of the health conditions listed to qualify under IDEA. The student's diabetes must adversely affect educational performance to the point that the student requires special education and related services, as defined by state law. Under IDEA, FAPE means special education and related services that meet state standards and are provided in conformity with an Individualized

Education Program (IEP). Typically, an IEP is more specific than a Section 504 Plan with regard to the student's academic needs. Ideally, these documents are developed because of a cooperative effort involving the family, the child's health care team and the school/school district.

While the specifics of a student's 504 Plan or IEP will vary based on each student's unique needs, plans for students with diabetes usually include the following components:

- Where and when blood glucose monitoring and treatment will take place;
- Consent for administration of insulin, blood glucose monitoring, contact with health care providers and the release of information to health care providers and school personnel;
- Identity of licensed school nurses who are authorized to conduct blood glucose assessment, insulin and glucagon administration, and treatment of hypoglycemia and hyperglycemia;
- Location of the student's diabetes management supplies;
- Free access to the restroom and water fountain;
- Nutritional needs, including provisions for meals and snacks;
- Plans to enable full participation in all school sponsored activities and field trips. Students' education plans should carefully describe the plan for coverage and care during school sponsored activities, which take place while under school jurisdiction during or outside of school hours.
- Alternative times for academic exams if the student is experiencing hypoglycemia or hyperglycemia;
- Permission for absences, without penalty, for doctors' appointments and diabetes-related illness;
- Maintenance of confidentiality and the student's right to privacy;

Reference should be made to the Board of Trustee's Section 504 Plan Policy and/or the Annual Notice of Special Education for guidance as to qualifying for an IEP and contact information for Charter School personnel.

#### **CEO Responsibilities:**

The Board delegates the following responsibilities to the Chief Executive Officer of the Charter School (CEO) and/or his/her designee(s) for implementation:

- Participate in developing and implementing school policy related to diabetes management at school;
- Ensure sufficient allocation of resources to manage students with diabetes in the Charter School;
- Ensure the development & implementation of a system that keeps Charter School health services informed of the pending enrollment of students with diabetes and any related enrollment changes that may occur throughout the school year and from year to year;

- Promote a supportive learning environment for students with diabetes;
- Promotes a school environment and treats students with diabetes the same as other students, except to be responsive to medical needs as outlined in the student's written IHP, IEP, or other education plan;
- Identify all staff members who have responsibility for students with diabetes;
- Meet at least annually with the Charter School health team;
- Arrange and attend a meeting of the Charter School health team members (student, family, school nurse, 504/IEP coordinator, teacher(s), and other staff members who have primary responsibility for the student) before the school year starts, or when the child is newly diagnosed, to discuss medical accommodations, educational aids and services related to the student's needs;
- Support diabetes management training for the Charter School Nurse and other staff responsible for students with diabetes;
- Provide for practices that alert all Charter School-related staff members who teach or supervise a student with diabetes. Ensure that these staff members, including the bus driver, are familiar with the accommodations and emergency procedures outlined in the student's DMMP, ECP, 504 Plan, IEP or other education plan;
- Provide for practices that alert all substitute personnel. Ensure that they are aware of the needs and emergency procedures for students with diabetes;
- Work with the Charter School health team to ensure the implementation of the student's written plans, including the Diabetes Medical Management Plan and education plans. Monitor plan compliance through the Charter School health team, school nurse and IEP Team, if applicable;
- Ensure that the student's confidentiality & right to privacy is respected;
- Help establish on-campus and off-campus (for field trips and school-sponsored activities) emergency protocols;
- Include diabetes awareness as part of the Charter School health or cultural education;
- Facilitate & support ongoing communication between parents/guardians of students with diabetes and the Charter School staff;

#### **Nursing Implications for Diabetes Mellitus:**

- Obtain a complete health history on the student from the parent(s) /guardian(s). Request that the parent(s)/guardian(s) provide information regarding the student's past medical history, the name of the primary care provider/licensed prescriber and medications.
- Develop an IHP and an ECP for students with diabetes. The School Nurse should also be involved in the development of a 504 Plan.
- Manage the diabetic student with a balance of nutrition, exercise and hyperglycemic agents (oral or injectable), monitoring of blood glucose levels

and good general hygienic care. Strict adherence to the medical regimen is essential for health maintenance and prevention of secondary complications.

- Ensure that insulin is stored and handled properly.
- Follow Standard Precautions during glucose monitoring and when disposing of insulin syringes and testing equipment.
- Anticipate concerns that may affect the student's participation in the school program. Educate the parent(s)/guardian(s) regarding school practices and policies.
- Invite community resources to participate in the education of school personnel regarding diabetes in the classroom.
- Educate parent(s)/guardian(s), school personnel and students about diabetes including signs and symptoms of hyperglycemia and hypoglycemia and how to respond to them.

#### **Guidelines for Self-Administration:**

In order to ensure that a student has his or her diabetes medication and equipment immediately available when needed, this Charter School Policy allows school aged children to carry (possess) and use (self-administer) their diabetes medication and equipment. The Charter School's decision to allow a student to possess and self-administer diabetes medication will be based on the maturity of the student, the severity of the diabetes, and the likelihood of misuse. In order for a student to be allowed to possess and self-administer diabetes medication, this Charter School's policy requires the following responsible behavior from the student:

- Verbally explain the reason for use of the insulin pump and glucose checking equipment to the school doctor or school nurse;
- Identify the appropriate dosage of the individual medication(s);
- Identify the effects and the side effects of medication to the school doctor or school nurse;
- Demonstrate to the school doctor or school nurse the ability to check and write down blood glucose levels, figure out right insulin doses, and how to dispose of needles, lancets, and other supplies you have used in approved containers;
- Behave responsibly when monitoring glucose levels and/or administering insulin or medication;
- Acknowledge the danger of seeking help or treatment alone if having symptoms of low or high glucose or not feeling well.

- Identify placement of glucose monitoring equipment to be kept on his/her person at all times;
- Acknowledge the need to notify the school doctor or school nurse immediately following glucose monitoring and/or use of insulin pump or medication;
- Demonstrate knowledge of how to access assistance for help regarding use of or side effects from use of diabetes equipment/medications;
- Notify the school nurse immediately following each use of insulin pump or medication;
- Understand and acknowledge that the student is restricted from making their inhaler available to other students. The student's privilege to self-administer medication or equipment may be revoked or restricted if the student abuses or ignores Charter School policies. This prohibition must be set forth in the Student Code of Conduct that is distributed to all Charter School families on an annual basis.

**Family Education Rights and Privacy Act ("FERPA"):**

FERPA generally prohibits schools from disclosing personally identifiable information in a student's education record, unless the school obtains the consent of the student's parent or the eligible student (a student who is 18 years old or older or who attends an institution of postsecondary education). FERPA does allow schools to disclose this information, without obtaining consent, to school officials, including teachers, who have legitimate educational interests in the information and in the educational interests of the child. Charter schools that do this must include in their annual notification to parents and eligible students the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest. Additionally, under FERPA, Charter Schools may not prevent the parents of students, or eligible students themselves, from inspecting and reviewing the student's education records.



**ATTACHMENT: S**

**Chester Community Charter School**

**Board of Trustees Policy**

**HOMELESS STUDENTS POLICY**

**PURPOSE**

The McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11431 *et seq.*), provides authority for the McKinney-Vento Education for Homeless Children and Youth (“EHCY”) program. Pursuant to EHCY program, State educational agencies (“SEAs”) must ensure that homeless children and youths have equal access to the same free, appropriate public education, including a public preschool education, as is provided to other children and youths. The SEAs and local educational agencies (“LEAs”) in the State must review and revise any laws, regulations, practices, or policies that may act as barriers to the identification, enrollment, attendance, or success in school of homeless children and youths. LEAs and schools may not separate homeless students from the mainstream school environment on the basis of their homelessness. Homeless students must also have access to the education and other services that they need to meet the same challenging State academic standards to which all students are held. (Section 721 of the McKinney-Vento Act, as amended by the Every Student Succeeds Act).

The Every Student Succeeds Act (“ESSA”) was signed into law on December 10, 2015, (P.L. 114-95), and reauthorizes the Elementary and Secondary Education Act (“ESEA”) of 1965, which was enacted in its previous version as the No Child Left Behind (“NCLB”) Act, in 2002.

ESSA amended Section 724(g) of the McKinney-Vento Act, requiring the Secretary of Education to develop, issue, and publish in the Federal Register guidelines concerning ways in which a State: (1) May assist LEAs to implement the provisions related to homeless children and youths amended by the ESSA; and, (2) May review and revise policies and procedures that may present barriers to the identification, enrollment, attendance, and success of homeless children and youths in school.

The Board of Trustees (“Board”) of the Chester Community Charter School (“Charter School”) recognizes its obligation to ensure that homeless students have access to the same educational programs and services provided to other Charter School students. The Board shall make reasonable efforts to identify homeless children, encourage their enrollment, and eliminate existing barriers to their attendance and education, in compliance with federal and state law regulations.

The Board may waive policies, procedures and administrative regulations that create barriers for enrollment, attendance, transportation, and success in the Charter School of homeless students, based on the recommendation of the Chief Executive Officer of the Charter School (“CEO”).

**DEFINITIONS**

Section 725 of the McKinney-Vento Act, as amended by the ESSA, defines the following terms:

“Homeless children and youths” means individuals who lack a fixed, regular, and adequate nighttime residence. The term includes—

(1) Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals.

(2) Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

(3) Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(4) Migratory children (as defined in section 1309 of the Elementary and Secondary Education Act of 1965, as amended), who qualify as homeless because they are living in circumstances described in this definition.

(b) “Enroll and enrollment” include attending classes and participating fully in school activities.

(c) “Unaccompanied youth” includes a homeless child or youth not in the physical custody of a parent or guardian.

(d) The terms “enroll” and “enrollment” are defined to include attending classes and participating fully in school activities.

(e) *The term “school of origin” is the school in which the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled. The definition of “school of origin” now also specifically includes preschools and, when a child or youth completes the final grade level served by the school of origin, it also includes the designated receiving school at the next grade level for all feeder schools. (Section 722(g)(3)(I)).*

**Note:** Students who are “awaiting foster care placement” are no longer considered homeless for purposes of EHCY program. The deletion of “awaiting foster care placement” went into effect on December 10, 2016. (Section 725(2)(B)(i)).

#### **CHARTER SCHOOL LIAISON DUTIES**

The Board designates the CEO or his/her designee to serve as the Charter School’s liaison for homeless students and families.

The Charter School’s liaison shall coordinate with:

a) Local service agencies that provide services to homeless children, youth and families.

b) School districts on issues of records transfer, per pupil allocation, transportation and special education programs to ensure that homeless children who are in need of special education and related services are located, identified, and evaluated.

c) State and local housing agencies responsible for comprehensive housing affordability strategies.

In addition to the duties already imposed on the Charter School liaison the following paragraphs (a) through (c) below set forth what the statute now requires of liaisons for homeless children and youths:

(a) Ensure that school personnel providing services under the McKinney-Vento Act receive professional development and other support. (Section 722(g)(6)(A)(ix)).

(b) Ensure that unaccompanied homeless youths (i) are enrolled in school, (ii) have opportunities to meet the same challenging State academic standards as other children and youths, and (iii) are informed of their status as independent students under the Higher Education Act of 1965 and that they may obtain assistance from the LEA liaison to receive verification of such status for purposes of the Free Application for Federal Student Aid. (Section 722(g)(6)(A)(x)).

(c) Ensure that public notice of the educational rights of the homeless children and youths is disseminated in locations frequented by parents or guardians of such youth, and unaccompanied homeless youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form that is understandable. (Section 722(g)(6)(A)(vi)).

In addition, LEA liaisons who receive appropriate training may now affirm that a child or youth who is eligible for and participating in a program provided by the LEA, or the immediate family of such a child or youth, is eligible for homeless assistance programs administered under Title IV of the McKinney-Vento Act. (Section 722(g)(6)(D)).

These duties are in addition to those already required of the liaison:

1. Identify homeless children and youth including preschool age children;
2. Inform parents or guardians of educational rights and related opportunities available to their children, and provide them with meaningful opportunities to participate in the education of their children;
3. Disseminate public notice of the educational rights of homeless students where children and youth receive services under the Act and forms to such places as schools, family shelters, and food pantries;
4. Mediate enrollment disputes in accordance with the Enrollment Dispute section and ensure immediate enrollment pending resolution of disputes;

5. Inform the parent/guardian of a homeless child or youth, and any unaccompanied youth, of all transportation options, including to the school of origin, and assist in accessing these transportation services;
6. Assist children and youth who do not have immunizations, or immunization or medical records, to obtain necessary immunizations, or immunization or medical records;
7. Understand the Pennsylvania Department of Education guidance issued for the education of homeless students in order to distribute information on the subject as well as to present workshops for school personnel, including office staff;

Students shall not be discriminated against, segregated nor stigmatized based on their status as homeless.

#### **BEST INTEREST DETERMINATION**

The ESSA now requires that a school selected based on a homeless child's or youth's "best interest" must immediately enroll such child or youth even if he or she has missed application or enrollment deadlines during any period of homelessness. (Section 722(g)(3)(C)(i)(II)).

The statute has modified the requirements governing "best interest" determinations to include the following:

- (a) The Charter School must presume that keeping a homeless child or youth in the school of origin is in the child's or youth's best interest unless doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth. (Section 722(g)(3)(B)(i)).
- (b) The Charter School must consider student-centered factors related to a child's or youth's best interest, giving priority to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth. (Section 722(g)(3)(B)(ii)).
- (c) If the Charter School determines that it is not in a child's or youth's best interest to attend the school of origin, or the school requested by the parent, guardian, or unaccompanied youth, it must provide a written explanation of the reasons for its determination, in a manner and form that is understandable. (Section 722(g)(3)(B)(iii)).

To the extent feasible, and in accordance with the student's best interest and parent/guardian's wishes, a homeless student shall continue to be enrolled in his/her school of origin while he/she remains homeless, or until the end of the academic year in which he/she obtains permanent housing.

Parents/guardians of a homeless student may request enrollment in the school in the attendance area where the student is actually living or other schools. If a student is unaccompanied by a parent/guardian, the Charter School liaison will consider the views of the student in determining where he/she will be enrolled.

The Charter School shall immediately enroll the student and begin instruction, even if the student is unable to produce records normally required for enrollment, which include, but are not limited to school records, immunizations, other health records and proofs of residency or guardianship. However, the Charter School may require a parent/guardian to submit contact information which includes identification of the school district of origin. Once enrolled, the Homeless Liaison will ask homeless families to complete a transitional housing form to determine the precipitating event(s) leading to homelessness, the specific date that homelessness last occurred, and details of current temporary living arrangements.

The Charter School SAP Supervisor/Homeless Liaison reviews each transitional housing form to confirm homelessness and ensure the Charter School is addressing not only the family's education, but their living circumstances appropriately. The Charter School maintains regular contact with homeless families to review any changes in living arrangements in order to determine whether homelessness continues to occur or a permanent residency has been established at which time they are removed from homeless status. The Charter School's SAP Supervisor/Homeless Liaison coordinates with multiple parties to ensure interventions, counseling, and accommodations are readily available to ensure the education of homeless students is not impeded by these outside circumstances.

#### **HEALTH RECORDS/IMMUNIZATIONS**

The Charter School liaison may contact the previous school for oral confirmation of immunizations, and the school shall request records from the previous district, pursuant to Board policy. Oral confirmation between professionals is a sufficient basis to verify immunization with written confirmation to follow within 30 days. The instructional program should begin as soon as possible after the enrollment process is initiated and should not be delayed until the procedure is completed. The law specifies that information about a homeless child's or youth's living situation shall be treated as a student education record, and shall not be deemed to be directory information. (Section 722 (g)(3)(G)).

According to federal law, "(iii) If the child or youth needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the child or youth to the local educational agency liaison designated under paragraph (1)(J)(ii), shall assist in obtaining necessary immunizations, or immunization or medical records, in accordance with subparagraph (D)" 42 U.S.C. §11432(g)(c)(iii).

#### **SCHOOL PLACEMENT**

If the Charter School is unable to determine the student's grade level due to missing or incomplete records, the Charter School shall administer tests or utilize appropriate means to determine the student's placement.

If a dispute arises over the school selection or enrollment, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parents/guardians shall be provided with a written explanation of the Charter School's decision, their right to appeal, and the procedures to use for the appeal.

Appropriate school placement arrangements, based on the child's best interest, should be

implemented through cooperative efforts of the respective chief school administrators of the Charter School, the chartering district, and any prior district of residence. Each case presents a unique set of circumstances and, therefore, requires an individualized response. In all cases, the Charter School shall comply, to the extent feasible, with the request made by a parent or guardian regarding school selection, shall attempt to minimize disruptions, and shall maintain the highest possible degree of continuity in programs for all homeless students. The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere.

Homeless students shall be provided services comparable to those offered to other Charter School students including, but not limited to, transportation services, school nutrition programs, vocational programs and technical education, preschool programs, programs for students with limited English proficiency, and educational services for which students meet eligibility criteria, such as programs for disadvantaged students, students with disabilities, and gifted and talented students. The CEO or his/her designee must collaborate with the Charter School's special education program to ensure that homeless children who are in need of special education and related services are located, identified and evaluated.

#### Homeless Students Residing in Shelters, Facilities or Institutions Section

The Board shall admit to the Charter School, upon application, those school age children who are living at or assigned to a facility or institution, and who are residents of the district or another district of this Commonwealth. These facilities or institutions are defined by the Public School Code and include: an agency, supervised or licensed shelter, group home, maternity home, residence, facility, orphanage, or other institution for care or training of children or adolescents.

#### Homeless Students Not Residing in a Shelter, Facility or Institution

Homeless students may reside in hotels, motels, cars, tents, or temporarily doubled-up with a resident family because of lack of housing. In determining residence and, in the case of homeless children, equating "residence" and "domicile" (home) does not apply. They are presently unable to establish "homes" on a permanent basis. **Homeless families are not required to prove residency regarding school enrollment.**

These children should not be forced to change school districts every time their overnight accommodations change. Rather, these children are entitled to attend school in any school district where a parent, guardian, an adult caring for them or where an unaccompanied child:

- Spends the greatest percentage of his or her time; or
- Has a substantial connection such as where he or she is
  - regularly receiving day shelter or other services involving any of the 16 McKinney-Vento Activities (42 U.S.C. 11433(d)) for individuals who are homeless;
  - conducting daily living activities; or
  - staying overnight on a recurring basis.

## **TRANSPORTATION**

The Charter School shall coordinate transportation for homeless students with the chartering school district of residence or any previous district of residence. The district of origin, the Charter School, and the chartering school district shall agree upon a method to apportion the responsibility and costs of the transportation.

## **ELIGIBILITY UNDER THE NATIONAL SCHOOL LUNCH AND BREAKFAST PROGRAMS**

Homeless, runaway or migratory children are automatically certified as eligible for free meal benefits and can begin receiving free meal benefits upon proper documentation for meals. Migrant Education or Homeless staff are responsible for providing proper documentation of a child's status to the Food Service Directors in each school district.

## **TITLE I**

Title I of the ESSA mandates that funds be reserved to serve homeless children. Section 1113(C)(3) of the Title I statute states, "A local educational agency shall reserve such funds as are necessary...to provide services comparable to those provided to children in schools funded under this part to serve—,"(A) homeless children who do not attend participating schools, including providing educationally related support services to children in shelters and other locations where children may live..." A local educational agency shall reserve such funds as are necessary under this part, determined in accordance with subparagraphs (B) and (C), to provide services comparable to those provided to children in schools funded under this part to serve-- `(i) homeless children and youths, including providing educationally related support services to children in shelters and other locations where children may live; `(ii) children in local institutions for neglected children; and `(iii) if appropriate, children in local institutions for delinquent children, and neglected or delinquent children in community day programs.

## **FISCAL RESPONSIBILITIES**

Fiscal responsibilities apply to all homeless students, whether in regular or special education classes. The Charter School should apply the following criteria when determining fiscal responsibility:

- A. The procedures outlined below will be followed in cases when the education of the child is provided by the district where the homeless student is temporarily living (doubled up, motel, shelter). The procedures shall also apply in cases when the district of prior attendance, where that is not the district the child attended when permanently housed, will educate the child.
  1. Homeless individuals not in facilities (shelters) or institutions, as well as homeless individuals living in hotels, motels, cars, tents, or doubled-up with a resident family, shall be reported and reimbursed as resident students;
  2. For homeless individuals in temporary shelters, the educating school district will send a PDE-4605 Determination of District of Residence for Student in Facilities or Institutions in Accordance with Section 1306 of School Code to the presumed district of residence;

3. If PDE-4605 is acknowledged by the resident district, the educating district will enter the child on its rolls as a nonresident student from the acknowledging resident school district. The educating district will bill the resident district for tuition, and will report membership data according to PDE child accounting procedures; and,
  4. If PDE-4605 is disclaimed and a district of residence cannot be determined, the child will be considered a ward of the state. The educating district will enter the child on its rolls as a nonresident ward of the state, and will report membership according to PDE child accounting procedures. The Department of Education will pay tuition to the educating district based on membership reported to Child Accounting.
- B. In cases when the education of the child is provided by the district of origin, including preschool children, where that is the district the child attended when permanently housed, that district will continue to educate a homeless student for the period of temporary displacement and should maintain the homeless student on its role as a resident student. When a child or youth completes the final grade level served by the school of origin, it also includes the designated receiving school at the next grade level for all feeder schools. (Section 722 (g)(3)(l)).
- C. In cases when the student becomes permanently housed during the academic year and continues in the school of origin, which is not in the district of new residence, the educating district will continue to educate the formerly homeless student, if requested by the student's parent or guardian, until the end of the academic year and should maintain the homeless student on its role as a non-resident student. The educating district/LEA should advise the new district of residence of its financial responsibility for this student and send a tuition bill. If upon identification by the educating district/LEA, either the school of origin district or the new district of residence disputes its obligation for the per pupil allocation for the homeless student, the Charter School shall await determination by PDE which shall determine residency of student and responsibility for payment of per pupil allotment pursuant to its PDE-4605 form and in accordance with PDE Child Accounting Guidelines.

## **DISPUTE PROCEDURES**

Pursuant to the McKinney-Vento Act, every state must develop procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youths. 42 U.S.C §11432(g)(1)(C). The state must ensure that LEAs comply with requirements set forth in the McKinney-Vento Act including ensuring immediate enrollment, providing written notice to families concerning school selection, enrollment decisions and providing enrollment and pendency in the school of choice while a dispute is being resolved. 42 U.S.C §11432(g)(2)(A).

PDE has developed procedures to govern the resolution of disputes regarding enrollment, school selection, homeless status and complaints of non-compliance with legal requirements pertaining to the education for homeless children and youths:



Level 1 - A dispute may be raised with the Charter School, as a LEA. If a dispute arises over school selection or enrollment, the child or youth involved must immediately be admitted to the school in which they are seeking enrollment, pending resolution of the dispute 42 U.S.C. §11432(g)(3)(E)(i). The LEA liaison shall then explain the dispute resolution process to families and help a family or student to use it 42 U.S.C. §11432(g)(3)(E)(iii). The LEA shall issue a written disposition of the dispute within 20 business days after the LEA liaison is notified of the dispute. The disposition shall be provided to the parent, guardian or unaccompanied youth and shall explain the basis for the decision and advise the parent, guardian or youth of the right to appeal. 42 U.S.C. §11432(g)(3)(E)(i). PDE provides a "Notice of Procedural Safeguards" form to provide to families/students for purposes of explaining their rights of appeal.

Level 2 - A complaint may be filed with a McKinney-Vento coordinator. If the parent, guardian or unaccompanied youth is dissatisfied with the LEA's disposition of a dispute or would like to raise any issue of McKinney-Vento Act noncompliance, they may file a complaint or appeal with a McKinney-Vento site or regional coordinator or with the state coordinator or directly to a court of competent jurisdiction.

In the case of an unaccompanied youth, the Charter School will ensure that the Charter School liaison assists in placement or enrollment decisions, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal.

## ATTACHMENT: T

### **Chester Community Charter School**

#### **CCCS Parental & Family Engagement Policy**

Chester Community Charter School recognizes and supports the important role parents and families have in the education of their children. Each student's education is a responsibility shared by parents, families, school, and the community. CCCS is committed to working collaboratively with parents to keep and maintain a strong partnership focused on creating school and home environments to help children thrive and succeed. To accomplish our goal of fostering and promoting family engagement, we have the following strategies in place:

- I. We encourage and promote family and community participation in district and school level decisions when we are developing and reviewing our Family Engagement Policy, the Parent- Teacher-Student compact, our Equity Plan, and the development of our Consolidated Application.
  - We have our annual Title I meeting in the beginning of the school year to discuss Title I funds, the Parent Family Engagement policy, and the Parents' Right to Know. We also talk about how parents can get involved.
  - We have regularly scheduled Parent Advisory meetings. In addition, the Parent Engagement Coordinator attends building events to invite parents to attend the Parent Advisory meetings and to discuss equity and engagement topics. We send home virtual forms for parents to participate if they cannot attend meetings.
  - Meetings are held at various times and days throughout the year based on parent input.
  
- II. We measure the effectiveness of our Family Engagement policy using our end of the year "Parent Report Card". Also, we reevaluate our policy annually using results from our annual Parent survey and conversations with parents.
  
- III. We believe in strengthening parents' effectiveness in monitoring their child's progress, working with teachers to improve the achievement of their children, understanding the challenging State academic standards and assessments, and building their own strengths. We provide:
  - Meetings to explain State assessments in both Spanish and English.
  - Training videos on our website in both Spanish and English to explain how to log on to Schoology to monitor their child's progress.
    - The school's curriculum posted on our website.
  - Host workshops/parent training for parents:
    - Based on parent needs identified in surveys (e.g., how to help with homework and financial literacy)

- Specific literature and workshop for state assessments and State Academic standards
- CCCS staff training based on Parent survey results.
- Family Engagement Policies posted on our school's web page in English and Spanish.
- ESL specific meetings in Spanish, with a French translator, 2 to 3 times a year to include our ESL families. At these meetings, we also have a French translation service and use an interpreter if needed for any other languages.
- Coordination with local agencies (J. Lewis Crozer Library, Ruth Bennett Community Farm, Delaware County Literacy council) to host shared events and promote services available to families in the community.

IV. In addition to the link on our website for parent questions, comments, or requests for information, we also have a Parent Engagement Coordinator and 2 Spanish speaking parent liaisons to field questions and help reduce barriers for parents.

ATTACHMENT: U

**Chester Community Charter School**

**Board of Trustees Policy**

**Clearance Policy for Volunteers**

To ensure the safety of our students, the Board of Trustees (“Board”) of the Chester Community Charter School (“Charter School”) has instituted a policy regarding volunteers which follows Act 15 of 2015 (the Act)[1]. Volunteers who have “direct volunteer contact,” with children at a school, meaning, the care, supervision, guidance, or control of children and routine interaction with children, must have background checks. “Routine interaction” is defined in the Act as “regular and repeated contact that is integral to a person’s employment or volunteer responsibilities.”

Volunteers must obtain the following certifications

- Report of criminal history from the Pennsylvania State Police; and
- Child Abuse History certification from the Department of Human Services (Child Abuse)

A fingerprint based federal criminal history (FBI) submitted through the Pennsylvania State Police or its authorized agent is **not** required as long as: (1) the position the volunteer is applying for is an unpaid position; and (2) the volunteer has been a resident of the Commonwealth of Pennsylvania for the entirety of the previous ten (10) years. Volunteers who are not required to obtain the FBI certification for these reasons must swear or affirm, in writing, that they are not disqualified from service based upon a conviction of an offense under Section 6344[2].

If a volunteer has not been a resident of Pennsylvania for the previous ten (10) years, but obtained their FBI certification at any time since establishing residency, they must provide a copy of the certification to the person responsible for the selection of volunteers. They are not required to obtain any additional FBI certifications.

Volunteers required to obtain clearances include persons who are responsible for the child’s welfare or who wish to visit the school regularly to serve as volunteers and to provide for the care, supervision, guidance or control of children. All Clearance Required Volunteers should obtain their clearances and the Charter School will reimburse the cost of clearances if such clearances are obtained solely to be used at the Charter School and after the volunteer completes ten (10) volunteering days. All Clearance Required Volunteers must obtain the required certification every sixty (60) months from the date of the individual’s most recent certification. Copies of all clearances shall be provided to the Charter School.

Examples of volunteer situations requiring clearances include, but are not limited to:

- Homeroom parents
- Working with small group of students or individual students
- Driving a group to an activity
- Assisting in a classroom
- Recess and library volunteers
- Volunteer coaches and club advisors

Volunteers not required to obtain clearances include visitors who are not responsible for a child’s welfare or are visiting the school irregularly and not providing for the care, supervision, guidance,

or control of children. Although occasional visitors are not required to complete the clearances, they should continue to comply with building security policies (such as signing in before entering the building).

Examples of situations in which volunteers typically would not need clearances include, but are not limited to:

- Attending a classroom presentation or party
- Attending a school-sponsored event
- Back-to-School nights
- Parent/Teacher Conferences
- Parent guest readers
- Halloween parades
- Collecting tickets to sporting events
- Working concession stands
- Participating in "Career Day"

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.**

Legal References:

1. [Act 15 of 2015](#)
2. [Section 6344](#)

**ATTACHMENT: V**  
**Chester Community Charter School**

**Board of Trustees Policy**

**STUDENT SEARCHES**

**Background**

The purpose of this Policy is to provide the Charter School administration with discretion to conduct searches permitted by law in order to promote the health, safety, and welfare of Charter School students, staff, and other members of the school community.

**Delegation of Responsibility**

The Board directs the Chief Executive Officer or designee to develop Administrative Regulations implementing this Policy which shall, at a minimum, (1) provide Charter School administrators with broad discretion to conduct lawful searches; (2) ensure that students and their parents/guardians are notified at least annually of the contents of this Policy; and (3) ensure that, prior to a search, the student who is the subject of the search is notified and given an opportunity to be present, if required by law.

**Administrative Regulations**

All searches contemplated in this Policy must be authorized by the Chief Executive Officer or designee.

Searches contemplated in this Policy and the accompanying Administrative Regulations may include, but are not limited to, canine searches, metal detection units, or any device used to protect the health, safety and welfare of the school environment, in accordance with applicable law.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR SCHOOL'S CHARTER SHALL CONTROL.

Legal:

1. 24 P.S. 510
2. 22 PA Code 12.14

## ADMINISTRATIVE REGULATIONS FOR POLICY 943 – STUDENT SEARCHES AR 943-1

ANY SCHOOL OFFICIAL OR EMPLOYEE HAVING QUESTIONS ABOUT THIS POLICY OR IMPLEMENTING SEARCHES UNDER THIS POLICY, SHOULD CONTACT DR. DAVID E. CLARK, JR., CHIEF EXECUTIVE OFFICER OR DR. STEPHEN BOURNES, DEPUTY SUPERINTENDENT AND CHIEF ACADEMIC OFFICER.

The Chief Executive Officer, Deputy Superintendent and Chief Academic Officer, Principals, and designees authorized by the Chief Executive Officer, are authorized to conduct appropriate inspections and searches and to seize property on school premises as provided in these Administrative Regulations and consistent with applicable law.

### Law Enforcement Searches

The principal or designee shall open a student's locker for inspection at the request of a local law enforcement officer upon presentation of appropriate credentials and a duly authorized search warrant or on the consent of the student.

### General Standards

The Chief Executive Officer, Deputy Superintendent and Chief Academic Officer, Principals, and designees authorized by the Chief Executive Officer are permitted to conduct searches of students, including their persons, lockers, motor vehicles, and other possessions, when there is a **reasonable suspicion** that such a search will uncover evidence of a violation of Board Policy, Administrative Regulations, school rules, or local, state or federal law on the part of the student.

In order for the requisite level of **reasonable suspicion** to exist, the administrator must be able to point to a "particularized suspicion" for conducting a search. *Searches that arise out of generalized concerns or merely suspicious behavior, where the school official is not looking for any object in particular, have been struck down as illegal.*

The scope of any search must be reasonable under the circumstances, taking into consideration the student's age, the intrusiveness of the search, and the immediacy of any threat prompting the search.

### Search of a Student's Person, Backpacks, Handbags, and Other Personal Items (but not including Cell Phones and Personal Electronic Devices)

When reasonable suspicion exists that leads school officials to believe that a search of a student as described above will uncover evidence of a violation of Board Policy, Administrative Regulations, school rules, or applicable law, the student should first be asked to voluntarily reveal the contents of pockets, backpack, handbag, or other personal article(s).

If the student does not comply with the request, authorized school administrators may conduct a pat-down search of the student's person or search the contents of the backpack, handbag, or other personal item. A pat-down search shall be limited to lightly patting the outside of a student's clothing.

- The school official conducting any **pat-down search** shall be of the same sex as the student, and such search shall occur in the presence of a second school official.

- Where a search is limited to a student's **backpack, handbag, or other personal item(s)**, reasonable efforts shall be made to conduct the search in the presence of a second school official.

Searches of the student's person, as described above, do not require parental/guardian consent prior to conducting the search, but the principal or designee shall notify the parent/guardian that a personal search of the student was conducted as soon as practicable after the search has occurred.

Any illegal, unauthorized, or other prohibited articles found as a result of searches of the student's person may be seized and used as evidence in disciplinary, juvenile or criminal proceedings. The administrator conducting a search is responsible for the safekeeping and proper retention/disposal of any illegal, unauthorized or prohibited materials found as a result of the search. Please make a photographic record of the materials found as a result of the search.

In any instance where an item or substance is found or seized, the possession of which would appear to be in violation of the law, the circumstances shall be reported to local law enforcement consistent with the current Memorandum of Understanding ("MOU") between the Charter School and local law enforcement (CCCS currently has MOU's in place with the Chester Police Department, the Chester Township Police Department, and the Upland Borough Police Department, all with effective dates of July 2, 2021. See the MOU's Section II. Notification of Incidents to Law Enforcement, A. Mandatory Notification and B. Discretionary Notification.) Care should be taken to ensure that any seized material is properly secured until surrendered to local law enforcement. Nothing in this paragraph shall preclude the Charter School from performing its own independent testing/analysis on any substance seized in order to determine whether or not possession of such substance constitutes a violation of Board Policy or applicable law.

For any search, the Chief Executive Officer or designee shall be advised of the reason for the search, the manner in which the search occurred, including witnesses, date, time, location, duration, and the results of the search.

### **Search of a Student's Desk or Locker**

A student's desk and lockers are and shall remain the property of the Charter School. As such, they are subject to periodic general or random inspection for the safety, health and welfare of all students.

No student may use a locker or a desk as a depository for any substance or object which is illegal, unauthorized, prohibited, or which constitutes a threat to the health, safety or welfare of the school community.

Authorized school administrators are permitted to inspect a student's desk and/or locker when such employee has **reasonable suspicion** that the desk and/or locker is being improperly used for the storage of illegal, unauthorized or prohibited materials, or materials which pose a hazard to the health, safety, and welfare of the school community.

When a student's desk or locker is searched, the guidelines listed below shall be followed:

1. The student shall be notified and given an opportunity to be present. Where there is **reasonable suspicion** that a desk or locker contains material which poses an



immediate threat to the health, safety or welfare of students or staff, the desk and/or locker may be searched without prior warning or presence of the student.

2. Reasonable efforts shall be made to conduct the search in the presence of a ***second school official***.
3. Any illegal, unauthorized, or other prohibited articles found in student desks or lockers may be seized and used for evidence in disciplinary, juvenile or criminal proceedings. The administrator conducting a search is responsible for the safekeeping and proper retention/disposal of any illegal, unauthorized or prohibited materials found as a result of the search. Please make a photographic record of the materials found as a result of the search.
4. When a student's desk or locker is searched, the student's parents/guardians shall be notified as soon as practicable after the search has been conducted.
5. In any instance where an item or substance is found or seized, the possession of which would appear to be in violation of the law, the circumstances shall be reported to local law enforcement. Care should be taken to ensure that any seized material is properly secured until surrendered to law enforcement. Nothing in this paragraph shall preclude the Charter School from performing its own independent testing/analysis on any substance seized in order to determine whether or not possession of such substance constitutes a violation of Board Policy or applicable law.
6. After any search, the Chief Executive Officer or designee shall be advised of the reason for the search, the manner in which the search occurred, including witnesses, date, time, location, duration, and the results of the search.

#### **Special Provisions Regarding Searches of Students' Cell Phones and Personal Electronic Devices**

Authorized school administrators who believe that **reasonable suspicion** exists that a student's cell phone or personally owned electronic device, text messages, call logs, voicemails, photos/files, or other data or activity contained in the device or any application therein contain evidence of a violation of Board Policy, Administrative Regulations, school rules, or local, state or federal law may seize the student's phone/device but **shall not conduct any further search or inspection of the device or its contents. Local law enforcement shall be contacted in order to conduct any search/inspection permitted by law** that is deemed appropriate under the circumstances.

#### **General Searches**

The Chief Executive Officer or designee may order a general search of lockers, hallways, randomly selected portions of school buildings, parking lots, and/or other school grounds, when necessary, to promote the health, safety and welfare of the Charter School, students, and staff. Such general searches may include random canine sniff searches of, among other locations, lockers,

motor vehicles, backpacks and other possessions. If a dog alerts on a student's locker, motor vehicle, or personal belongings, the student will be subject to a further individual search, as permitted by law and this Administrative Regulation and the accompanying Board Policy. The assistance of local law enforcement will be requested, if deemed necessary or appropriate. Any violations of Board Policy, Administrative Regulations, school rules, or any Code of Conduct or Student Handbook that are discovered through such searches shall be addressed in accordance with Board Policy or the appropriate Student Handbook, Code of Conduct, or Memorandum of Understanding with local law enforcement.

The following criteria will be maintained with respect to a general search:

- The search may not be overly intrusive;
- Consideration must be given to the students' privacy interests; and
- Students and parents/guardians must have been provided with notice that random general searches of the nature contemplated may take place during the school year.

Nothing in this Administrative Regulation shall be interpreted to limit an authorized Charter School administrator from performing a general, unannounced search in an emergency situation or in connection with any imminent danger.

### **Annual Notice**

After any search, notification shall be made as soon as possible by the administrator conducting the search of their designee to the Chief Executive Officer or designee.

Students and their parents/guardians shall be notified at least annually of the contents of Board Policy 943 Student Search and this accompanying Administrative Regulation via posting of the same on the Charter School's website and in student handbooks.

### **Surveillance Cameras**

The Charter School uses surveillance cameras in schools and on other Charter School property as permitted by law in order to assist in the thorough monitoring of activities taking place on school property. If required by law, the Charter School will notify the appropriate individuals of the use of surveillance cameras.

### **Use of Scanning Equipment to Detect Weapons**

On March 16, 2023 the Board of Trustees adopted Policy 944 Use of Scanning Equipment to Detect Weapons. Policy 944 establishes a standardized weapons screening process setting forth permissible circumstances and limitations upon the use of magnetometers or scanning devices. Any standardized weapons screening process is covered by Policy 944 and its Administrative Regulations.

**TO THE EXTENT THAT ANYTHING IN THIS ADMINISTRATIVE REGULATION COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR SCHOOL'S CHARTER SHALL CONTROL.**

Dr. David E. Clark, Jr., CCCS Chief Executive Officer, authorizes these Administrative Regulations (“AR 943-1”) as of March 16, 2023 as allowed by Board Policy 943 - Student Searches, approved by the Board of Trustees on March 16, 2023.



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Dr. David E. Clark, Jr.  
Chief Executive Officer

**Charter School location:**

West Campus:  
2730 Bethel Road  
Chester, PA 19013

East Campus:  
6<sup>th</sup> and Madison  
Chester, PA 19013

Upland Campus:  
1100 Main Street  
Upland, PA 19016

Aston Campus:  
200 Commerce Drive  
Aston, PA 19014

**Local Law Enforcement:**

Chester Police Department

Chester Police Department

Upland Borough Police Department

Chester Township Police Department

**ATTACHMENT: W**

**Chester Community Charter School**

**Board of Trustees Policy**

**ANTI-WEAPONS POLICY**

The Board of Trustees (Board) of the Chester Community Charter School (Charter School) recognizes the importance of providing a safe and secure environment for all students and staff. In an effort to combat violent associated with weapons, the Board establishes this Policy to give students, parents, staff and the community at large a clear statement concerning the Charter School stand against weapons, and to state the consequences that will follow violation of the weapons policy consistent with the Charter School's Code of Conduct.

**Objectives**

- To ensure the safety of students and staff, their property, and the property of the Charter School.
- To maintain a safe, supportive, nurturing, non-punitive school environment highly conducive to learning.

A weapon is defined as any object that, by design, use, intended use, or brandishing could cause bodily harm or property damage or could intimidate other persons. Weapons include, but are not limited to, firearms (whether loaded or unloaded, whether operational or not, and whether genuine or not), stun guns and BB guns, as well as knives and knife look-alikes, razors or other cutting instruments, chains, martial arts equipment, dangerous chemicals, explosives or devices which may cause a fire or any other tool, instrument or implement capable of inflicting serious bodily injury. In addition, any look-alikes, toy, fakes, play or "pretend" weapons will be in violation of this rule and will be subject to similar consequences.

Items not designed as weapons will be regarded as weapons under this policy if their use causes another person bodily harm or damage, or if the items are used with the intent of causing bodily harm or property damage, or they are used to intimidate others. Such items include, but are not limited to, belts, sprays, pens and pencils, scissors, laser pointers and other sharp objects.

The two exceptions to this policy are:

- A weapon under the control of a law enforcement officer acting in an official capacity.
- A weapon handled legally for the purpose of education approved by the Chief Executive Officer of the Charter School

No one shall use, threaten to use, possess, sell, distribute, or store any weapon or weapon look-alike at a Charter School facility, in a Charter School vehicle, in or on any other Charter School property, or at any Charter School sponsored function at any other location.

The consequences for violating this policy are in accordance with the Charter School's Code of Conduct and may include any or all of the following:

- Administering approved disciplinary practices and procedures.

- Notifying parents, guardians, or legal custodians.
- Notifying law enforcement officials.
- Making a Safe Schools Act report or any other required report.
- Suspension or expulsion from school.

Consequences for employees and individuals on school property other than students or employees, may include either or both of the following:

- Notification of law enforcement officials.
- For employees: disciplinary action in accordance with current employment agreements and/or the employee manual.

**TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR SCHOOL'S CHARTER SHALL CONTROL.**