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0000 Board Policies and Administrative Regulations

Adopted 08/19/20

Revised

Authority

The policies adopted by the Board establish the general parameters within which the daily operations of the Innovative Arts Academy Charter School are to be governed.

The formal adoption of policies shall be recorded in the minutes of the Board. Only those policies so adopted and recorded shall be regarded as official Board policy.

The full-text drafts of proposed policies shall be made publicly available at the Board meeting wherein a formal Policy Reading is scheduled to occur.

Administrative regulations for carrying out and implementing Board policies are developed and implemented by the administration, under the direction of the Chief Executive Officer. As applicable, members of the Innovative Arts Academy Charter School community are expected to comply with both Board policy and administrative regulations, subject to stated limitations and exceptions. However, failure of the Board or the administration to comply with policy or procedure shall not invalidate any lawful action taken.[1][2]

In ascertaining the intent of the Board in adopting a policy or of the administration in establishing a regulation, the following presumptions, among other legally applicable presumptions, may be used:

1. That neither the Board nor the administration intends a result that is absurd, impossible of execution or unreasonable.
2. That neither the Board nor the administration intends to violate the federal or state Constitutions or any other applicable law.

The formal adoption of policies shall be recorded in the minutes of the Board. Only those policies so adopted and recorded shall be regarded as official Board policy.

The full-text drafts of proposed policies shall be made publicly available at the Board meeting wherein a formal Policy Reading is scheduled to occur.

Formal Policy Review/Adoption Process

The following sequence shall be used in the adoption of Board policy:

The Chief Executive Officer shall review policies prior to submission for review by the Board. Generally, recommendations for new or revisions to existing policies shall be made by the Chief Executive Officer.

First Reading – The First Reading shall occur at a meeting of the Board and shall consist of a Board review and option to move for a Second Reading.

Second Reading – The Second Reading shall occur at a subsequent Board meeting, and then a formal vote will be taken for final policy approval. A majority vote of all Board members, not just those present, is required for final approval of a policy.

Waiver of Second Reading – In limited circumstances, the Board may waive the Second Reading upon a two-thirds (2/3) majority vote to do so. Such vote shall be 2/3 majority of the full Board, not just those present. Where the Second Reading is waived, the vote on approval of the policy takes place at the end of the First Reading. Waiver of the Second Reading should only be used in cases where a Policy has become inconsistent with the law and/or where the safety and welfare of the students is at issue.

Policy Revisions / Drafts

The Chief Executive Officer, as the policy draft writer for the Board, shall seek the counsel of the district solicitor when, in the opinion of the Board or the Chief Executive Officer, there may be a question of legality or proper legal procedure in the development of a proposed policy and/or when the policy makes reference to or otherwise implicates the law.

Policy Implementation

The Chief Executive Officer and other individuals specifically named within a policy shall be responsible for carrying out the policies established by the Board. The Chief Executive Officer shall be responsible for ensuring that the school is run in accordance with current Board policy. To the extent that the Board determines that a Policy revision recommended by the Chief Executive Officer is unnecessary or otherwise not in the school's best interests, the Chief Executive Officer must ensure compliance with the Policy, as written.

Legal

1. 24 P.S. 407

2. 24 P.S. 914-A

0002 Authority and Powers

Adopted 10/16/2019

Revised

Authority

The authority to establish, equip, furnish, operate and maintain the programs and services of Innovative Arts Academy Charter School is vested in the Board, which is a body constituted and governed by the Pennsylvania Statutes, the Public School Code of 1949 as amended, and Article III of the Pennsylvania Constitution and applicable federal and state laws and regulations.[1][2][3]

Powers

The Board shall:

1. Establish and maintain programs and services; adopt and enforce rules and regulations for the management of the Innovative Arts Academy Charter School and the conduct and deportment of employees and students; provide the financial resources necessary for effective implementation and maintenance of programs and services.[2][3][4]
2. Adopt Board procedures for its own operation, and policies for the guidance of the Chief Executive Officer in the operation of the Innovative Arts Academy Charter School. Board procedures and policies shall be consistent with law, have a rational and substantial relationship to a legitimate purpose of the Board.[4][5]
3. The Board shall be the agent responsible for establishing, maintaining and evaluating the programs and services of the Innovative Arts Academy Charter School, and for enforcing mandatory laws and regulations.

Members of the Board have authority only when acting as the Board legally in session. The Board shall not be bound in any way by any action or statement on the part of any individual member of the Board except when such statement or action is in pursuance of specific instructions from the Board.

Legal

- | | | |
|-------------------------------|-------------------------|---------------------------|
| 1. PA Const. Art. III Sec. 14 | 2. 24 P.S. 901-A et seq | 3. 22 PA Code 17.1 et seq |
| 4. 24 P.S. 407 | 5. 6. 24 P.S. 914-A | |

0005 Organization

Adopted 10/16/2019

Revised

Organization Meeting

The organizational meeting of the Board shall be held annually during the first week of December. Notice of the time and place of the organization meeting shall be given to all Board members by mail at least five (5) days before the meeting by the Board Secretary. The organization meeting shall be a regular meeting.

Public notice of the organizational meeting shall be given not less than five (5) days in advance of the meeting.

At the organizational meeting, the Board shall elect officers, adopt a schedule of regular meetings for the fiscal year beginning July 1, and transact such other business as may come before it.

Order

The organization meeting shall be called to order by the past President, who shall preside over the election of a temporary President from among the hold-over Board members. The Board Secretary shall be secretary of the meeting.

Election of Officers

1. The officers of the Innovative Arts Academy Charter School Board shall be elected by the Board at the annual organizational meeting and shall consist of a President, Vice-President, Secretary and Treasurer. The President and Vice-President shall be members of the Board and shall be elected for a term of one (1) year.
2. Before entering upon his/her duties, the Treasurer shall furnish a bond in an amount and with surety or sureties as the Board shall approve, conditioned upon the faithful performance of duties. The amount of the bond shall be in the amount the Board determines to be adequate to protect the school from loss. The cost of the bond shall be paid by the Innovative Arts Academy Charter School. No bond shall be required where a bank or trust company serves as Treasurer.

Each officer shall be elected for a term of one (1) year which shall commence on the date of election and shall continue until his/her successor in office is elected. Any officer may be re-elected without limitation to successive terms of office.

Board members shall not receive any salary or compensation from the Innovative Arts Academy Charter School.

If an office becomes vacant for any reason, the Board shall choose a successor, who shall hold office for the unexpired term in respect of which such vacancy occurred.

Duties of Officers

1. The President shall be the chief executive officer of the Board. The President shall preside at all meetings of the Board and shall have such duties and responsibilities as specified in law and/or as may be prescribed by the Board.
2. The Vice-President shall act in the absence of the President; and in the absence of the President, the Vice-President shall exercise all duties and powers of the President.
3. The Secretary shall have such duties and responsibilities as specified in law and/or as may be prescribed by the Board.
4. The Treasurer shall have such duties and responsibilities as specified in law and/or as may be prescribed by the Board.

Appointments

The Board shall have the authority to appoint a solicitor, who shall be appointed for a one (1) year term. The solicitor shall serve at the pleasure of the Board and may be removed by the Board at any time and with or without prior notice or cause.

Resolutions

The Board may, at the organization meeting, designate:

1. Depositories for Innovative
2. Normal day, place and time for regular meetings.
3. Normal day, place and time for open committee meetings.

Committees

The Board organization shall include an Executive Committee and such other committees as the Board may from time to time designate. Each committee shall consider and make recommendations with respect to those matters properly brought before the committee.

The President shall annually designate the Board members who shall serve on all other committees. The President shall consider committee assignments to enable full Board participation.

All committees shall have a chair appointed by the President.

The President shall be an ex-officio member of all committees, except the nominating committee.

Each committee shall make provision for notice of committee meetings, and notice shall be given in accordance with the requirements of the Sunshine Act.

1102 Academic Standards

Adopted 10/16/2019

Revised

Purpose

The Board recognizes the importance of developing and assessing academic standards. The standards should be designed to challenge students to achieve at their highest level possible. The school's shall be established in accordance with those adopted by the State Board of Education.[\[1\]\[2\]](#)

Definition

Academic standards - what a student should know and be able to do at a specified grade level. For purposes of this policy, the term academic standards shall encompass Pennsylvania Core Standards, state academic standards and local academic standards.[\[3\]](#)

Authority

The school shall develop and the Board shall approve academic standards for students to attain, in the following content areas:[\[2\]](#)

1. English Language Arts.
2. Mathematics.
3. Science and Technology - including reading in science and technology, and writing for science and technology.
4. Environment and Ecology.
5. Social Studies - including reading in history and social studies, and writing for history and social studies (history, geography, civics and government, economics).
6. Arts and Humanities.
7. Career Education and Work.
8. Health, Safety and Physical Education.
9. Family and Consumer Science.

Guidelines

The school's curriculum shall be designed to provide students with the planned instruction needed to attain established academic standards.[\[2\]](#)

The school shall assess individual student attainment of established academic standards and provide assistance for students having difficulty attaining academic standards.[\[2\]](#)

Students with disabilities may attain academic standards by completion of their Individualized Education Programs in accordance with law, regulations and Board policy.[\[2\]](#)

Legal

1. 22 PA Code 4.11
22 PA Code 4.4

2. 22 PA Code 4.12

3. 22 PA Code 4.3

1103 Nondiscrimination in School and Classroom Practices

Adopted 07/24/2019

Revised

Authority

The Board declares it to be the policy of this school to provide an equal opportunity for all students to achieve their maximum potential through the programs offered in the schools without discrimination on the basis of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability.^{[1][2][3][4][5][6][7][8][9][10][11][12][13][14][15][16][17][18][19]}

The school strives to maintain a safe, positive learning environment for all students that is free from discrimination. Discrimination is inconsistent with the educational and programmatic goals of the school and is prohibited on school grounds, at school-sponsored activities and on any conveyance providing transportation to or from a school entity or school-sponsored activity.

The school shall provide to all students, without discrimination, course offerings, counseling, assistance, services, employment, athletics and extracurricular activities. The school shall make reasonable accommodations for identified physical and mental impairments that constitute handicaps and disabilities, consistent with the requirements of federal and state laws and regulations.

The Board encourages students and third parties such as parents/guardians, volunteer or others to promptly report such incidents of discrimination against school students to designated employees, even if some elements of the related incident took place or originated away from school grounds, school activities or school conveyances.

The Board directs that verbal and written complaints of discrimination shall be investigated promptly, and appropriate corrective or preventative action be taken when allegations are substantiated. The Board directs that any complaint of discrimination brought pursuant to this policy shall also be reviewed for conduct which may not be proven discriminatory under this policy but merits review and possible action under other Board policies.

Confidentiality

Confidentiality of all parties, witnesses, the allegations, the filing of a complaint and the investigation shall be handled in accordance with this policy and the school's legal and investigative obligations.

Retaliation

The Board prohibits retaliation against any person for making a report of discrimination or participating in a related investigation or hearing or opposing practices the person reasonably believes to be discriminatory. A complaint of retaliation shall be handled in the same manner as a complaint of discrimination.

Definitions

Discriminatory Harassment

Harassment by students, employees or third parties on the basis of race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy, handicap/disability or for participation in reports or investigations of alleged discrimination is a form of discrimination and is subject to this policy. A person who is not necessarily an intended victim or target of such harassment but is adversely affected by the offensive conduct may file a report of discrimination on his/her own behalf.[20][21][22][23][24][25][26]

For purposes of this policy, **harassment** shall consist of unwelcome conduct such as graphic, written, electronic, verbal or nonverbal acts including offensive jokes, slurs, epithets and name-calling, ridicule or mockery, insults or put-downs, offensive objects or pictures, physical assaults or threats, intimidation, or other conduct that may be harmful or humiliating or interfere with a person's school or school-related performance and which relates to an individual's or group's race, color, age, creed, religion, sex, sexual orientation, ancestry, national origin, marital status, pregnancy or handicap/disability when such conduct is:

1. Sufficiently severe, persistent or pervasive; and
2. A reasonable person in the complainant's position would find that it creates an intimidating, threatening or abusive educational environment such that it deprives or adversely interferes with or limits an individual or group of the ability to participate in or benefit from the services, activities or opportunities offered by a school.

Sexual Harassment

Sexual harassment is a form of discrimination on the basis of sex and is subject to this policy. For purposes of this policy, **sexual harassment** shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, nonverbal, written, graphic or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of a student's status in any educational or other programs offered by a school; or
2. Submission to or rejection of such conduct is used as the basis for educational or other program decisions affecting a student; or
3. Such conduct deprives a student or group of individuals of educational aid, benefits, services or treatment; or
4. Such conduct is sufficiently severe, persistent or pervasive that a reasonable person in the complainant's position would find that it unreasonably interferes with the complainant's performance in school or school-related programs, or otherwise creates an intimidating, hostile, or offensive school or school-related environment such that it unreasonably interferes with the complainant's access to or participation in school or school-related programs.

Federal law declares sexual violence a form of sexual harassment. **Sexual violence** means physical or sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual may also be unable to

give consent due to an intellectual or other disability. Sexual violence includes but is not limited to rape, sexual assault, sexual battery and sexual coercion.

Delegation of Responsibility

In order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Chief Executive Officer or designee shall be the school's Compliance Officer. All nondiscrimination notices or information shall include the position, office address, telephone number and email address of the Compliance Officer.

The Compliance Officer shall publish and disseminate this policy and complaint procedure at least annually to students, parents/guardians, employees and the public to notify them of where and how to initiate complaints under this policy.

The Compliance Officer is responsible to ensure adequate nondiscrimination procedures are in place, to recommend new procedures or modifications to procedures and to monitor the implementation of the school's nondiscrimination procedures in the following areas:

1. Curriculum and Materials - Review of curriculum guides, textbooks and supplemental materials for discriminatory bias.
2. Training - Provision of training for students and staff to prevent, identify and alleviate problems of discrimination.
3. Resources - Maintain and provide information to staff on resources available to alleged victims in addition to the school complaint procedure, such as making reports to the police, available assistance from domestic violence or rape crisis programs and community health resources including counseling resources.
4. Student Access - Review of programs, activities and practices, to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
5. School Support - Assurance that like aspects of the school program receive like support as to staffing and compensation, facilities, equipment, and related areas.
6. Student Evaluation - Review of tests, procedures, and guidance and counseling materials for stereotyping and discrimination.
7. Complaints - Monitor and provide technical assistance to building principals or designee in processing complaints.

The Chief Executive Officer or designee shall be responsible to promptly complete the following duties upon receipt of a report of discrimination or retaliation from a student, employee or third party:

1. If the Chief Executive Officer is the subject of the complaint, refer the student to the solicitor to carry out these responsibilities.

2. Inform the student or third party about this policy including the right to an investigation of both oral and written complaints of discrimination.
3. Obtain consent from parents/guardians to initiate an investigation where the complainant or alleged victim is under the age of eighteen (18). Inform parents/guardians and students who are complainants or accused of violating this policy that s/he may be accompanied by a parent/guardian during all steps of the complaint procedure.
4. Provide relevant information on resources available in addition to the school complaint procedure, such as reporting potential criminal activity, to the police, obtaining available assistance from domestic violence or rape crisis programs and accessing community health resources including counseling resources.
5. Immediately notify the Compliance Officer of the complaint. The Compliance Officer shall assess whether the investigation should be conducted by the building principal, another school employee, the Compliance Officer or an attorney and shall promptly assign the investigation to that individual.
6. After consideration of the allegations and in consultation with the Compliance Officer and other appropriate individuals, promptly implement interim measures as appropriate to protect the complainant and others as necessary from violation of this policy, during the course of the investigation.

Guidelines

Complaint Procedure – Student/Third Party

Step 1 – Reporting

A student who believes s/he has been subject to conduct by any student, school employee or third party that constitutes a violation of this policy is encouraged to immediately report the incident to the building principal. Any person with knowledge of conduct that may violate this policy, is encouraged to immediately report the matter to the building principal.

A school employee who suspects or is notified that a student has been subject to conduct that constitutes a violation of this policy shall immediately report the incident to the building principal, as well as properly making any mandatory police or child protective services reports required by law.[27]

If the Chief Executive Officer is the subject of a complaint, the student, third party or employee shall report the incident directly to the solicitor.

The complainant or reporting employee may be encouraged to use the school's report form, available from the Chief Executive Officer or designee, or to put the complaint in writing; however, oral complaints shall be accepted and documented and the procedures of this policy shall be implemented regardless of whether the complaint was submitted in writing. The person accepting the verbal or written complaint shall provide information on the complaint and the investigative process, the school's policy on confidentiality with respect to such complaints and

the right to file criminal charges when appropriate. In all other respects, the person accepting the complaint shall handle the report objectively, neutrally and professionally, setting aside personal biases that might favor or disfavor the complainant or those accused of a violation of this policy.

Step 2 – Investigation

When an attorney is not used to conduct an investigation into a discrimination complaint, only individuals who have received basic training on the applicable law, this policy and how to conduct a proper investigation shall be authorized to conduct an investigation of a complaint made pursuant to this policy.

The investigator shall work with the Compliance Officer to assess the anticipated scope of the investigation, the persons to be interviewed and the records potentially relevant to the investigation.

The investigator shall conduct a thorough and impartial investigation. The complainant and the accused shall be provided the opportunity to present witnesses and other evidence, during the course of the investigation. When the initial complaint involves allegations relating to conduct which took place away from school property, school-sponsored activities or school conveyances, the investigation may include inquiries related to these allegations to determine whether they resulted in continuing effects such as harassment in school settings.

The investigation may consist of individual interviews with the complainant, the accused, and others with knowledge relative to the allegations. The investigator may also evaluate any other information and materials relevant to the investigation. The complainant, parties, parents/guardians and witnesses shall be informed of the prohibition against retaliation for participation in the process and that conduct believed to be retaliatory should be reported. All individuals providing statements or other information or participating in the investigation shall be instructed to keep the matter confidential and to report any concerns about confidentiality to the investigator.

If the investigation reveals that the conduct being investigated may involve a violation of criminal law, the investigator shall promptly notify the Compliance Officer, who shall promptly inform law enforcement authorities about the allegations.[27][28][29]

The obligation to conduct this investigation shall not be negated by the fact that a criminal or child protective services investigation of the incident is pending or has been concluded. The investigator should coordinate with any other ongoing investigations of the allegations, including agreeing to requests, for a short delay in fulfilling the school's investigative responsibilities during the fact-finding portion of a criminal or child protective services investigation. Such delays shall not extend beyond the time necessary to prevent interference with or disruption of the criminal or child protective services investigation.

Step 3 – Investigative Report

The investigator shall prepare and submit a written report to the Compliance Officer within twenty (20) days of the initial report of alleged discrimination, unless the nature of the allegations, anticipated extent of the investigation and the availability of witnesses requires the

investigator and the Compliance Officer to establish a different due date. The parties shall be notified of the anticipated date the investigative report will be completed and of any changes to the anticipated due date during the course of the investigation.

The report shall include a summary of the investigation, a determination of whether the alleged facts forming the substance of the complaint have been substantiated, the information and evaluation that formed the basis for this determination, a determination of whether the conduct substantiated, violated this policy or any other law or Board policy which may warrant further school action, and a recommended disposition of the complaint. An investigation into discriminatory harassment or sexual harassment shall consider the record as a whole and the totality of circumstances in determining whether a violation of this policy has occurred, recognizing that persistent and pervasive conduct, when taken together, may be a violation even when the separate incidents are not severe.

The complainant and the accused shall be informed of the outcome of the investigation, including the recommended disposition within a reasonable time of the submission of the written report. The accused shall not be notified of the individual remedies offered or provided to the complainant.

Step 4 – School Action

If the investigation results in a finding that some or all of the allegations of the complaint are substantiated and constitute a violation of this policy, the school shall take prompt, corrective action designed to ensure that such conduct ceases and that no retaliation occurs. The school shall promptly take appropriate steps to prevent the recurrence of the prohibited conduct and to address the discriminatory effect the prohibited conduct had on the complainant and the school or school program environment. School staff shall document the corrective action taken and, where not prohibited by law, inform the complainant. The Compliance Officer shall follow up by assessing the effectiveness of the corrective action at reasonable intervals.

If an investigation results in a finding that a different policy was violated separately from or in addition to violations of this policy, or that there are circumstances warranting further action, such matters shall be addressed at the conclusion of this investigation or through disciplinary or other appropriate referrals where further evaluation or investigation is necessary.

Disciplinary actions shall be consistent with the Code of Student Conduct, Board policies and administrative regulations, school procedures, applicable collective bargaining agreements, and state and federal laws.

Appeal Procedure

1. If the complainant or the accused is not satisfied with a finding made pursuant to the policy or with recommended corrective action, s/he may submit a written appeal to the Compliance Officer within fifteen (15) days of receipt of the report. If the Compliance Officer investigated the complaint, such appeal shall be made to the Chief Executive Officer.
2. The individual receiving the appeal shall review the investigation and the investigative report and may also conduct or designate another person to conduct a reasonable

supplemental investigation to assess the sufficiency and propriety of the prior investigation.

3. The person handling the appeal shall prepare a written response to the appeal within twenty (20) days. Copies of the response shall be provided to the complainant, the accused and the investigator who conducted the initial investigation.

Legal

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|--|---------------------------|----------------------------|
| 1. 22 PA Code 12.1 | 2. 22 PA Code 12.4 | 3. 22 PA Code 15.1 et seq |
| 4. 22 PA Code 4.4 | 5. 24 P.S. 1310 | 6. 24 P.S. 1601-C et seq |
| 7. 24 P.S. 5004 | 8. 20 U.S.C. 1681 et seq | 9. 29 U.S.C. 794 |
| 10. 42 U.S.C. 12101 et seq | 11. 42 U.S.C. 1981 et seq | 12. 42 U.S.C. 2000d et seq |
| 13. 43 P.S. 951 et seq | 14. Pol. 103.1 | 15. Pol. 218 |
| 16. Pol. 247 | 17. Pol. 249 | 18. 24 P.S. 1301 |
| 19. 29 CFR 1604.11 | 20. 29 CFR 1606.8 | |
| 21. U.S. Const. Amend. XIV, Equal Protection Clause | | |
| 22. Davis v. Monroe County Board of Education, 526 U.S. 629 (1999) | | |
| 23. Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992) | | |
| 24. Office for Civil Rights – Harassment Guidance: Harassment of Students by School Employees, Other Students or Third Parties (January 2001) | | |
| 25. Office for Civil Rights - Guidance on Schools' Obligations to Protect Students from Student - on - Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability | | |
| 26. Office for Civil Rights - Resources for Addressing Racial Harassment | | |
| 27. Pol. 806 | 28. 18 Pa. C.S.A. 2709 | 29. Pol. 815 |

1109 Instructional Materials

Adopted 01/15/2020

Revised

Authority

The Board shall provide instructional and evaluative materials that implement and support the educational programs and services of member districts and the Innovative Arts Academy Charter School, in accordance with applicable law and regulations.

Delegation of Responsibility

The Chief Executive Officer or designee, after consultation with the administration and teaching staff, shall be responsible for the selection, approval, recommendation and maintenance of all instructional materials.

Guidelines

Information regarding instructional materials shall be made available for the information of the staff members, Board members, students and parents/guardians.

Legal

24 P.S. Section 17-1716-A

1113 Special Education

Adopted 01/15/2020

Revised

Purpose

The school shall offer each student with a disability education programs and services that appropriately meet the student's needs for educational, instructional, transitional and related services. A student who requires special education shall receive programs and services according to an individualized education program (IEP). The IEP shall provide access to the school's general curriculum and participation in state and local assessments, including supplemental aids and services that permit the student to be educated, to the maximum extent appropriate, with their nondisabled peers. The school shall provide a continuum of placement options to appropriately meet the needs of students with disabilities.

Definitions

Students with disabilities - school-aged children who attend the Innovative Arts Academy Charter School who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services. School-aged children who have identified disabilities but do not require special education may be entitled to accommodations or services or to enroll in courses of study in the school which serve students with disabilities pursuant to other law or Board policy.

Individualized Education Program (IEP) - the written educational statement for each student with a disability that is developed, reviewed and revised in accordance with federal and state laws and regulations.

Parent/Guardian - for purposes of this policy and Board policies related to special education, parent/guardian shall have the definition of **parent** in IDEA statute and regulations, which includes a biological or adoptive parent of a child; a foster parent, unless prohibited by state law or regulations; a guardian authorized to act as the child's parent, in accordance with law or regulations; an individual acting in the place of a parent, including a grandparent or other relative, with whom the child lives or an individual legally responsible for the child's welfare; or an appointed surrogate parent, in accordance with law and regulations.

Authority

The Board directs that all students with disabilities shall be identified, evaluated, and provided with appropriate educational programs and services, in accordance with federal and state laws and regulations. The school shall establish and implement a system of procedural safeguards and parent/guardian notification as part of its special education plan.

The school shall develop and submit a special education plan to the Department of Education for approval every three (3) years, and shall implement such plan as required by law and regulations. The school's special education plan shall include procedures for identifying and

educating students with disabilities and describe the elements required by law, regulations and Board policy.

The school's special education plan shall comply with the requirements of state and federal laws and regulations, and shall be submitted in accordance with the guidelines and in the form established by the Department of Education.

In order to maintain an effective special education plan, the Board may participate in special education programs of Carbon Lehigh Intermediate Unit No. 21 or other entities offering programs acceptable to the Board.

Delegation of Responsibility

The Chief Executive Officer or designee is directed to annually recommend to the Board the employment and retention of necessary, qualified staff and provision of required facilities, programs and services to provide for the needs of students with disabilities.

The Chief Executive Officer or designee shall develop procedures for evaluating the effectiveness of the school's special education plan and shall periodically report to the Board the criteria and results of such evaluation.

Guidelines

Each student with a disability shall be educated pursuant to an IEP which shall provide an appropriate education in the least restrictive environment, in accordance with federal and state laws and regulations.

The school prohibits discrimination based on disability. Students with disabilities are entitled to receive services and accommodations which will permit them to participate in school programs, services and activities as required by law.

If the school is identified with significant disproportionality, the special education plan shall include prevention measures for inappropriate overidentification and disproportionate representation by race or ethnicity of children with disabilities.

Fiscal and Program Compliance

The Chief Executive Officer or designee shall establish procedures to ensure that the school complies with all federal and state laws and regulations and program requirements for special education-related funding and reimbursement.

The school may coordinate with Carbon Lehigh Intermediate Unit No. 21 to establish procedures, fulfill reporting requirements and participate in applicable programs.

Child Find/Outreach

The Chief Executive Officer or designee shall ensure that the school annually conducts awareness and outreach programs. The school's public awareness activities shall include annual publication of a written notice that informs parents/guardians about child identification activities; available special education services and programs and how to request them; and procedures used to ensure confidentiality of student information. Written information shall be

published in school handbooks and on the school website. Public awareness activities must include information regarding potential signs of developmental delays and other risk factors that could indicate disabilities.

The Intermediate Unit shall be responsible for conducting child find activities necessary to provide equitable participation services to students with disabilities who are enrolled by their parents/guardians in private schools.

Screening

The school shall establish a system of screening, including hearing and vision screenings. Screenings shall be conducted at reasonable intervals to determine whether all students are performing based on grade-appropriate standards in core academic subjects.

Confidentiality

The school shall maintain a system of safeguards to protect the confidentiality of students' educational records and personally identifiable information when collecting, storing, disclosing and destroying student records.

School staff shall maintain the confidentiality of student records and personally identifiable information, as required by law, regulations and Board policy.

Recording of Meetings

Except as specifically provided for within Board policy, the school prohibits audio, video and electronic recording of meetings between parents/guardians and school teachers, paraprofessionals, program specialists, consultants or administrators.

An attempt to record a meeting by a parent/guardian after a verbal prohibition by school staff shall result in immediate termination of the meeting and may result in ejection from school property and possible prosecution.

The school shall permit audio recording of a meeting when a participant submits, at least five (5) days prior to the meeting, documentation that substantiates:

1. Participant has a disability or limited English proficiency that significantly limits his/her ability to meaningfully understand or participate in the meeting's intended decision-making and recording is the only feasible means of accommodating the limitation.
2. Individual has a legitimate interest in attending the meeting but for good cause is unable to do so, and recording is the only feasible means by which s/he can meaningfully understand and participate in the decision-making.

When permission to record a meeting is granted, the school employee responsible for the meeting shall arrange to record the meeting by similar means. Such recording shall be considered part of the student's educational record and be subject to relevant law and regulations.

The school may permit videotaping of a meeting when written consent is given by all participants at the meeting.

Legal

20 USC Chapter 33

34 CFR Part 300

34 CFR Part 104

22 Pa. Code Chapter 711

1113.1 Discipline of Students With Disabilities

Adopted 01/15/2020

Revised

Purpose

The school shall develop and implement positive Behavior Support Plans and programs for students with disabilities who require specific interventions to address behaviors that interfere with learning.

Students with disabilities who violate the Code of Student Conduct, or engage in inappropriate behavior, disruptive or prohibited activities and/or actions injurious to themselves or others, which would typically result in corrective action or discipline of students without disabilities, shall be disciplined in accordance with state and federal laws and regulations and Board policy and, if applicable, their Individualized Education Program (IEP) and Behavior Support Plan.

Definitions

Students with disabilities - school-aged children within the jurisdiction of the school who have been evaluated and found to have one or more disabilities as defined by law, and who require, because of such disabilities, special education and related services.

Suspensions from school - disciplinary exclusions from school for a period of one (1) to ten (10) consecutive school days.

Expulsions from school - disciplinary exclusions from school by the Board for a period exceeding ten (10) consecutive school days and may include permanent exclusion from school.

Interim alternative educational settings - removal of a student with a disability from his/her current placement. Interim alternative educational settings may be used by school personnel for up to forty-five (45) school days for certain infractions committed by students with disabilities. The IEP team shall determine the interim alternative educational setting; however, this does not constitute a change in placement for a student with a disability.

Authority

The Board directs that the school shall comply with provisions and procedural safeguards of the Individuals With Disabilities Education Act (IDEA) and federal and state regulations when disciplining students with disabilities for violations of Board policy or school rules or regulations. No student with a disability shall be subjected to a disciplinary change in placement if the student's particular misconduct is a manifestation of his/her disability. However, under certain circumstances a student with a disability may be placed in an interim alternative educational setting by school personnel or the IEP team could, if appropriate, change the student's educational placement to one which is more restrictive than the placement where the misconduct occurred.

Provision of Education During Disciplinary Exclusions

During any period of expulsion, or suspension from school for more than ten (10) cumulative days in a year, or placement in an interim alternative educational setting for disciplinary reasons, a student with a disability shall continue to receive a free and appropriate education, in accordance with law.

Guidelines

Suspension From School

A student with a disability may be suspended for ten (10) consecutive and fifteen (15) cumulative days of school per school year, for the same reasons and duration as a student without a disability. Such suspension shall not constitute a change in the student's educational placement.

Changes in Educational Placement/Manifestation Determinations

For disciplinary exclusions which constitute a change in educational placement, the school shall first determine whether the student's behavior is a manifestation of his/her disability. Expulsion, or exclusion from school for more than fifteen (15) cumulative days in a year, or patterns of suspensions for substantially identical behaviors constitute changes in educational placements requiring a manifestation determination. For students with intellectual disability, any disciplinary suspension or expulsion is a change in educational placement.

A student with a disability whose behavior is not a manifestation of his/her disability may be disciplined in accordance with Board policy, school rules and regulations in the same manner and to the same extent as students without disabilities.

Parent/Guardian Appeals From Disciplinary Actions/Request for Hearing by School for Students Who Are a Danger to Themselves or Others

A due process hearing may be requested by a parent/guardian of a student with a disability who disagrees with a disciplinary placement or manifestation determination, or by the school if the school believes that the current placement is substantially likely to result in injury to the student or others. On parent/guardian appeal, or when the school requests a due process hearing, the hearing officer may return the student to the placement from which s/he was removed or order his/her removal to an appropriate interim alternative educational setting for up to forty-five (45) school days if the hearing officer determines that maintaining the child's current placement is substantially likely to result in an injury to the student or others.

Placement during appeals of disciplinary actions shall be in the interim alternative educational setting pending the decision of the hearing officer or expiration of the time period set for the disciplinary exclusion from the student's regular placement unless the school and the parent/guardian agree otherwise.

Students Not Identified as Disabled/Pending Evaluation

Students who have not been identified as disabled may be subject to the same disciplinary measures applied to students without disabilities if the school did not have knowledge of the disability. If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation shall be expedited

Administrative Removal to Interim Alternative Educational Setting for Certain Infractions
Administrative/educational school personnel may remove a student with a disability, including intellectual disability, to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the student's disability if the student:

1. Carries a weapon to or possesses a weapon at school, on school property, or at school functions under the jurisdiction of the school. For purposes of this provision, weapon is defined as a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than two and one-half (2 ½) inches in length.
2. Knowingly possesses or uses illegal drugs, as defined by law, or sells or solicits the sale of a controlled substance, as defined by law, while at school, on school property, or at school functions under the jurisdiction of the school.
3. Has inflicted serious bodily injury upon another person while at school, on school property, or at school functions under the jurisdiction of the school. For purposes of this provision, serious bodily injury means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

Referral to Law Enforcement and Reporting Requirements

For reporting purposes, the term incident shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.

The Chief Executive Officer or designee shall immediately report required incidents and may report discretionary incidents committed on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity by a student with a disability, including a student for whom an evaluation is pending, to the local police department that has jurisdiction over the school's property, in accordance with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. The Chief Executive Officer or designee shall respond to such incidents in accordance with the school's Special Education Plan and, if applicable, the procedures, methods and techniques defined in the student's Behavior Support Plan.

For a student with a disability who does not have a Behavior Support Plan, subsequent to notification to law enforcement, the school shall convene the student's IEP team to consider whether a Behavior Support Plan should be developed to address the student's behavior, in accordance with law, regulations and Board policies.

When reporting an incident committed by a student with a disability to the appropriate authorities, the school shall provide the information required by state and federal laws and regulations and shall ensure that copies of the special education and disciplinary records of the

student are transmitted for consideration by these authorities. The school shall transmit copies of the student's special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act.

In accordance with state law, the Chief Executive Officer shall annually, by July 31, report to the Office for Safe Schools on the required form all new incidents committed by students with disabilities, including students for whom an evaluation is pending, which occurred on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity.

Legal

24 P.S. Section 17-1716-A

22 Pa. Code Chapter 12

22 Pa. Code Chapter 711

Policy 1113

20 USC Section 1232g, Family Educational Rights and Privacy Act of 1974 (FERPA)

1138 Language Instruction Educational Program for English Learners

Adopted 09/18/2019

Revised

Purpose

This policy is to ensure high quality educational programming to all Innovative Arts Academy Charter School students and to increase the English language proficiency of students who are English Learners (EL), the Innovative Arts Academy Charter School shall provide an effective Language Instruction Educational Program (LIEP) that meets the needs of English Learners.

The goal of the LIEP shall be to demonstrate success in increasing English language proficiency and student academic achievement so that EL students can attain the academic standards adopted by the Board and achieve academic success. EL students shall be identified, assessed and provided appropriate instruction in accordance with the LIEP, and shall be provided an equitable opportunity to achieve their maximum potential in educational programs and extracurricular activities, consistent with federal and state laws and regulations.[1][4][5]

Authority

The Board shall approve a LIEP to provide English Language Development instruction (ELD) to EL students as part of the approved curriculum, in order to develop the English language proficiency of EL students. The Innovative Arts Academy Charter School shall provide EL students with both ELD instruction and modifications in content instruction and assessments for all curricular areas, based on the provisions of the LIEP. The LIEP shall be thoughtfully and deliberately planned and evaluated in accordance with state and federal laws and regulations, and shall meet the needs of the Innovative Arts Academy Charter School's EL students. The LIEP shall be based on effective research-based theory, implemented with sufficient resources and appropriately trained staff, and shall meet the following requirements:[1][2][3][4]

1. Aligned to state academic standards for the appropriate grade levels of EL students.
2. Include ELD instruction delivered by properly certified English as a Second Language (ESL) teachers, and other certified content area teachers working in conjunction with ESL certified teachers.
3. Incorporate the use of state assessments and ELD criteria and provide equitable access to content for EL students at all proficiency levels.
4. Provide equitable access to enrollment in courses or academic programs for which EL students are otherwise eligible.

The Board directs the LIEP to be evaluated at least once per school year for effectiveness based on student outcomes and the results documented in accordance with state and federal laws and regulations, and state guidelines.[4][5][6][7]

The Innovative Arts Academy Charter School's LIEP and evaluation results of the LIEP shall be made available to Innovative Arts Academy Charter School staff working with EL students and parents/guardians of EL students.

The Board may address EL students and programs in the Innovative Arts Academy Charter School's comprehensive planning process.

The Board may contract with qualified providers for ELD services and programs or professional development.

The Board shall ensure that eligible EL students who are enrolled in nonpublic schools are identified, assessed, evaluated, provided with equitable LIEP services and programs and monitored in accordance with applicable laws and regulations.

Delegation of Responsibility

The Chief Executive Officer or designee shall implement and supervise LIEPs that ensure appropriate instruction and comply with federal and state laws and regulations.

The Chief Executive Officer or designee shall ensure that the Innovative Arts Academy Charter School complies with all federal and state laws and regulations, and program requirements, for ELD program funding, including required reports in the form prescribed by the state.[9]

The Chief Executive Officer or designee, in conjunction with appropriate stakeholders, shall develop administrative regulations regarding the LIEP and provision of services to EL students.

Guidelines

Identification and Placement of EL Students

The Innovative Arts Academy Charter School shall establish procedures for identifying and assessing the needs of students whose dominant language is not English. In order to identify which students are potential English Learners, the Home Language Survey shall be completed for each student upon enrollment in the Innovative Arts Academy Charter School, and shall be maintained as part of the student's education records.[2][8]

EL students shall be appropriately placed in accordance with the LIEP within the first thirty (30) days of the school year, or within fourteen (14) days of enrollment.[9]

Program Access

EL students shall have equitable access to and be encouraged to participate in all academic and other activities available to Innovative Arts Academy Charter School students.[10]

Assessment

The Innovative Arts Academy Charter School shall annually administer required assessments to EL students to measure students' English Language proficiency and progress in reading, writing, speaking and listening/understanding. Assessment results shall be maintained in the student's education records. Parents/Guardians may not opt students out of English language proficiency assessments.[7]

EL students shall participate in all annual state or locally required assessments, with accommodations where applicable, and meet established academic standards and graduation requirements, in accordance with law, regulations and Board policy. [3][4][5][8][12][9][10]

Program Exit

The Innovative Arts Academy Charter School shall include uniform provisions in the LIEP, in accordance with state required criteria, for:[6][9]

1. Reclassifying EL students as former EL students when they attain English language proficiency.
2. Actively monitoring and reporting the progress of former EL students for a period of two years following reclassification and program exit, and reporting students to the state in a monitor status for an additional two years, to ensure students are meeting academic standards.
3. Re-designating former EL students as active EL students if they struggle academically based on persistent language barriers

Staff Qualifications and Professional Development

Certified employees and appropriate support staff, when necessary, shall provide the LIEP. The Innovative Arts Academy Charter School shall ensure that all teachers providing ELD instruction hold the appropriate certification and can demonstrate academic language proficiency both in English and in the language used for instruction in their classroom.[6]

Non-ESL staff shall incorporate ELD into all classes for EL students, as well as provide supports, modifications and accommodations for curricular content to enable EL students to achieve academic standards.

The Innovative Arts Academy Charter School shall provide appropriate training in ELD for all professional staff as part of the Professional Development Plan.[5]

Special Education and Gifted Education Services

EL students may be eligible for special education services when they have been identified as a student with a disability and it is determined that the disability is not solely due to lack of instruction or proficiency in the English language.

EL students may be eligible for gifted education services, when identified in accordance with law, regulations and Board policy. The Innovative Arts Academy Charter School shall ensure that assessment of a student for gifted education services screens for intervening factors, such as English language proficiency, that may be masking gifted abilities.

Students participating in ELD instruction who are eligible for special education services shall continue receiving ELD instruction, in accordance with their Individualized Education Program (IEP) or Gifted Individualized Education Plan (GIEP), at the appropriate proficiency and developmental levels.

Parent/Family Engagement and Communication

Communications with parents/guardians shall be in the mode and language of communication preferred by the parents/guardians.[1]

Within thirty (30) days of the beginning of each school year, or within fourteen (14) days of enrollment during the school year, the Innovative Arts Academy Charter School shall notify parents/guardians of students identified as EL about the process for identifying their children as EL, the results of that process, and the recommended program placement. The Innovative Arts Academy Charter School shall also provide parents/guardians with detailed information regarding the LIEP, the benefits of ELD instruction for their children, and an explanation of the program's effectiveness.[4]

Parents/Guardians shall be regularly apprised of their child's progress, including achievement of academic standards and assessment results.

Parental Right to Opt Out of ELD Programs and Services

Parents/Guardians of EL students have the right to refuse specialized programs and services that may be part of the LIEP for their child. A parent's/guardian's decision to refuse programs or services must be informed and voluntary; the Innovative Arts Academy Charter School shall not influence a parent's/guardian's decision in any way, or make any program or placement determinations without parental notification and an opportunity to opt the student out of programs and services.[1][4]

The Innovative Arts Academy Charter School shall make a parental waiver form available for parents/guardians to opt their EL child out of ELD programs and services.

The Innovative Arts Academy Charter School shall document all notifications made to parents/guardians regarding assessment and recommended placements and programs for EL students, and whether or not a parental waiver form is received. When a waiver form is not received from the parent/guardian, the Innovative Arts Academy Charter School shall proceed with the recommended placement.

EL students who have a parental waiver for ELD programs and services shall be assessed on English language proficiency annually, and shall be provided with supports and accommodations to participate in general curricular and extracurricular programs, in order to meet academic standards and graduation requirements.

Legal

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|---------------------------|--------------------------|----------------------|
| 1. 42 U.S.C. 2000d et seq | 2. 20 U.S.C. 6801 et seq | 3. 22 PA Code 4.26 |
| 4. 20 U.S.C. 6312 | 5. 20 U.S.C. 6812 | 6. 20 U.S.C. 6826 |
| 7. 20 U.S.C. 6841 | 8. 22 PA Code 11.11 | 9. 20 U.S.C. 6823 |
| 10. 20 U.S.C. 1703 | 11. 22 PA Code 4.51 | 12. 22 PA Code 4.51b |
| 13. 22 PA Code 4.51c | 14. 22 PA Code 4.52 | |
- Basic Education Circular, July 1, 2017: Educating English Learners (Els)

2200 Enrollment of Students

Adopted 11/20/2019

Revised

Authority

The Board shall enroll students eligible to attend the charter school, in accordance with applicable laws and regulations, Board policy and administrative regulations.[1][2][3]

Guidelines

The Innovative Arts Academy Charter School shall not enroll a student until the parent/guardian has submitted proof of the student's residence, and immunizations and a completed Parental Registration Statement, as required by law and regulations.[1][2][3]

The school shall administer a home language survey to all students enrolling for the first time.[3]

The school shall normally enroll eligible student the next business day, but no later than five (5) business days after application.[3]

The school shall immediately enroll any identified homeless student, regardless of the student or parent/guardian being able to produce the required documents.

The school shall not inquire about the immigration status of a student as part of the enrollment process.[3]

Delegation of Responsibility

The Chief Executive Officer or designee shall annually notify students, parents/guardians and staff about the admissions policy by publishing such policy in the student handbook, parent newsletters, district website and/or other efficient methods.[4]

The Chief Executive Officer or designee shall develop administrative regulations for the enrollment of students.

Legal

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| 1. 24 P.S. 1301 | 2. 24 P.S. 1302 | 3. 22 PA Code 11.11 |
| 4. 22 PA Code 11.41 | 5. 22 PA Code 11.12 | 6. 22 PA Code 12.1 |
| 7. 24 P.S. 1303a | 8. 24 P.S. 1304-A | |

2203 Immunization and Communicable Diseases

Adopted 10/16/2019

Revised

Purpose

The Board has a responsibility to promote a healthy learning environment and to safeguard the welfare of all students and staff

Authority

In order to safeguard the school community from the spread of certain communicable diseases, the Board requires that this policy shall be followed for school-age students.[1][3]

Definitions

Certificate of Immunization - the official form furnished by the Pennsylvania Department of Health. The certificate is filled out by the parent/guardian or health care provider and signed by the health care provider, public health official or school nurse or a designee. The certificate is given to the school as proof of full immunization. The school maintains the certificate as the official school immunization record or stores the details of the record in a computer database.[7]

Medical Certificate - the official form furnished by the Pennsylvania Department of Health setting out the immunization plan for a student who is not fully immunized, filled out and signed by a physician, certified registered nurse practitioner or physician assistant, or by a public health official when the immunization is provided by the Department of Health or a local health department, and given to a school as proof that the student is scheduled to complete the required immunizations.[7]

Guidelines

Immunization

All students shall be immunized against specific diseases in accordance with state law and regulations, unless specifically exempt for religious or medical reasons.[1][2][3]

A certificate of immunization shall be maintained by the school as part of the health record for each student, as required by the Pennsylvania Department of Health.[4][8]

A student shall be exempt from immunization requirements whose parent/guardian objects in writing to such immunization on religious grounds or whose physician certifies that the student's physical condition contraindicates immunization.[1][2][9][10]

A student who has not been immunized in accordance with state regulations shall not be admitted to or permitted to attend school, unless exempted for medical or religious reasons or, after beginning a multiple dose vaccine series and submitting proof of immunization or a medical certificate on or before the fifth school day of attendance.[1][2][8][9][10]

Homeless students who have not been immunized or are unable to provide immunization records due to being homeless shall be admitted in accordance with the provisions of applicable law and regulations.[8][11]

Foster care students and students transferring into a school within the Commonwealth shall be admitted in accordance with law and regulations, and shall have thirty (30) days to provide proof of immunization, a medical certificate detailing the plan to complete a multiple dose vaccine series or to satisfy the requirements for an exemption.[8]

Where applicable, the Chief Executive Officer or designee shall report immunization data electronically to the Department of Health by December 31 of each year. If the Intermediate Unit is unable to complete the report electronically, the Chief Executive Officer or designee shall report the immunization data on the required form to the Department of Health by December 15.[13]

Communicable Diseases

The Board directs school staff to review each diagnosed case of communicable disease to determine how the affected student's educational needs can be met and how to protect the health and welfare of students and staff with whom s/he may come in contact.[4]

Students who have been diagnosed by a physician or are suspected of having a disease by the school nurse may be excluded from school for the period indicated by regulations of the Department of Health for certain specified diseases and infectious conditions. Exclusions of students shall be conducted in accordance with applicable law and regulations, and in consultation with the local health department and applicable physicians.[5][6][14][15][16]

The school nurse or designated staff shall report the presence of suspected communicable diseases to the appropriate local health authority, as required by the Department of Health.[17][18][19]

The Chief Executive Officer or designee shall direct that health guidelines and universal precautions designed to minimize the transmission of communicable diseases be implemented in the Innovative Arts Academy Charter School.

Health Records

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.[4]

Legal

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| 1. 24 P.S. 1303a | 2. 22 PA Code 11.20 | 3. 28 PA Code 23.81 et seq |
| 4. 24 P.S. 1409 | 5. 28 PA Code 27.71 | 6. 28 PA Code 27.72 |
| 7. 28 PA Code 23.82 | 8. 28 PA Code 23.85 | 9. 28 PA Code 23.83 |
| 10. 28 PA Code 23.84 | | |

2204 Attendance / Truancy

Adopted 07/24/2019

Revised 08/26/2020

Purpose:

The Board requires that school age students enrolled in Innovative Arts Academy Charter School attend school regularly, in accordance with state laws. The educational program offered by the school is predicated upon the presence of the student and requires continuity of instruction and classroom participation in order for students to achieve academic standards and consistent educational progress.

Definitions

Absence - the nonattendance of a student on those days and partial days school is in session.

Compulsory school age - the period of a child's life from the time the child enters school as a beginner, which may be no later than the age of six (6) years, until the age of eighteen (18) or graduation from a high school, whichever occurs first.

Cumulative absences - days of absence that contribute to the allotted number of days a student is absent.

Noncumulative absences - days of absence that do not contribute to the specified number of cumulative days. Such absences include days missed due to:

1. Suspensions from school.
2. Illness verified by an acceptable written physician's statement submitted within three (3) school days of a student's return to school from an absence. Any absence for which an acceptable written physician's statement is submitted is not included in the number of days permitted for accepted parental statement.
3. Death in the family from date of death until two (2) days after the funeral unless otherwise extended by the building principal.
4. Official religious holidays observed by the student's religious group.
5. Authorized school-sponsored activities.
6. Preapproved educational trips or tours up to five (5) school days.
7. Preapproved college visits up to three (3) school days.

Regular attendance - attending school each day during which school is in session. Students are to attend all sessions unless properly excused by school authorities.

Tardiness - the absence of a student at the time any morning or afternoon session begins provided the student is in attendance before the close of that session.

Truancy - the failure of a child of compulsory school age to attend school regularly.

Attendance Improvement Program - shall mean a program designed to improve school attendance by seeking to identify and address the underlying reasons for a child's absences. The term may include an educational assignment in an alternative education program, provided the program does not include a program for disruptive youth established pursuant to Article XIX-C of the Pa School Code.

Excused absence - shall mean an absence that is approved by both the Charter School and the parent/guardian including illness, religious observance, required court attendance, death in immediate family, violent weather, college visitations, educational tours and trips, state emergency, or health care (medical or dental).

Person in parental relation - shall mean a:

1. Custodial biological or adoptive parent.
2. Noncustodial biological or adoptive parent.
3. Guardian of the person of a child.
4. Person with whom a child lives and who is acting in a parental role of a child.

Tuant/Tuancy - occurs where a student has accrued three (3) or more school days of unexcused absences during the current school year.

Habitually Truant/Habitual Tuancy - occurs where a student has accrued six (6) or more school days of unexcused absences during the current school year.

Unexcused absence - shall mean an absence from school which is not permitted by this Policy or for which an approved explanation has not been submitted within the time period and in the manner prescribed by Board and/or by the Executive Director through administrative regulations.

Delegation:

The Chief Executive Officer shall develop administrative regulations that set forth specific truancy procedures that are consistent with the law and with this Policy. The Principal shall be responsible for addressing truancy issues through consistent implementation of this Policy and the administrative regulations promulgated pursuant to it.

Guidelines

The Chief Executive Officer's designees shall be responsible for ensuring that the following procedures are consistently followed:

To be "excused," all absences must be supported by a written explanation from the person in parental relation to the child within three (3) school days. After ten (10) cumulative days of absence, the student's absence must be verified by a written excuse from the child's treating physician or supervising physician.

The Innovative Arts Charter School will report unexcused absences directly to the Pennsylvania Department of Education through the Pennsylvania Information Management System (PIMS).

Consistent with the requirement of the Pennsylvania Public School Code, the Chief Executive Officer’s designee shall provide written notification to the “person in parental relation to the student,” as defined, above, in cases where a student has accrued three (3) unexcused absences. In addition, the Principal shall notify the child’s school district of residence

Once the notice has been issued, where a student continues to accrue unexcused absences, a School Attendance Improvement Conference (SAIC) must be held. This is a conference to discuss where the child's absences and reasons for the absences are examined in an effort to improve attendance, with or without additional services. The following individuals shall be invited to the conference:

1. The child.
2. The child's “person in parental relation,” as defined, above.
3. Other individuals identified by the person in parental relation who may be a resource.
4. Appropriate school personnel.
5. Recommended service providers.

The outcome of this conference will be documented in a School Attendance Improvement Plan.

Once the SAIC has been held, if a student is reaches six (6) or more unexcused absences, the student is considered “habitually truant” pursuant to the law, and the Chief Executive Officer’s designee shall take further action which will include one or more of the following, as permitted by law:

1. Referral to an attendance improvement program,
2. Referral to the county children and youth agency (CYS) for services or possible disposition as a dependent child under the Juvenile Act,
3. Referral to the child’s school district of residence for the formal filing of a truancy action with the magisterial district court.

Formal filing of truancy charges with the magisterial district court shall only be utilized only where the School Attendance Improvement Conference / School Attendance Improvement Plan have been unsuccessful. For students under the age of 15, at least one other alternative option must be attempted and has to be unsuccessful in resolving the truancy issue to formally file truancy charges with the magisterial district court.

LEGAL:

24 PS §13-1326
24 PS §13-1329
24 PS §13-1333

24 PS §13-1327
24 PS §13-1330
22 Pa. Code §11.34

24 PS § 1327.2
24 PS §13-1332
22 Pa. Code §11.41

2218 Student Discipline

Adopted 07/24/2019

Revised

Purpose

The Board recognizes that student conduct is closely related to learning. An effective educational program requires a safe and orderly school environment.

Authority

The Board shall establish fair, reasonable and nondiscriminatory rules and regulations regarding the conduct of all students in the school district during the time they are under the supervision of the school or at any time while on school property, while present at school-sponsored activities, and while traveling to or from school and school-sponsored activities.[1][2][3]

The Board shall adopt a Code of Student Conduct to govern student discipline, and students shall not be subject to disciplinary action because of race, sex, color, religion, sexual orientation, national origin or handicap/disability. Each student must adhere to Board policies and the Code of Student Conduct governing student discipline.

The Board prohibits the use of corporal punishment by district staff to discipline students for violations of Board policies and district rules and regulations.[5]

Any student disciplined by a district employee shall have the right to notice of the infraction.

Suspensions and expulsions shall be carried out in accordance with Board policy.

In the case of a student with a disability, including a student for whom an evaluation is pending, the Innovative Arts Academy Charter School shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.[6][7]

Off-Campus Activities

This policy shall also apply to student conduct that occurs off school property and would otherwise violate the Code of Student Conduct if any of the following circumstances exist:

1. The conduct occurs during the time the student is traveling to and from school or traveling to and from school-sponsored activities, whether or not via school furnished transportation.
2. 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.

3. Student expression or conduct materially and substantially disrupts the operations of the school, or the administration reasonably anticipates that the expression or conduct is likely to materially and substantially disrupt the operations of the school.
4. The conduct has a direct nexus to attendance at school or a school-sponsored activity, for example, a transaction conducted outside of school pursuant to an agreement made in school, that would violate the Code of Student Conduct if conducted in school.
5. The conduct involves the theft or vandalism of school property.
6. There is otherwise a nexus between the proximity or timing of the conduct in relation to the student's attendance at school or school-sponsored activities.

Delegation of Responsibility

The Chief Executive Officer or designee shall ensure that reasonable and necessary rules and regulations are developed to implement Board policy governing student conduct.

The Chief Executive Officer or designee shall publish and distribute to all staff, students and parents/guardians the rules and regulations for student behavior contained in the Code of Student Conduct, the sanctions that may be imposed for violations of those rules, and a listing of students' rights and responsibilities. A copy of the Code of Student Conduct shall be available online, in the school office and in the student-parent handbook.[2]

A principal, assistant principal and/or Dean of Students shall have the authority to assign discipline to students, subject to the policies, rules and regulations of the district and to the student's due process right to notice, hearing, and appeal.[7][8]

Teaching staff and other Innovative Arts Academy Charter School employees responsible for students shall have the authority to take reasonable actions necessary to control the conduct of students in all situations and in all places where students are within the jurisdiction of this Board, and when such conduct interferes with the educational program of the schools or threatens the health and safety of others[7]

Reasonable force may be used by teachers and school authorities under any of the following circumstances: to quell a disturbance, obtain possession of weapons or other dangerous objects, for the purpose of self-defense, and for the protection of persons or property.[8]

Referral to Law Enforcement and Reporting Requirements

For reporting purposes, the term **incident** shall mean an instance involving an act of violence; the possession of a weapon; the possession, use, or sale of a controlled substance or drug paraphernalia as defined in the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act; the possession, use, or sale of alcohol or tobacco; or conduct that constitutes an offense listed under the Safe Schools Act.[9][10][11]

The Chief Executive Officer or designee shall immediately report required incidents and may report discretionary incidents committed by students on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or

school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.[12][9][10][13][14]

The Chief Executive Officer or designee shall notify the parent/guardian of any student directly involved in an incident as a victim or suspect immediately, as soon as practicable. The Chief Executive Officer or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Chief Executive Officer or designee shall document attempts made to reach the parent/guardian.[15]

In accordance with state law, the Chief Executive Officer shall annually, by July 31, report all new incidents to the Office for Safe Schools on the required form.[9]

The Chief Executive Officer shall annually, no later than July 1, submit the prepared Office for Safe Schools report to the police department with jurisdiction over the school building for review and comparison with police incident data. Discrepancies shall be resolved in accordance with the procedures outlined in the memorandum of understanding.[9]

The Chief Executive Officer shall report to the Board the methods of discipline imposed by administrators and incidences of student misconduct, in the degree of specificity required by the Board.

Legal

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| 1. 24 P.S. 510 | 2. 22 PA Code 12.3 | 3. 22 PA Code 12.4 |
| 4. 22 PA Code 12.2 | 5. 22 PA Code 12.5 | 6. 22 PA Code 10.23 |
| 7. 24 P.S. 1317 | 8. 24 P.S. 1318 | 9. 24 P.S. 1303-A |
| 10. 22 PA Code 10.2 | 11. 35 P.S. 780-102 | 12. 24 P.S. 1302.1-A |
| 13. 22 PA Code 10.21 | 14. 22 PA Code 10.22 | 15. 22 PA Code 10.25 |

2218.1 Weapons

Adopted 09/18/2019

Revised

Purpose

The Board recognizes the importance of safe and secure schools to provide students, teachers and staff members with an opportunity to go about daily activities in a positive atmosphere. The Board will endeavor to provide a safe and secure environment within school buildings, on school property, on school-furnished transportation, at any school activity, event or function before, during or after school hours for all Innovative Arts Academy Charter School students, employees and legitimate visitors to the school.

Possession of weapons in the school setting is a threat to the safety of all and is prohibited by law.

Definition

A **weapon** is defined as any tool, instrument or implement capable of inflicting serious bodily injury to an individual. While not all inclusive, **weapon** shall include firearms, handguns, rifles, shotguns, spring guns, air guns, sling shots, bludgeons or clubs, metal knuckles or artificial knuckles, knives, cutting instruments, cutting tools, pocket knives, swords, machetes, pellet guns, night sticks, nunchaku, ax handles, any explosive device, including ammunition, dangerous chemicals, razors, or any instrument which, in the judgement of the administration, could be used as a weapon or mistaken for one. Imitation or replica weapons and/or objects like any of the foregoing (look-alikes) may be considered a weapon under this policy.[1][2]

Any instrument, tool or implement, while being used in an educational or vocational process as defined by the Chief Executive Officer or designee, will not be defined as a **weapon** as long as that instrument, tool or implement is being used for its educationally or vocationally defined purpose.

Authority

The Board prohibits students from possessing, handling, transporting, maintaining or bringing any weapon or replica/look-alike weapon into school; onto any school property; onto any public vehicle providing transportation to school or a school-sponsored activity or while the student is coming to or from school; and to any school-sponsored activity, event or function, on or off school grounds, before, during or after school hours, whether or not school is in session.[2][3]

The Board shall expel for a period of not less than one (1) year any student who violates this weapons policy. Such expulsion shall be given in conformance with formal due process proceedings required by law and Board policy. The Chief Executive Officer or designee may recommend modifications of such expulsion requirement on a case-by-case basis and may take into account the age of the student and the nature of the violation in determining appropriate disciplinary action.[2]

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.[2][5][4]

Guidelines

A student is in possession of a weapon as defined in this policy when the weapon is found on the person of the student, in the student's locker, or under his/her control while on school property, on property being used by the school, at any school function or activity, at any school event held away from school, or while the student is on his/her way to or from school.

The Chief Executive Officer or designee shall immediately report incidents involving weapons on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.[5][6][2][7][8]

The Chief Executive Officer or designee shall notify the parent/guardian of any student directly involved in an incident involving weapons as a victim or suspect immediately, as soon as practicable. The Chief Executive Officer or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Chief Executive Officer or designee shall document attempts made to reach the parent/guardian.[7][8]

In accordance with state law, the Chief Executive Officer shall annually, by July 31, report all incidents involving possession of a weapon to the Office for Safe Schools on the required form.[6]

The Chief Executive Officer or designee shall annually inform staff, students and parents/guardians about the Board policy prohibiting weapons and about their personal responsibility for the health, safety and welfare of the school community.

Information regarding this policy shall be given to students within the first three (3) days of the first day of each school year. New students shall be informed of this policy upon application for admission. Reminders of this policy should be provided to students periodically throughout the school year.

An exception to this policy may be made by the Chief Executive Officer, who shall prescribe special conditions or administrative regulations to be followed.[2]

Weapons under the control of law enforcement personnel are permitted.

In accordance with federal law, possession or discharge of a firearm in, on, or within 1,000 feet of school grounds is prohibited. Violations shall be reported to the appropriate law enforcement agency.[10][11]

Transfer Students

When the school receives a student who transfers from a public or private school during an expulsion period for an offense involving a weapon, Innovative Arts Academy Charter School may assign that student to an alternative assignment or may provide alternative education, provided the assignment does not exceed the expulsion period.[\[2\]](#)

Delegation of Responsibility

The Chief Executive Officer or designee shall react promptly to information and knowledge concerning possession of a weapon. Such action shall be in compliance with state law and regulations and with the procedures set forth in the memorandum of understanding with local law enforcement officials and the district's emergency preparedness plan.[\[5\]](#)

Legal

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| 1. 24 P.S. 1301-A | 2. 24 P.S. 1317.2 | 3. 22 PA Code 10.23 |
| 4. 20 U.S.C. 1400 et seq | 5. 24 P.S. 1302.1-A | 6. 24 P.S. 1303-A |
| 7. 22 PA Code 10.2 | 8. 22 PA Code 10.21 | 9. 22 PA Code 10.25 |
| 10. 18 U.S.C. 921 | 11. 8 U.S.C. 922 | |

2226 Searches

Adopted 07/24/2019

Revised

Purpose

The Board acknowledges the need to respect the rights of students to be free from unreasonable searches and seizures while fulfilling the School's interest in protecting and preserving the health, safety and welfare of the school population, enforcing rules of conduct, and maintaining an appropriate atmosphere conducive to learning.

Authority

The Board also acknowledges that at times there may be a necessity for searches of students, student's personal belongings, lockers and vehicles in accordance with this policy.

Student lockers and desks are Innovative Arts Academy Charter School property and remain, at all time, under the control of the School. As such, students shall have no expectation of privacy in their lockers or desks. The School reserves the right to inspect lockers and desks at any time without notice and without consent.

School administrators have the authority to lawfully search students or their belongings, including automobiles, electronic devices, purses, backpacks, or other possessions, without a warrant, when in school, on school grounds or when otherwise under school supervision, if there is a reasonable suspicion that the place or item to be searched contains prohibited contraband, material that would pose a threat to the health, safety, and welfare of the school population, or evidence that there has been a violation of the law, Board policy, or school rules.

The scope and extent of searches must be reasonable in relation to the nature of the suspected evidence, contraband, or dangerous material, and to the grounds for suspecting that it may be found in the place or item being searched. For the purpose of this policy, "School administrator" or "administrator" shall be defined as the Chief Executive Officer, or an administrative designee.

The School has a compelling interest in protecting and preserving the health, safety and welfare of the school population, which under certain circumstances may warrant general or random searches of students and their lockers, vehicles or other belongings without individualized suspicion, for the purpose of finding or preventing entry onto school property of controlled substances, weapons or other dangerous materials.

Delegation of Responsibility

The Board authorizes the administration to conduct searches of students or their belongings including lockers, automobiles, electronic devices, purses, backpacks, or other possessions in accordance with the standards set forth in this Policy.

The Chief Executive Officer or designee, in consultation with the School's Solicitor, shall develop guidelines and procedures to implement this Policy, and shall insure that the School administrators who are involved in carrying out searches or determining when searches will be conducted receive appropriate periodic training about such procedures and currently applicable legal standards.

The Chief Executive Officer or designee shall open a student's locker for inspection on the request of a law enforcement officer only on presentation of a duly authorized search warrant or on the intelligent and voluntary consent of the student.

Students, parents/guardians and staff shall be notified at least annually or more often if deemed appropriate by administration, concerning the contents of this policy and School procedures.

Guidelines

Searches with Individual Reasonable Suspicion

Students' belongings may be searched by School administrators when in school, on school grounds or when otherwise under school supervision, if there is a reasonable suspicion that the place or thing to be searched contains prohibited contraband, material that would pose a threat to the health, safety and welfare of the school population, or evidence that there has been a violation of the law, Board policy, or school rules. The scope and extent of searches must be reasonable in relation to the nature of the suspected evidence, contraband or dangerous material and to the grounds for suspecting that it may be found in the place or thing being searched.

Reasonable suspicion occurs when a School Administrator, based on articulable facts and relevant experience, has reasonable grounds for suspecting that a search will turn up evidence that the student has violated or is violating either the law or the rules of the School. The scope of the search must be reasonably related to the objectives of the search and not excessively intrusive.

In determining whether reasonable suspicion exists prior to a search of an individual student, a School administrator should always be able to articulate what is being looked for, and why it is thought to be located in the particular place to be searched. The scope of the search should be limited to the place or places the item sought is believed to be. Accordingly, the search of a student's outer clothing is reasonable if the object of the search is consistent with concealment in coats, pants, shirts, or pockets.

Random or General Searches without Individualized Suspicion

Upon a heightened suspicion of drug use or weapons possession random or general searches of students and their belongings, including lockers or vehicles parked on school property, may be conducted during the school day or upon entry into school buildings or school activities, in the absence of suspicion focused on a particular student or students, for the purpose of finding

or preventing entry onto school property or activities of controlled substances, weapons or other dangerous materials. Such searches normally will be conducted in a minimally intrusive manner using screening methods such as dogs or other animals trained to detect controlled substances, explosives or other harmful materials by smell, as well as metal detectors and other technology. The scope of any such general searches or screenings must be designed to be both minimally intrusive and planned only for the purpose of discovering evidence of the contraband, violation of rules or illegal action sought

When such screening methods provide a reasonable suspicion that particular students, items or places possess or contain controlled substances, weapons, or other dangerous material, screening may be followed by physical searches of those particular students, items, or places on an individualized basis.

Whenever an administrator or designee suspects that a search, prompted by reasonable suspicion, is or will become dangerous to the health, safety or welfare of the School community; expects to find large quantities of substances; expects to find gun(s), explosives or other dangerous objects; or the student is expected to physically resist such a search, the police shall be called.

Searches Upon Consent

Searches may be conducted at any time, with or without reasonable suspicion, if the student has given knowing and voluntary consent specific to the place to be searched.

Locker and Desk Searches

Student lockers and desks are Innovative Arts Academy Charter School property and remain, at all time, under the control of the School. As such, students shall have no expectation of privacy in their lockers or desks. The School reserves the right to inspect lockers and desks at any time without notice and without consent.

Students are required to ensure that their lockers do not contain spoiled food items or beverages, or soiled clothing which may attract pests, create odors or cause unhealthy conditions. A student locker may be opened and inspected for cleanliness, with or without the consent of the student, whenever there are odors, pests or other indications that a locker contains spoiled food, soiled clothing in need of laundering or similarly unhealthy matter.

No student may use a locker or desk as a depository for a substance or object that is prohibited by law, Board policy or School rules, or constitutes a threat to the health, safety or welfare of the occupants of the School building or the building itself. Such materials may be used as evidence against the student in disciplinary proceedings.

Students are expected to assume full responsibility for the contents of their lockers. A student may only use the locker that is assigned to him/her. The locker may not be shared with any other student. Students who are assigned lockers shall be notified that lockers are the property of the School and shall be subject to searches.

Students are encouraged to keep their assigned lockers closed and locked against incursion by other students. No student may use a locker as a depository for a substance or object which is

prohibited by law or regulations, or which constitutes a threat to health, welfare or safety of the occupants of the School building or the building itself.

Prior to an individual locker search or inspection, the student to whom the locker is assigned shall be notified and be given a reasonable opportunity to be present. However, when there is a reasonable suspicion that a locker contains materials which pose a threat to the health, welfare or safety of the school population, student lockers may be searched without prior notice to the student.

The Chief Executive Officer or a designee shall be present whenever a student locker is inspected for cleanliness or is searched. The Chief Executive Officer or designee shall maintain written records of all occasions when a locker is searched or inspected. Such records shall include the reason(s) for the search, persons present, objects found and their disposition.

Use of Trained Detection Animals

With prior approval of the Chief Executive Officer, and without prior notice, the School reserves the right to use specially trained drug or bomb detection animals. Such approval shall be based upon the reasonable belief that there are illegal activities such as drug use occurring in the School that affect the entire School population or that there is reasonable suspicion of a generalized problem or presence of weapons or explosives in student vehicles.

Searches of Vehicles

Students are granted the ability to park their vehicles on School property as a matter of privilege, not of right. The School reserves the right to search the interior of vehicles which are on School property, or are owned by or in the possession of students, to discover or confiscate any prohibited materials, subject to there being reasonable suspicion that a substance or object which is illegal or a threat to the health, welfare or safety of the School community is present. The School retains the authority to conduct routine checks of the exterior of vehicle on School property.

Searches of Students and Personal Belongings

The board recognizes that searches of individual students will be conducted in the least intrusive manner possible to maintain the dignity of the student involved while ensuring the safety and well-being of the school community. All searches must be limited to a student's outer clothing. Strip searches are prohibited, except where there is reason to believe that a dangerous or unlawful item is hidden under the student's outer clothing

Stricter standards shall apply when reasonable suspicion exists that a student is in possession of an item that presents a high level or immediate level of danger to the school population, as indicated below.

1. That there are strong reasons to believe that the items being searched for are concealed or;
2. That the items being sought present a higher and more imminent level of danger to the school population than other kinds of contraband such as drugs or weapons or;

3. In the event of the need for such search, parents and/or police should be contacted but the search should not be delayed until their arrival if in the judgment of the searcher, delay would cause unreasonable risk of harm or disposal of the object of the search.

All searches shall be conducted, to the greatest extent possible, by a school official of the same gender as the student, with at least one (1) other staff member of the same gender present as a witness and in a location assuring privacy from observation by persons not involved in the search or of the opposite gender.

The School reserves the right to search a student or any possession, including but not limited to purses, backpacks, gym bags, jackets, coats, parcels, packages or other containers, to discover or confiscate any prohibited materials subject to there being reasonable suspicion that a substance or object which is illegal or a threat to the health, welfare or safety of the School community is present. Kubatons (wands) and metal detectors may be used to assist with the search.

Handling and Disposal of Items Found in the Course of Searches

Any items or material found during a search or inspection, the student's possession of which is in violation of law, policies or school rules, or otherwise is evidence of such a violation, may be confiscated, and may be used as evidence in student discipline proceedings or a criminal investigation, even if such items or material were not the original objective of the search or inspection. The Chief Executive Officer shall be responsible to ensure that confiscated items or material are properly inventoried and secured until the conclusion of disciplinary action, if any, and are then properly disposed of if not appropriate to be returned to the student. Items or materials that are evidence of a criminal offense, or that are not lawful for ordinary citizens to possess will be promptly turned over to proper law enforcement authorities for custody or disposal

Legal

1. PA Const. Art. I Sec. 8
4. U.S. Const. Amend. IV

2. 24 P.S. 510

3. 22 PA Code 12.14

2229 Student Fundraising

Adopted 10/16/2019

Revised

Purpose

A limited number of selected fundraising activities, for the benefit of students in the Innovative Arts Academy Charter School are recognized as being of value to the educational services and programs of the school. It is also recognized, however, that such activities must take place within a financially accountable context, abide by community standards for acceptable educationally affiliated activities, and provide for minimal interference with the educational process.

Guidelines

Consequently, fundraising activities shall occur within the following guidelines:

1. Fundraising activities by organizations/groups that are part of the Intermediate Unit's programs must be approved in advance by the Executive Director or designee.
2. Approval for fundraising activities must be requested on a fundraising activities approval form.
3. All organizations/groups approved to operate a fundraising activity must comply with all existing Intermediate Unit regulations and policies.
4. Fundraising activities must not be in conflict with any other policy. Fundraising may not be in direct competition with the fundraising activities of any other school group. Any fundraising that involves any type of food, beverage and/or candy must follow the guidelines in the Wellness Policy.
5. Funds derived from the activity must be forwarded to the CEO or designee for deposit and identified by the proper budget code assigned. The funds must be in the form of a bank check, money order, or cash. Under no circumstances are fundraising monies to be placed in personal (student or teacher) accounts.
6. All requests for use of the funds must be submitted to the CEO or designee at least two (2) weeks prior to the date needed. All requests are made by requisition and sent to CEO or designee.
7. Receipts of Field Trip Expenditure Form must document all money expended. The receipts are to be forwarded to the CEO or designee within one (1) week after each purchase by use of the account form.

8. Funds derived from any activity by an organization/group must be used only for the purpose for which the fundraising activity was approved.
9. All records of fundraising activities shall be subject to audit, the same as any other funds within the Intermediate Unit.
10. Games of chance or selling chances as fundraising activities are not permitted.

Delegation of Responsibility

It shall be the responsibility of the employee in charge of the fund raiser to assure that expenditures do not exceed funds raised

2230 Public Performances by Students

Adopted 11/20/2019

Revised

Purpose

The Board recognizes the value of students sharing their talents and skills with the community through student participation and performances in public events.

Authority

The Board endorses public performances by students when they constitute a learning experience that is consistent with the Intermediate Unit's mission and contributes to the educational program, that does not interfere with other scheduled activities, and in which the circumstances of the event do not pose a threat to the health, safety, or well-being of the students who are involved.

Delegation of Responsibility

All requests for public performances by student groups require the approval of the building administrator or program supervisor, who shall report such requests to the department director.

The Chief Executive Officer or designee shall develop administrative regulations to implement this policy.

Guidelines

Parent/Guardian permission shall be sought and received before students may participate in any public performance.

No student shall be inappropriately excluded or compelled to participate in a public performance or be penalized in any way for failure to do so.

The interests of students shall be protected and guarded against exploitation.

Photography and/or video of the public performance can only occur if parents/guardians have signed photo releases for students in advance of the event.

2233 Suspension and Expulsion

Adopted 08/19/20

Revised

Purpose

The Board recognizes that exclusion from the educational program of the schools, whether by suspension or expulsion, is the most severe sanction that can be imposed on a student and one that cannot be imposed without due process. The Board shall define and publish the types of offenses that would lead to exclusion from school. Exclusions affecting students with disabilities shall be governed by applicable state and federal law and regulations.[1][2][3][4][5]

Authority

The Board may, after a proper hearing, suspend or expel a student for such time as it deems necessary, or may permanently expel a student.[6][1][7]

Guidelines

Exclusion from School - Suspension

The Principal or Assistant Principal may suspend any student for disobedience or misconduct for a period of one (1) to ten (10) consecutive school days and shall immediately notify the parent/guardian and the Chief Executive Office in writing when the student is suspended.[6][1]

No student may be suspended without notice of the reasons for which s/he is suspended and an opportunity to be heard on his/her own behalf before the school official who holds the authority to reinstate the student. Prior notice is not required where it is clear that the health, safety or welfare of the school population is threatened. Suspensions may not be made to run consecutively beyond the ten-school day period.[1]

When a suspension exceeds three (3) school days, the student and parent/guardian shall be given the opportunity for an informal hearing with the designated school official. Such hearing shall take place as soon as possible after the suspension is imposed, and the school shall offer to hold it within the first five (5) days of the suspension.[1][7]

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

Purpose of Informal Hearing

The purpose of the informal hearing is to permit the student to explain the circumstances surrounding the event leading to the suspension, to show why the student should not be suspended, and to discuss ways to avoid future offenses.[7]

Due Process Requirements for Informal Hearing

1. The student and parent/guardian shall be given written notice of the reasons for the suspension.[7]

2. The student and parent/guardian shall receive sufficient notice of the time and place of the informal hearing.
3. The student may question any witnesses present at the informal hearing.
4. The student may speak and produce witnesses who may speak at the informal hearing.
5. The school shall offer to hold the informal hearing within five (5) days of the suspension.

Exclusion From Class - In-School Suspension

No student may receive an in-school suspension without notice of the reasons for which s/he is suspended and an opportunity to be heard prior to the time the suspension becomes effective. The parent/guardian shall be informed of the suspension action taken by the school.[2]

Should the in-school suspension exceed ten (10) consecutive school days, the student and parent/guardian shall be offered an informal hearing with the building principal. Such hearing shall take place prior to the eleventh day of the in-school suspension. The procedure shall be the same as the procedure for informal hearings held in connection with out-of-school suspensions.[2][7]

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

Expulsion

Expulsion is exclusion from school by the Board for a period exceeding ten (10) consecutive school days. The Board may permanently expel from the school rolls any student whose misconduct or disobedience warrants this sanction. No student shall be expelled without an opportunity for a formal hearing before the Board or a duly authorized committee of the Board, and upon action taken by the Board after the hearing.[6][1][7]

Expulsion Hearings

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

The student or his/her parents/guardians may waive the student's right to a formal expulsion hearing before the Board, in which case the student will be expelled without a hearing for the period of time recommended to the Board by the Chief Executive Officer or designee.

The formal hearing shall observe the due process requirements of:[7]

1. Notification of the charges in writing by certified mail to the student's parent/guardian.
2. At least three (3) days' notice of the time and place of the hearing, which shall include a copy of this policy, hearing procedures, and notice of the right to representation by legal counsel. A student may request the rescheduling of the hearing when s/he demonstrates good cause for an extension.

3. The hearing shall be private unless the student or parent/guardian requests a public hearing.
4. Representation by counsel at the parent's/guardian's expense and parent/guardian may attend the hearing.
5. Disclosure of the names of witnesses against the student and copies of their written statements or affidavits.
6. The right to request that witnesses against the student appear in person and answer questions or be cross-examined.
7. The right to testify and present witnesses on the student's behalf.
8. A written or audio record shall be kept of the hearing and a copy made available to the student at the student's expense, or at no charge if the student is indigent.
9. The hearing shall be held within fifteen (15) school days of the notice of charges, unless a delay is mutually agreed to by both parties or is delayed by:
 - a. The need for laboratory reports from law enforcement agencies.
 - b. Evaluations or other court or administrative proceedings are pending due to a student's invoking his/her rights under the Individuals with Disabilities Education Act (IDEA).
 - c. Delay is necessary due to the condition or best interests of the victim in cases of juvenile or criminal court involving sexual assault or serious bodily injury.
10. Notice of a right to appeal the results of the hearing shall be provided to the student with the expulsion decision.

The Board President and/or designee shall be authorized, upon being advised by the Executive Director that expulsion proceedings are pending against a student, to appoint a committee of the Board consisting of at least two (2) members or to employ a qualified Hearing Examiner, appointed by the Board, to conduct the expulsion hearing on behalf of the Board, in accordance with the provisions of Pennsylvania Student Rights and Responsibilities Code.

Adjudication

A written adjudication shall be issued after the Board has acted to expel a student. The adjudication may include additional conditions or sanctions.[9]

Attendance/School Work During Suspension and Prior to Expulsion

Students serving an out-of-school suspension must make up missed exams, assignments and class work, and shall be permitted to complete assignments pursuant to established guidelines.[1]

Students who are facing an expulsion hearing must be placed in their normal classes if the formal hearing is not held within the ten-school day suspension.

If it is not possible to hold the formal hearing within the first ten (10) school days, the school may exclude such a student from class for up to five (5) additional – fifteen (15) total – school days if, after an informal hearing, it is determined that the student's presence in his/her normal class would constitute a threat to the health, safety or welfare of others.

Any further exclusion prior to a formal hearing may be only by mutual agreement. Such students shall be given alternative education, which may include home study.

Attendance/School Work After Expulsion

Students who are under seventeen (17) years of age are still subject to compulsory school attendance even though expelled and shall be provided an education.[1]

The parent/guardian has the initial responsibility of providing the required education and shall, within thirty (30) days, submit written evidence to the school that the required education is being provided or that they are unable to do so. If the parent/guardian is unable to provide for the required education, the school shall, within ten (10) days of receipt of the parent's/guardian's notification, make provision for the student's education.

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

Students With Disabilities

A student with a disability shall be provided educational services as required by state and federal laws and regulations and Board policies.

Delegation of Responsibility

The Chief Executive Officer or designee shall develop administrative regulations to implement this policy which include:

1. Publication of a Code of Student Conduct, in accordance with Board policy on student discipline.
2. Procedures that ensure due process when a student is being deprived of the right to attend school.
3. Regulations regarding student records which require that records of disciplinary suspension be maintained in accordance with Board policy on student records.
4. The name of a student who has been disciplined shall not become part of the agenda or minutes of a public meeting, nor part of any public record of the Board. Such students may be designated by code.

5. Any student who has been expelled may apply for readmission to school upon such conditions as may be imposed by the Board.

Legal

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| 1. 22 PA Code 12.6 | 2. 22 PA Code 12.7 | 3. 22 PA Code 14.143 |
| 4. 20 U.S.C. 1400 et seq | 5. 34 CFR Part 300 | 6. 24 P.S. 1318 |
| 7. 22 PA Code 12.8 | 8. 2 Pa. C.S.A. 101 et seq | 9. 2 Pa. C.S.A. 101 |
| 22 PA Code 12.3 | | |

2236 Student Assistance Program

Adopted 01/15/2020

Revised

Purpose

The Board is committed to assisting all students to achieve their fullest potential.

Definition

Student Assistance Program (SAP) - a systematic process using effective and accountable professional techniques to mobilize school resources to remove the barriers to learning and, when the problem is beyond the scope of the school, to assist the parent/guardian and student with information so they may access services within their communities.[1]

Authority

The Board shall provide a Student Assistance Program (SAP) that assists Innovative Arts Academy Charter School staff in identifying issues and providing assistance to students experiencing difficulties in learning and achievement.[2][3]

Delegation of Responsibility

The Chief Executive Officer or his/her designee shall develop, implement and monitor a Student Assistance Program (SAP) that complies with state regulations.

Guidelines

The Student Assistant Program (SAP) shall provide assistance in:

1. Identifying issues that pose a barrier to a student's learning and/or academic achievement.
2. Determining whether or not the identified problem lies within the responsibility of the school.
3. Informing the parent/guardian of a problem affecting the student's learning and/or academic achievement.
4. Making recommendations to assist the student and the parent/guardian. Providing information on community resources and options to deal with the problem. Establishing links with resources to help resolve the problem.
5. Collaborating with the parent/guardian and agency when students are involved in treatment through a community agency.
6. Providing a plan for in-school support services for the student during and after treatment.

Legal

1. 22 PA Code 12.16

2. 22 PA Code 12.42

3. 24 P.S. 1547

2246 Wellness

Adopted 07/24/2019

Revised

Purpose

The Innovative Arts Academy Charter School is committed to providing school environments that promote and protect children’s health, well-being and ability to learn by supporting healthy eating and physical activity. The Board is committed to providing a school environment that promotes student wellness, proper nutrition, nutrition education and regular physical activity as part of the total learning experience. In a healthy school environment, students will learn about and participate in healthy dietary and lifestyle practices that can improve student achievement.

Authority

The Board adopts the Student Wellness Policy in accordance with federal and state laws.[\[1\]](#)[\[2\]](#)[\[13\]](#)

To ensure the health and well-being of all students, the Board establishes that the district shall provide to students:

1. A comprehensive nutrition program consistent with federal and state requirements.
2. Access at reasonable cost to foods and beverages that meet established nutritional guidelines.
3. Physical education courses and opportunities for developmentally appropriate physical activity during the school day.
4. Curriculum and programs for all grades that are designed to educate students about proper nutrition and lifelong physical activity, in accordance with State Board of Education curriculum regulations and academic standards.

Delegation of Responsibility

The Chief Executive Officer or designee shall be responsible to monitor School schools, programs and curriculum and shall be responsible for the implementation and oversight of this policy to ensure compliance with this policy, related policies and established guidelines. [\[2\]](#)[\[13\]](#)

Staff members responsible for programs related to student wellness shall report to the Chief Executive Officer regarding the status of such programs. The Chief Executive Officer shall annually report to the Board on the School’s compliance with law and policies related to student wellness. The report shall include:

- Assessment of school environment regarding student wellness issues.
- Evaluation of food services programs.
- Review of all foods and beverages sold in schools for compliance with established nutrition guidelines.

- Listing of activities and programs conducted to promote nutrition and physical activity.
- Recommendations for policy and/or program revisions.
- Feedback received from School staff, students, parents/guardians Community members and Wellness Committee.

Wellness Committee

The Chief Executive Officer or designee and the established Wellness Committee shall conduct an assessment at least once every three (3) years on the contents and implementation of this policy as part of a continuous improvement process to strengthen the policy and ensure implementation. This triennial assessment shall be made available to the public in an accessible and easily understood manner and include:[\[2\]\[13\]](#)

1. The extent to which the school is in compliance with law and policies related to school wellness.
2. The extent to which this policy compares to model wellness policies.
3. A description of the progress made by the school in attaining the goals of this policy.

At least once every three (3) years, the school shall update or modify this policy as needed, based on the results of the most recent triennial assessment and/or as district and community needs and priorities change; wellness goals are met; new health science, information and technologies emerge; and new federal or state guidance or standards are issued.[\[13\]](#)

The Committee will also serve as a resource to the school for implementing these policies. The Wellness Committee will consist of individuals representing the Board, school administrators, parents, school health professionals, teachers of physical education, food service staff, students, and the general public.

The Wellness Committee shall serve as an advisory committee regarding student health issues. The Wellness Committee may survey parents/guardians and/or students; conduct community forums or focus groups; collaborate with appropriate community agencies and organizations; and engage in similar activities, within the budget established for these purposes.

The Wellness Committee may examine related research and laws, assess student needs and the current school environment and raise awareness about student health issues. The Wellness Committee may make policy recommendations to the Chief Executive Officer related to other health issues necessary to promote student wellness.

The Wellness Committee shall accept input from the public regarding this Wellness Policy and shall inform the public about the content and implementation of the Wellness Policy and make the Wellness Policy and any updates to the Wellness Policy available to the public on an annual basis.

The Wellness Committee shall periodically (at least once every three (3) years) measure and make available to the public in an accessible and easily understood manner an assessment on the implementation of this Wellness Policy, including:

1. The extent to which the school is in compliance with this Wellness Policy.

2. The extent to which this Wellness Policy compares to model local school wellness policies; and a description of the progress made in attaining the goals of this Wellness Policy.

The Wellness Committee shall produce and maintain the following documentation:

1. Documentation demonstrating that this Wellness Policy and any updates to this Policy have been made available to the public (including parents, students, and others in the community) on an annual basis.
2. Documentation of the School's efforts to review and update this Wellness Policy, including an indication of who is involved in the update and methods the School uses to make stakeholders aware of their ability to participate.
3. A copy of the School's most recent assessment on the implementation of this Wellness Policy.
4. Documentation demonstrating the School's most recent assessment on the implementation of this Wellness Policy has been made available to the public.

Nutrition Promotion and Education

The goal of nutrition promotion and education is to teach, encourage and support healthy eating by students. Promoting student health and nutrition enhances readiness for learning and increases student achievement.

Nutrition education will be provided within the sequential, comprehensive health education and Family and Consumer Science programs in accordance with State Board of Education curriculum regulations and the academic standards for Health, Safety, and Physical Education and Family and Consumer Science.^[3]

Nutrition education in all grades shall be age appropriate and provide all students with the knowledge and skills needed to lead healthy lives.

The nutrition curriculum shall be behavior focused in all grades.

Nutrition education shall be integrated into other subjects including but not limited to mathematics, science and physical education to complement but not replace academic standards based on nutrition education for a total of at least 25 hours/year.

Lifelong lifestyle balance shall be reinforced by linking nutrition education and physical activity in grades in all grades.

School staff shall cooperate with agencies and community organizations to provide opportunities for appropriate student projects related to nutrition where possible.

Nutrition education shall extend beyond the school environment by engaging and involving families and communities.

Physical Activity

The Innovative Arts Academy Charter School shall strive to provide opportunities for developmentally appropriate physical activity during the school day for all students for at least 30 minutes daily.

Age appropriate physical activity opportunities, such as recess, before and after school; during lunch; clubs; intramurals; and interscholastic athletics, shall be provided to meet the needs of all students, in addition to planned physical education.

A physical and social environment that encourages safe and enjoyable activity for all students shall be maintained.

Extended periods of student inactivity, two (2) hours or more, shall be discouraged.

Physical activity breaks shall be provided for elementary students during classroom hours.

After school programs shall encourage and provide developmentally appropriate physical activity for participating children and shall be supervised by appropriately trained adults.

The Innovative Arts Academy Charter School shall partner with parents/guardians and community members to institute programs that support physical activity.

Physical activity shall not be used as a form of punishment.

The Innovative Arts Academy Charter School will strive to make its physical activity facilities available to community members outside of school hours to support programs that encourage student and adult wellness.

Physical Education

The Innovative Arts Academy Charter School will provide quality physical education instruction that promotes lifelong physical activity and provide instruction in the skills and knowledge necessary for lifelong participation.

Physical education classes shall be the means through which all students learn, practice and are assessed on developmentally appropriate skills and knowledge necessary for lifelong, health-enhancing physical activity. All Innovative Arts Academy Charter School students must participate in physical education.[4][5][6]

A comprehensive physical education course of study that focuses on providing students the skills, knowledge and confidence to participate in lifelong, health enhancing physical activity shall be implemented.

A sequential physical education curriculum consistent with the State Board of Education curriculum regulations and Health, Safety and Physical Education academic standards shall be developed and implemented.

Students shall be moderately to vigorously active as much time as possible during a physical education class. Documented medical conditions and disabilities shall be accommodated during class.

The Innovative Arts Academy Charter School shall provide safe and adequate equipment, facilities and resources for physical education courses.

Appropriate professional development shall be provided for Physical Education staff at least twice yearly.

Other School Based Activities

The Innovative Arts Academy Charter School shall provide adequate space for eating and serving school meals.

The Innovative Arts Academy Charter School will ensure that students are provided a clean meal environment.

Students shall be provided adequate time to eat: ten (10) minutes sit down time for breakfast; twenty (20) minutes sit down time for lunch. Lunch periods shall be scheduled between 10:45 a.m. and 1 p.m. daily.

The Innovative Arts Academy Charter School will ensure that access to free drinking water is available at all meal periods and throughout the school day. [\[7\]\[8\]](#)

Students shall have access to hand washing or sanitizing before meals and snacks and the School shall take reasonable steps to accommodate the toothbrushing regimens of students with special oral health needs, e.g. orthodontia or high tooth decay risk.

The school meals program shall be administered by a qualified Food Service Director.

The Innovative Arts Academy Charter School will ensure that appropriate professional development opportunities are provided to the School nutrition staff at least yearly according to their levels of responsibility.

The Innovative Arts Academy Charter School will ensure that access to the food service operation shall be limited to authorized staff.

The nutrition content of school meals shall be available to students and parents/guardians through the school web site and/or upon request to the Food Service Director.

The Board shall ensure that procedures are utilized to prevent the overt identification of students who are eligible for free and reduced-price school meals through various means in compliance with applicable federal laws.

To the extent possible, the Innovative Arts Academy Charter School shall utilize available funding and outside resources to enhance student wellness by developing partnerships with community agencies and members.

The Innovative Arts Academy Charter School will ensure that food shall not be used in the School schools as a punishment.

The Innovative Arts Academy Charter School shall provide appropriate training to all staff on the components of this Wellness Policy at least yearly.

The Innovative Arts Academy Charter School will ensure that Administration and all staff members consider the goals of this Wellness Policy when planning any school activity.

Fundraising projects submitted for approval must have considered healthy eating and student wellness.

The Innovative Arts Academy Charter School shall encourage the use of healthier foods or non-food items as choices for fundraisers and all activities where competitive foods (as defined below) are provided, even outside the school day, so that the School sends a consistent message that healthy eating is important.

There shall be no food or drink provided within the School to students during regularly scheduled breakfast or lunch periods by any entity other than the School's Food Service Department, except for breakfasts and lunches provided by a student's parent or guardian. This will ensure optimal participation in the regulated program available to School students and optimize availability of balanced meals during the school day.

Administrators, teachers, food service personnel, students, parents/guardians are encouraged to serve as positive role models through School programs, communications and outreach efforts.

The Innovative Arts Academy Charter School shall support the efforts of parents and guardians to provide a healthy diet and daily physical activity for students by communicating relevant information through various means.

Nutrition Guidelines

The Innovative Arts Academy Charter School shall ensure that all foods available in the School schools shall be offered to students with consideration for promoting student health and reducing childhood obesity by meeting at least the minimum standards set forth within this policy and by the National School Lunch Program's federal nutrition standards.

The Innovative Arts Academy Charter School shall ensure that foods provided through the National School Lunch or School Breakfast Programs shall comply with federal nutrition standards under the Healthy, Hunger-Free Kids Act of 2010.

For purposes of this Policy, the term "competitive foods" means any foods offered at school other than through the National School Lunch or School Breakfast Programs, whether sold or otherwise provided, and include a la carte foods, snacks and beverages; vending foods, snacks and beverages; school store food, snacks and beverages; fundraisers; classroom parties, holiday celebrations, and food from home. However, the term "competitive foods" shall not include breakfasts or lunches provided by a student's parent or guardian.

All competitive foods available to students in the Innovative Arts Academy Charter School shall comply with the prevailing rules on Nutritional Standards for Competitive Foods in Pennsylvania Schools, and shall meet or exceed the established federal nutrition standard (USDA Smart Snacks in School), and the standards listed in this Wellness Policy, and administrative guidelines and procedures. Any foods or beverages marketed or promoted to students on the school campus during the school day shall meet or exceed the established federal nutrition standard (USDA Smart Snacks in School), and comply with Board policies and administrative regulations.

These nutrition guidelines do not apply to any vending or lunch area maintained for staff use only.

Specific Guidelines for Competitive Foods and Beverages Sold Individually

These specific guidelines apply to competitive foods sold on school grounds until 30 minutes following school hours. *Competitive Foods* -

Competitive foods available for sale shall meet or exceed the established federal nutrition standards (USDA Smart Snacks in School). These standards shall apply in all locations and through all services where foods and beverages are sold to students, which may include, but are not limited to: a la carte options in cafeterias, vending machines, school stores, snack carts and fundraisers.[11][13][19]

Competitive foods are defined as foods and beverages offered or sold to students on school campus during the school day, which are not part of the reimbursable school breakfast or lunch.

For purposes of this policy, **school campus** means any area of property under jurisdiction of the school that students may access during the school day.[11][13]

For purposes of this policy, **school day** means the period from midnight before school begins until thirty (30) minutes after the end of the official school day.[11][13]

The school may impose additional restrictions on competitive foods, provided that the restrictions are not inconsistent with federal requirements.[11]

Fundraiser Exemptions

Fundraising activities held during the school day involving the sale of competitive foods shall be limited to foods that meet the Smart Snacks in School nutrition standards, unless an exemption is approved in accordance with applicable Board policy and administrative regulations.[20]

The school may allow a limited number of exempt fundraisers as permitted by the Pennsylvania Department of Education each school year: up to five (5) exempt fundraisers in middle school grades, and up to ten (10) exempt fundraisers in high school grades. **Exempt fundraisers** are fundraisers in which competitive foods are available for sale to students that do not meet the Smart Snacks in School nutrition standards.[11]

The administration shall establish administrative regulations to implement fundraising activities in the school, including procedures for requesting a fundraiser exemption.

A. Ingredient Rules

Any competitive food sold must be a: • Fruit; • Vegetable; • Dairy product; • Protein-rich food (meat, beans, poultry, seafood, eggs, nuts, seeds); • Whole-grain rich food (the first ingredient is a whole grain or the product is 50% or more whole grains by weight); or • Combination food that has at least ¼ cup fruit and/or vegetable.

B. Nutrient Standards

All competitive foods must meet each of the following nutrient limits:

Calories Maximum of 200 calories per item for snacks items and side dishes, as served, including any added accompaniments. Maximum of 350 calories per item for entrées sold a la carte as served, including any added accompaniments.

Sugar Maximum of 35% total sugar by weight, as served. However, the following are exempt from the sugar standard: • Dried whole fruits or vegetables; • Dried whole fruit or vegetable pieces; • Dehydrated fruits or vegetables with no added nutritive sweeteners; • Dried whole fruits, or pieces, with nutritive sweeteners that are required for processing and/or palatability purposes (such as cranberries, tart cherries, or blueberries); and • Products consisting of only exempt dried fruit with nuts and/or seeds, and with no added nutritive sweeteners or fats.

Sodium Maximum of 200 mg sodium per item for snacks and side dishes sold a la carte, as served, including any added accompaniments. Maximum of 480 mg sodium per item for entrées sold a la carte, as served, including any added accompaniments.

Fat

Total fats: Maximum of 35% calories from fat, as packaged or served. However, the following are exempt from the total fat standard: • Reduced fat cheese (including part-skim mozzarella); • Nuts and seeds and nut/seed butters; • Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats; and • Seafood with no added fat, are exempt from the total fat standard. Combination products are not exempt and must meet all the nutrient standards.

Saturated fats: Less than 10% calories from fat, as packaged or served. However, the following are exempt from the saturated fat standard: • Reduced fat cheese (including part-skim mozzarella); • Nuts and seeds and nut/seed butters; and • Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats. Combination products are not exempt and must meet all the nutrient standards.

Trans fats: 0 g as served (less than or equal to 0.5 g per portion).

Caffeine Elementary and Middle School: Foods and beverages must be caffeine-free with the exception of trace amounts of naturally occurring caffeine substances. High School: Foods and beverages may contain caffeine.

C. Beverage Rules

The following may be sold at all grade levels:

- Plain water or plain carbonated water
- Unflavored low-fat milk
- Flavored or unflavored non-fat milk, including nutritionally equivalent milk alternatives as permitted by the school meal requirements
- 100% fruit/vegetable juice
- 100% fruit/vegetable juice diluted with water (with or without carbonation) and no added sweetener

Size limits: 8 oz for the elementary school; 12 oz for the middle and high schools. (There is no size limit for plain water or plain carbonated water.)

At the high school, other flavored and/or carbonated beverages may be sold so long as they satisfy either of the following rules:

- The serving is less than or equal to 20 fl. oz., and the beverage is labeled to contain no more than 5 calories per 8 fl. oz., or no more than 10 calories per 20 fl. oz.; or
- The serving is less than or equal to 12 fl. oz., and the beverage is labeled to contain no more than 40 calories per 8 fl. oz., or no more than 60 calories per 20 fl. Oz.

Safe Routes to School

The Innovative Arts Academy Charter School shall assess, and to the extent possible, implement improvements to make walking and biking to and from school safer and easier for students.

The Innovative Arts Academy Charter School shall cooperate with local municipalities, public safety agencies, police departments, and community organizations to develop and maintain safe routes to and from school.

School administrators shall seek and utilize available federal and state funding to implement safe routes to school, when appropriate.

2249 Bullying / Cyber Bullying

Adopted 09/18/2019

Revised 11/15/2023

Purpose

The Board is committed to providing a safe, positive, and empathetic educational climate for students. The Board recognizes that bullying and intimidation have a negative effect on school climate and interferes with the student learning process. Bullying may lead to more serious consequences (violence) therefore, bullying, in any form, will not be tolerated.

Authority

The Board prohibits all forms of harassment and bullying of students by all students. This policy will address issues of bullying. Regarding issues of harassment, see Policy 248.[\[1\]](#)

The Board encourages students who have been bullied to promptly report such incidents.

The Board directs that complaints of bullying shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the Innovative Arts Academy Charter School's legal and investigative obligations. Reprisals and/or retaliation shall not be tolerated as a result of good faith reports of bullying.

Definitions

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

1. Interfering with a student's education.
2. Creating a threatening environment.
3. Disrupting the orderly operation of the school.

Bullying is a pattern of abuse over time and includes but is not limited to physical intimidation or assault; racial and/or sexual intimidation, extortion; oral or written threats; teasing; name-calling; gestures or actions; cruel rumors; false accusations; social isolation and cyber-bullying. A bullying situation creates an imbalance of power in a relationship.

Cyberbullying occurs through the use of technology and includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory email messages, instant messages, text messages, digital pictures or images, or web site postings, including blogs.

All forms of **bullying** have the effect of:

1. Physically, emotionally or mentally harming a student.

2. Placing a student in reasonable fear of physical, emotional or mental harm.
3. Placing a student in reasonable fear of damage to or loss of personal property.
4. Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities.

School setting means in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school.^[1]

Delegation of Responsibility

All Innovative Arts Academy Charter School staff members and contracted employees shall be responsible to maintain an educational environment free from all forms of bullying. Staff members who observe or become aware of an act of bullying shall take immediate, appropriate steps to intervene unless intervention would be a threat to the staff members' safety. If a staff member believes that his/her intervention has not resolved the matter, or if the bullying persists, s/he shall report the bullying to the school administration for further investigation. This investigation may include interviews with students, parents/guardians and school staff; review of school records; and any other appropriate means of investigation.

Each student shall be responsible to respect the rights of others.

The Board expects students and parents/guardians who become aware of an act of bullying to report it to a school official for further investigation. Any student who retaliates against another person for reporting bullying may be subject to appropriate disciplinary consequences.

The Chief Executive Officer or designee, in cooperation with other appropriate administrators, shall review this policy annually and recommend necessary revisions to the Board.^[1]

Innovative Arts Academy Charter School administration shall annually provide the following information with the Safe School Report:^[1]

1. Board's Bullying Policy.
2. Report of bullying incidents.
3. Information on the development and implementation of any bullying prevention, intervention or education programs.

Guidelines

The Code of Student Conduct, which shall contain this policy, shall be disseminated annually to students.^{[1][2]}

This policy and its procedures for reporting complaints shall be reviewed with students annually. It shall also be posted at a prominent location within the school where such notices are usually posted, and made available in every classroom.^[1]

Students shall be encouraged to report all forms of bullying to any staff member. Students shall be informed that they may choose to report bullying complaints to the school administration, teachers, counselors, nurses and other instructional and non-instructional staff.

If the school administration is the subject of a complaint, the student shall report the complaint directly to the Chief Executive Officer or designee.

Complaint Procedure

A student shall report a complaint of bullying, orally or in writing, to the school administration, who shall inform the student of his/her rights and of the complaint process.

The school administration shall immediately conduct an impartial, thorough and confidential investigation of the alleged bullying behavior, which should include interviewing the alleged bully and the potential victim.

The school administration shall summarize the investigation as per school procedures, recommending disposition of the complaint.

If the investigation results in a substantiated charge of bullying, the administrator shall take immediate corrective action to ensure the bullying ceases and will not recur. The student shall be subject to appropriate disciplinary action, consistent with the Code of Student Conduct and any other applicable Board policies. Such action may include guidance counseling, change of seating, change of class or schedule, other method for separation of the bully and victim, recommending outside of school therapy, detention, suspension or expulsion. Depending on the severity of the incident, the administration may also take appropriate steps to ensure student safety. These may include implementing a safety plan; separating and supervising the students involved; providing staff support for students as necessary; reporting incidents to law enforcement, in accordance with the memorandum of understanding and applicable Board policy; and developing a supervision plan with the parents/guardians.[1]

If it is concluded that a student has made false accusations, such student shall be subject to disciplinary action, consistent with the Code of Student Conduct.

Additional information regarding the misuse of technology and/or cyberbullying may be found in Board Policy No. 815 and its accompanying administrative regulations.

Appeal Procedure

If the complainant or accused is not satisfied with the administration's decision, s/he may file a written appeal to the Chief Executive Officer or designee.

Education

The Innovative Arts Academy Charter School may develop and implement bullying prevention and intervention programs. Such programs shall provide Innovative Arts Academy Charter School staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.[1][3]

Legal

1. 24 P.S. 1303.1-A

2. 22 PA Code 12.3

3. 24 P.S. 1302-A

2251 Homeless Students

Adopted 01/15/2020

Revised

Authority

The Board recognizes the need to promptly identify homeless children and youths attending Innovative Arts Academy Charter School, facilitate their immediate enrollment, and eliminate barriers to their attendance and education, in compliance with federal and state laws and regulations.[1][2][3]

The Board shall ensure that homeless children and youths have equal access to the same educational programs and services provided to other Innovative Arts Academy Charter School students.[1][2][3][4]

The Board authorizes the Chief Executive Officer to waive school policies, procedures and administrative regulations that create barriers to the identification, enrollment, attendance, transportation, school stability and success in school of homeless children and youths.[3]

No student shall be discriminated, segregated or stigmatized based on their homeless status.[5][6]

Definitions

Enroll / Enrollment

Attending classes and participating fully in school activities.[7]

Homeless Children and Youths

Individuals who lack a fixed, regular and adequate nighttime residence, and includes:[7][8]

1. Children and youths who are:
 1. Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
 2. Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
 3. Living in emergency, transitional or domestic violence shelters; or
 4. 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;
4. Migratory children who qualify as homeless because they are living in circumstances described above; and
5. School-aged parents living in houses for school-aged parents if they have no other available living accommodations.

School of origin is the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including preschool. When the child or youth completes the final grade level served by the school of origin, the school of origin shall include the designated receiving school at the next grade level for all feeder schools.[6]

Unaccompanied youth means a homeless child or youth not in the physical custody of a parent or guardian. This includes youth who have run away from home; been abandoned or forced out of home by a parent, guardian or other caretaker; or separated from a parent or guardian for any other reason.[7]

Delegation of Responsibility

The Board designates the Chief Executive Officer or his/her designee to serve as the Innovative Arts Academy's liaison for homeless children and youths.[6]

The Innovative Arts Academy's liaison shall ensure outreach and coordination with: [6]

1. Local social service agencies and other entities that provide services to homeless children and youths and families.
2. Other school Innovative Arts Academy's on issues of prompt identification, transfer of records, transportation and other inter-Innovative Arts Academy activities.
3. Innovative Arts Academy staff responsible for the provision of services under Section 504 of the Rehabilitation Act and the Individuals with Disabilities Education Act.[9][10]
4. State and local housing agencies responsible for comprehensive housing affordability strategies.

The Innovative Arts Academy Charter School's Chief Executive Officer shall ensure that public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents/ guardians of homeless children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens. Such notice shall be provided in a manner and form understandable to the parents/guardians of homeless children and youths, and unaccompanied youths.[6]

The Innovative Arts Academy Charter School's Chief Executive Officer shall provide reliable, valid and comprehensive data to the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness (ECYEH) Program in accordance with federal and state laws and regulations.[6]

Guidelines

Enrollment / Placement

Best Interest Determination

In determining the best interest of a child or youth, the Innovative Arts Academy shall:

1. Presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the parent/guardian or unaccompanied youth.[6]
2. Consider student-centered factors related to impact of mobility on achievement, education, health and safety, giving priority to the request of the parent/guardian or unaccompanied youth.[6]
3. If, after such consideration, the Innovative Arts Academy determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent/guardian or unaccompanied youth, the school shall provide the parent/guardian or unaccompanied youth with a written explanation of the reasons for its determination. The explanation shall be in a manner and form understandable to the parent/guardian or unaccompanied youth and shall include information regarding the right to appeal.[6]

Placement

In accordance with the child's or youth's best interest, the Innovative Arts Academy Charter School shall continue to enroll a homeless student in his/her school of origin while s/he remains homeless and through the end of the academic year in which s/he 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.[6]

The Innovative Arts Academy Charter School's liaison shall assist an unaccompanied youth in placement or enrollment decisions, giving priority to the views of the student in determining where s/he will be enrolled.[6]

The Innovative Arts Academy Charter School shall provide the parent/guardian or unaccompanied youth with a written explanation of any Innovative Arts Academy decision related to school selection or placement, including the right to appeal.[6]

Enrollment

The school shall immediately enroll the student and begin instruction, even if:

1. The student is unable to produce records normally required for enrollment.[3]
2. The application or enrollment deadline has passed during any period of homelessness.[6]

The Innovative Arts Academy Charter School's liaison shall immediately contact the school last attended by the child or youth to obtain relevant academic or other records.[6]

Innovative Arts Academy Charter School may require a parent/guardian to submit contact information.[6]

Assignment

If Innovative Arts Academy Charter School is unable to determine the student's grade level due to missing or incomplete records, the school shall administer tests or utilize appropriate means to determine the student's assignment within the school.[6]

Dispute Resolution

If a dispute arises over eligibility or enrollment: [6]

1. The parent/guardian or unaccompanied youth shall be referred to the Innovative Arts Academy Charter School's liaison, who shall assist in the dispute resolution process.
2. The student shall be immediately enrolled where enrollment is sought, pending final resolution of the dispute, including all available appeals.
3. The Innovative Arts Academy Charter School's liaison shall issue a written decision of the dispute within twenty (20) business days of being notified of the dispute.

A parent/guardian or unaccompanied youth may appeal a Innovative Arts Academy's written decision or file a complaint with the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.

Education Records

Information about a homeless child's or youth's living situation shall be treated as a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA), and shall not be deemed to be directory information.

Comparable Services

Homeless students shall be provided services comparable to those offered to other Innovative Arts Academy students including, but not limited to:[2][6]

1. Transportation services.
2. School nutrition programs.
3. Career and technical education.
4. Preschool programs.
5. Educational programs for which the homeless student meets the eligibility criteria, such as:

1. Services provided under Title I or similar state or local programs.
2. Programs for English Language Learners.
3. Programs for students with disabilities.
4. Programs for gifted and talented students.

Training

The Innovative Arts Academy Charter School's liaison shall participate in professional development programs and other technical assistance activities offered by the Coordinator of Pennsylvania's Education for Children and Youth Experiencing Homelessness Program.[6]

The Innovative Arts Academy's liaison shall arrange professional development programs for school staff, including office staff.[6]

School personnel providing services to homeless children and youths, including school enrollment staff, shall receive professional development and support to:[6]

1. Improve identification of homeless children and youths and unaccompanied youths;
2. Understand the rights of such children, including requirements for immediate enrollment and transportation; and
3. Heighten the awareness of, and capacity to respond to, the educational needs of such children.

Legal

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| 1. 22 PA Code 11.18 | 2. 24 P.S. 1306 | 3. 42 U.S.C. 11431 et seq |
| 4. 34 CFR 299.19 | 5. 42 U.S.C. 11431 | 6. 42 U.S.C. 11432 |
| 7. 42 U.S.C. 11434a | 8. 34 CFR 200.30 | 20 U.S.C. 1232g |
| 20 U.S.C. 6301 et seq | 22 PA Code 403.1 | 34 CFR Part 99 |
| 67 Fed. Reg. 10698 | PA Education for Homeless Children and Youth State Plan | |

3311 Reduction in Staff/Layoff

Adopted 12/18/2019

Revised

Purpose

The Board recognizes that employee layoffs affect morale and job satisfaction. For that reason, layoffs will be used only where a reduction in staff is necessary for budgetary, efficiency, or programming reasons.

Authority

The Board shall maintain appropriate numbers of administrative, professional and support employees to effectively manage and operate the Innovative Arts Academy Charter School and its educational programs and support services.

The Board has the authority and responsibility to determine how a reduction in staff or layoffs of Innovative Arts Academy Charter School employees shall be made when necessary, in accordance with law and other Board-approved employee agreements.

Delegation of Responsibility

The Chief Executive Officer or designee shall develop administrative regulations for reduction of staff. The efficiency and effectiveness of the Innovative Arts Academy Charter School's organization and staffing shall be under continuing review, and recommendations for abolishing positions and reallocating duties shall be presented for Board consideration when the Chief Executive Officer considers such actions to be in the best interests of the Innovative Arts Academy Charter School.

3317 Conduct and Disciplinary Procedures

Adopted 10/16/2019

Revised

Purpose

The Innovative Arts Academy Charter School's conduct and discipline policy is designed to provide a structured process to improve and prevent a recurrence of

Authority

All administrative, professional and support employees are expected to conduct themselves in a manner consistent with appropriate and orderly behavior. Effective operation of Innovative Arts Academy Charter School programs and services requires the cooperation of all employees working together and complying with a system of Board policies, administrative regulations, rules and procedures, applied fairly and consistently.

The Board requires employees to maintain professional, moral and ethical relationships with students at all times. Disciplinary actions that may be applied for violation of Board policies, administrative regulations, rules and procedures.

When demotion or dismissal charges are filed against a certificated administrative or professional employee, a hearing shall be provided as required by applicable law. Non-certificated administrative and support employees may be entitled to a Local Agency Law hearing, at the employee's request.

Delegation of Responsibility

All Innovative Arts Academy Charter School employees shall comply with state and federal laws and regulations, Board policies, administrative regulations, rules and procedures. Innovative Arts Academy Charter School employees shall endeavor to maintain order, perform assigned job functions and carry out directives issued by supervisors and/or Innovative Arts Academy Charter School administration.

When engaged in assigned duties, Innovative Arts Academy Charter School employees shall not participate in activities that include but are not limited to the following:

1. Physical or verbal abuse, or threat of harm, to anyone.
2. Nonprofessional relationships with students.
3. Causing intentional damage to Innovative Arts Academy Charter School property, facilities or equipment.
4. Forceful or unauthorized entry to or occupation of Innovative Arts Academy Charter School facilities, buildings or grounds.
5. Use, possession, distribution, or sale of alcohol, drugs or other illegal substances.

6. Use of profane or abusive language.
7. Breach of legally-protected, confidential information.
8. Failure to comply with directives of Innovative Arts Academy Charter School officials, security officers, or law enforcement officers in the scope of the employee's duties.
9. Carrying onto or possessing a weapon on Innovative Arts Academy Charter School or school grounds without prior authorization from the appropriate administrator.
10. Violation of Board policies, administrative regulations, rules or procedures.
11. Violation of federal, state, or applicable municipal laws or regulations.
12. Conduct that may obstruct, disrupt, or interfere with teaching, research, service, operations, administrative or disciplinary functions of the Innovative Arts Academy Charter School, or any activity sponsored or approved by the Board.

The Chief Executive Officer or designee shall develop and disseminate disciplinary rules for violations of Board policies, administrative regulations, rules and procedures that provide progressive penalties, including but not limited to:

- verbal warning
- written warning
- reprimand
- suspension
- demotion
- dismissal
- pursuit of civil and criminal sanctions.

All terminations and demotions must be approved by the Board of Trustees.

Performance and Conduct Not Subject to Progressive Discipline:

Nothing in this Policy should be understood to provide a protected right to any employee regarding employee discipline. Furthermore, the Chief Executive Officer, or designee, is authorized to forego a progressive process entirely depending on the nature of the offense. Examples of conduct not subject to progressive discipline include, but are not limited to the activities listed above or any additional offense or behavior as directed by the Chief Executive Officer or designee.

Without limiting the above, employees may be subject to termination where required by law, such as Section 1-111 of the Pennsylvania Public School Code. Arrest or Conviction Reporting Requirements Employees shall use the designated form to report to the Chief Executive Officer or designee, within seventy-two (72) hours of the occurrence, an arrest or conviction required to be reported by law, pursuant to 24 P.S. 1-111 and/or the Educator Discipline Act (24 Pa. Con. Stat. §§ 2070.1, et. seq.).

Employees shall also report to the Chief Executive Officer or designee, in writing, within seventy-two (72) hours of notification, that the employee has been named as a perpetrator in a founded or indicated report pursuant to the Child Protective Services Law.

The Chief Executive Officer reserves the right to require an employee to submit updated criminal and child abuse history clearances. If the Chief Executive Officer makes such a demand where the employee is not required to update his/her clearances by law (required every 60 months), the Innovative Arts Academy Charter School shall be responsible for the cost. An employee shall be required to submit a new criminal history background checks if the Chief Executive Officer or designee has a reasonable belief that the employee was arrested or has been convicted of an offense required to be reported by law, and the employee has not notified the Chief Executive Officer or designee of one or more arrests and/or convictions that should have been reported pursuant to 24 P.S. 1-111.

An employee shall be required immediately to submit a new child abuse history certification/clearance and criminal history certification/clearance if the Chief Executive Officer or designee has a reasonable belief that the employee was named as a perpetrator in a founded or indicated report or has provided written notice of such occurrence. Failure to accurately report such occurrences may subject the employee to disciplinary action up to and including termination and criminal prosecution.

3317.1 Educator Misconduct

Adopted 12/18/2019

Revised

Purpose

The Board adopts this policy to promote the integrity of the education profession and to create a climate within schools that fosters ethical conduct and practice.

Authority

The Board requires certificated employees to comply with the Code of Professional Practice and Conduct and the requirements of the Educator Discipline Act. [1][2]

Definitions

Educator - shall mean a person who holds a certificate or who is a contracted educational provider. [3]

Certificate - shall mean any Commonwealth of Pennsylvania certificate, commission, letter of eligibility or permit issued under the School Code. [3]

Educator Misconduct Complaint – shall mean the formal complaint form made available by the PA Department of Education for non-mandatory reporting of educator misconduct. The Innovative Arts Academy Charter School shall not utilize this form for mandatory reporting purposes pursuant to the Educator Discipline Act (24 P.S. §§2070.1, et seq.)

Educator Misconduct Report – shall mean a mandatory report required to be filed by either the Chief School Administrator or an educator pursuant to the PA Educator Discipline Act (24 P.S. §§2070.1, et seq.)

Sexual Abuse or Exploitation - shall mean any of the following: [4]

1. The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:
 - a. Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.
 - b. Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.
 - c. Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.
 - d. Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

2. Any of the following offenses committed against a child: rape; statutory sexual assault; involuntary deviate sexual intercourse; sexual assault; institutional sexual assault; aggravated indecent assault; indecent assault; indecent exposure; incest; prostitution; sexual abuse; unlawful contact with a minor; or sexual exploitation.

Sexual Misconduct - any act, including, but not limited to, any verbal, nonverbal, written or electronic communication or physical activity, directed toward or with a child or student that is designed to establish a romantic or sexual relationship with the child or student, such acts include but are not limited to:[3]

1. Sexual or romantic invitation.
2. Dating or soliciting dates.
3. Engaging in sexualized or romantic dialog.
4. Making sexually suggestive comments.
5. Self-disclosure or physical disclosure of a sexual or erotic nature.
6. Any sexual, indecent, romantic or erotic contact with a child or student.

Delegation of Responsibility

Duty to Report

The Chief Executive Officer or designee is required, by law, to report to the Pennsylvania Department of Education on the required form, within fifteen (15) days of receipt of notice from an educator, or discovery of the incident or allegation, any educator:[5]

1. Who has been provided with notice of intent to dismiss or remove for cause, notice of removal from eligibility lists for cause, or notice of intent not to reemploy for cause;
2. Who has been arrested or convicted of any crime that is graded a misdemeanor or felony;
3. Against whom there are any allegations of sexual misconduct or sexual abuse or exploitation involving a child or student;
4. Where there is reasonable cause to suspect that s/he has caused physical injury to a child or student as the result of negligence or malice;
5. Who has resigned or retired or otherwise separated from employment after a school entity has received information of alleged misconduct under the Educator Discipline Act;
6. Who is the subject of a report filed by the school entity under 23 Pa. C.S. Ch. 63 (relating to child protective services);
7. Who the school entity knows to have been named as a perpetrator of an indicated or founded report of child abuse under 23 Pa. C.S. Ch. 63.

An educator who knows of any action, inaction or conduct by another educator which constitutes sexual abuse or exploitation or sexual misconduct under the Educator Discipline Act shall report such misconduct to the Pennsylvania Department of Education on the required form, to the Chief Executive Officer, and his/her immediate supervisor, within fifteen (15) days of discovery of such misconduct.[5]

Reports to the PA Department of Education shall include all necessary information required by law. An educator who is arrested or convicted of a crime constituting a misdemeanor or felony shall report the arrest or conviction to the Chief Executive Officer or designee, within seventy-two (72) hours of the occurrence, in the manner prescribed in Board policy 317 and pursuant to the PA School Code under 24 P.S. 1-111 and the Educator Discipline Act (24 P.S. §§ 2070.1, et seq.). [5][7][8] Failure to comply with mandatory reporting requirements may result in professional disciplinary action.[9],

The Innovative Arts Academy Charter School shall maintain a copy of the Educator Misconduct Mandatory Report Form in the Human Resources Office. The Innovative Arts Academy Charter School shall not utilize or make available the PA Department of Education “Educator Misconduct Complaint” form for mandatory reporting purposes. The Innovative Arts Academy Charter School reserves the right, however, to use such form, for non-mandatory reporting purposes, where appropriate.

Guidelines Investigation

School officials shall cooperate with the Pennsylvania Department of Education during its review, investigation, or prosecution, and shall promptly provide the Pennsylvania Department of Education with any relevant information and documentary and physical evidence requested.[10] Upon receipt of notification in writing from the Pennsylvania Department of Education, the Chief Executive Officer or designee shall investigate the allegations of misconduct, as directed by the Department, and may pursue its own disciplinary procedure as established by law or by collective bargaining agreement.[10]

Within ninety (90) days of receipt of notification from the Pennsylvania Department of Education directing the Innovative Arts Academy Charter School to conduct an investigation (extensions may be requested), the Chief Executive Officer or designee shall report to Department the outcome of its investigation and whether it will pursue local employment action. The Chief Executive Officer or designee may make a recommendation to the Department concerning discipline. If the Innovative Arts Academy Charter School makes a recommendation concerning discipline, it shall notify the educator of such recommendation.[10]

The Innovative Arts Academy Charter School reserves the right to conduct investigations into employee misconduct in all cases, even where the PA Department of Education and/or the Professional Standards and Practices Commission (PSPC) does not specifically request the Innovative Arts Academy Charter School to conduct an investigation.

The Innovative Arts Academy Charter School further reserves the right to use the findings from any employee misconduct investigation in a separate employment action against the employee.

Confidentiality Agreements

The Innovative Arts Academy Charter School shall not enter into confidentiality or other agreements that interfere with the mandatory reporting requirement.[10]

Immunity

The Innovative Arts Academy Charter School shall not take disciplinary action or other legal action against any employee for making a good-faith report of educator misconduct to PDE for cooperating with the Pennsylvania Department of Education or Professional Standards and Practices Commission.

Legal

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| 1. 22 PA Code 235.1 et seq | 2. 24 P.S. 2070.1a | 3. 24 P.S. 2070.1b |
| 4. 23 Pa. C.S.A. 6303 | 5. 24 P.S. 2070.9a | 6. 24 P.S. 2070.1a |
| 7. 24 P.S. 111 | 8. 23 Pa. C.S.A. 6301 | 9. 24 P.S. 2070.9c |
| 10. 24 P.S. 2070.11 | 11. 24 P.S. 2070.17b | |

3340 Jury Duty

Adopted 12/18/2019

Revised

Authority

Regularly-employed administrative, professional and support employees shall be protected against loss of employment for time served on jury duty.[1]

Guidelines

When an employee is notified of jury duty, s/he is required to inform his/her immediate supervisor. The employee must provide the Chief Executive Officer with a copy of the original jury summons.

Employees called for jury duty shall normally be permitted to serve and will not be penalized in any way. They shall receive normal pay for the period of jury duty, but any compensation received from jury duty in excess of actual expenses shall be reimbursed to the Innovative Arts Academy Charter School.

Time spent on jury duty will not be charged against personal leave and will count as time on the job. Employees must submit a record from the court of the number of days served.

Legal

1. 42 Pa. C.S.A. 4563

3348 Unlawful Harassment

Adopted 12/18/2019

Revised

Authority

The Board strives to provide a safe, positive working climate. Therefore, it shall be the policy of the Innovative Arts Academy Charter School to maintain an employment environment in which harassment in any form is not tolerated.

The Board prohibits all forms of unlawful harassment of employees and third parties by all Innovative Arts Academy Charter School students and staff members, contracted individuals, vendors, volunteers, and third parties in Innovative Arts Academy Charter School. The Board encourages employees and third parties who have been harassed to promptly report such incidents to the designated administrators. [1][2][3][4][5]

The Innovative Arts Academy Charter School shall implement this policy and any other necessary guidelines to discourage and prohibit unlawful harassment. The Board directs that complaints of harassment shall be investigated promptly, and corrective action taken when allegations are substantiated.

Confidentiality of all parties shall be maintained, consistent with the Innovative Arts Academy Charter School's legal and investigative obligations. No reprisals nor retaliation shall occur as a result of good faith charges of harassment.

Definitions

For purposes of this policy, harassment shall consist of verbal, written, graphic or physical conduct relating to an individual's race, color, national origin/ethnicity, sex, age, disability, sexual orientation, religion or genetic information when such conduct: [4][5]

1. Is sufficiently severe, persistent or pervasive that it affects an individual's ability to perform job functions or creates an intimidating, threatening or abusive work environment.
2. Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance.
3. Otherwise adversely affects an individual's employment opportunities.

For purposes of this policy, sexual harassment shall consist of unwelcome sexual advances; requests for sexual favors; and other inappropriate verbal, written, graphic or physical conduct of a sexual nature when: [6]

1. Acceptance of such conduct is made, explicitly or implicitly, a term or condition of an

individual's continued employment.

2. Submission to or rejection of such conduct is the basis for employment decisions affecting the individual; and/or
3. Such conduct is sufficiently severe, persistent or pervasive that it has the purpose or effect of substantially interfering with the employee's job performance or creating an intimidating, hostile or offensive working environment.

Delegation of Responsibility

In order to maintain a work environment that discourages and prohibits unlawful harassment, the Board designates the Chief Executive Officer or designee as the Innovative Arts Academy Charter School's Director of Human Resources. [7]

The Chief Executive Officer or designee shall publish and disseminate this policy and the complaint procedure at least annually to students, parents/guardians, employees, independent contractors, vendors, and the public. The publication shall include the position, office address and telephone number of the Chief Executive Officer or designee. The Chief Executive Officer or designee shall provide appropriate training for students and staff members about all aspects of unlawful harassment.

Each staff member shall be responsible to maintain a working environment free from all forms of unlawful harassment. Any staff member who becomes aware of unlawful harassment shall report the matter to a supervisor or the Chief Executive Officer or designee, in accordance with the complaint procedure in this policy.

The school's Principals / Assistant Principals shall be responsible to complete the following duties when receiving a complaint of unlawful harassment:

1. Obtain specific information from the complainant regarding the nature of the harassment, the parties involved, and the date(s), time(s), and location(s) where the complainant indicates the harassment occurred.
2. Conduct an investigation of the complaint.
3. Notify the complainant and the accused of the progress at appropriate stages of the procedure.
4. Refer the complainant to the Chief Executive Officer if another administrator is the subject of the complaint.

Guidelines Complaint Procedure

Employee/Third Party

Step 1 – Reporting

An employee or third party who believes s/he has been subject to conduct that constitutes a violation of this policy is encouraged to immediately report the incident to the program

supervisor or designee.

Employees who witness the unlawful harassment of individuals on Innovative Arts Academy Charter School grounds or at Innovative Arts Academy Charter School events are required to immediately report such conduct to the employee's direct supervisor and the administrator responsible for the building/event.

If the supervisor or designee is the subject of a complaint, the employee or third party shall report the incident directly to the Chief Executive Officer or designee. If the Chief Executive Officer is the subject of the complaint, the employee shall report the incident to the President of the Board.

The complainant is encouraged to use the report form available from the program supervisor, but oral complaints shall be acceptable.

Step 2 – Investigation

Upon receiving a complaint of unlawful harassment, the Chief Executive Officer or designee, shall authorize the Principal / Assistant Principal to investigate the complaint. In the event that the Principal / Assistant Principal is the subject of the complaint or that the Principal / Assistant Principal is not available to do so, the Chief Executive Officer or designee shall assign another individual to investigate the complaint. Such individual may not be a subordinate of the subject of the complaint. In the event that no other suitable individual is available, the Chief Executive Officer shall conduct the investigation.

If the complaint is against the Chief Executive Officer, the Charter School's General Counsel or another third-party investigator, as selected by the Board, shall perform the investigation.

The investigation should consist of individual interviews with the complainant, the accused, and any others with knowledge relative to the incident. The complainant and other involved parties may present witnesses or other evidence relevant to the complaint, which the investigator shall fully and impartially consider.

The investigator may also evaluate any other information and materials relevant to the investigation. The investigation shall remain confidential to the extent possible, consistent with the Innovative Arts Academy Charter School's legal and investigative obligations. The obligation to conduct this investigation shall not be negated by the fact that a criminal investigation of the incident is pending or has been concluded.

Step 3 – Investigative Report

The investigator shall prepare and submit a written report to the Chief Executive Officer or designee within ten (10) days of receiving the complaint, unless additional time to complete the investigation is required. If the report is submitted to a designee, the designee shall review it and submit to the Assistant Chief Executive Officer within five (5) days.

The report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, a determination of whether it establishes a violation of this policy, and a recommendation as to what corrective action, if any, is required.

The complainant and the accused shall be informed as to whether the findings in the complaint were substantiated by the investigation. The complainant shall not be entitled to specific information regarding any disciplinary action taken against the employee as a result of the complaint and investigation.

Step 4 – Innovative Arts Academy Charter School Action

If the investigation results in a finding that the complaint is substantiated as factual and constitutes a violation of this policy, the Innovative Arts Academy Charter School shall take prompt, corrective action to ensure that such conduct ceases and will not recur, as well as remedial action to correct the effects of any violation of this policy on the complainant or other affected individuals, where necessary.

Innovative Arts Academy Charter School staff shall document the corrective action taken and, where not prohibited by law, inform the complainant. Disciplinary actions shall be consistent with Board policies, administrative regulations and procedures, applicable collective bargaining agreements, and state and federal laws.

If the investigation results in a finding that an employee has knowingly made a false complaint under this policy, such employee shall be subject to disciplinary action.[8] In the event that the investigation reveals actual or potential criminal conduct, the matter shall be promptly referred to the appropriate law enforcement authorities.

Appeal Procedure If any involved party is not satisfied with the results of the investigation or with the recommended corrective/remedial action, s/he may submit a written appeal to the Chief Executive Officer within fifteen (15) days of receiving the written summary of the investigation and recommended disposition of the complaint. The Chief Executive Officer shall review the investigation and the investigative report and may also conduct a reasonable investigation.

The Chief Executive Officer shall prepare a written response to the appeal within fifteen (15) days, unless more time is required to further investigate the complaint. Copies of the response shall be provided to the complainant, the accused and the supervisor who conducted the initial investigation.

Appeals of the decision by the Chief Executive Officer must be made in writing to the Board President.

Legal

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|----------------------------|--------------------------|---------------------------|
| 1. 43 P.S. 951 et seq | 2. 20 U.S.C. 1681 et seq | 3. 42 U.S.C. 2000e et seq |
| 4. 42 U.S.C. 2000ff et seq | 5. 29 CFR 1606.8 | 6. 29 CFR 1604.11 |

6630 Title Programs and Expenditures Involving Federal Funds

Adopted 11/20/2019

Revised

Authority

The Board shall ensure federal funds received by the Innovative Arts Academy Charter School are administered in accordance with federal requirements, including but not limited to the federal Uniform Grant Guidance.[1]

Guidelines

As required by law, the Intermediate Unit shall comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200) with regards to its receipt and expenditures of federal funds through Federal Grants, such as Title I, II, and III grants under the Every Student Succeeds Act (ESSA).

The Board shall establish specific policies ensuring proper adherence to the legal requirements of 2 CFR Part 200. Such policies shall, as necessary, delegate authority of the Chief Executive Officer or designee to promulgate administrative regulations in order to ensure full compliance with federal requirements for receipt of such awards.

Legal

1. 2 CFR Part 200

6630.1 Finances Title Federal Fiscal Compliance - Allowability of Costs

Adopted 08/19/20

Revised

Applicability

This Policy shall apply to all decisions related to the expenditure of federal grant funds, as required by federal law.

Requirements

Expenditures must be aligned with approved budgeted items. Any changes or variations from the state-approved budget and grant application need prior approval from the state.

When determining how the Innovative Arts Academy Charter School will spend its grant funds, the Chief Executive Officer of Designee will review the proposed cost to determine whether it is an allowable use of federal grant funds before obligating and spending those funds on the proposed good or service. All costs supported by federal education funds shall meet the standards outlined in EDGAR, 2 C.F.R. Part 3474 and 2 C.F.R. Part 200, Subpart E, which are provided in the bulleted list below.

Guidelines

The Chief Executive Officer of Designee must consider these factors when making an allowability determination. Be Necessary and Reasonable for the performance of the federal award. Innovative Arts Academy Charter School staff shall consider these elements when determining the reasonableness of a cost.

A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision to incur the cost was made. For example, reasonable means that sound business practices were followed, and purchases were comparable to market prices.

When determining reasonableness of a cost, consideration must be given to:

Whether the cost is a type generally recognized as ordinary and necessary for the operation of the Innovative Arts Academy Charter School or the proper and efficient performance of the federal award.

The restraints or requirements imposed by factors, such as: sound business practices; arm's-length bargaining; federal, state and other laws and regulations; and terms and conditions of the federal award.

Market prices for comparable goods or services for the geographic area. Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the Innovative Arts Academy Charter School, its employees, its students, the public at large, and the federal government.

Whether the Innovative Arts Academy Charter School significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the cost to the federal award.

All expenditures shall be necessary to achieve an important program objective. The Innovative Arts Academy Charter School shall be able to demonstrate and prove that the cost addresses an existing need.

When determining whether a cost is necessary, consideration may be given to:

Whether the cost is needed for the proper and efficient performance of the grant program.

Whether the cost is identified in the approved budget or application.

Whether there is an educational benefit associated with the cost.

Whether the cost aligns with identified needs based on results and findings from a needs assessment.

Whether the cost addresses program goals and objectives and is based on program data.

Allocable to the Federal Award

The Innovative Arts Academy Charter School shall be able to demonstrate that the federal grant program derived a benefit in proportion to the funds charged to the program. For example, if 50% of a teacher's salary is paid with grant funds, the Innovative Arts Academy Charter School must be able to demonstrate that the teacher spent at least 50% of his or her time on the grant program.

Consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the Innovative Arts Academy Charter School.

Conform to any limitations or exclusions set forth as cost principles in Part 200 or in the terms and conditions of the federal award.

Consistent treatment. A cost shall not be assigned to a federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been assigned as an indirect cost under another award.

Adequately documented. All expenditures shall be properly documented.

Be determined in accordance with general accepted accounting principles (GAAP), unless provided otherwise in Part 200.

Not included as a match or cost-share, unless the specific federal program authorizes federal costs to be treated as such.

Be the Net of all Applicable Credits

The term “applicable credits” refers to those receipts or reduction of expenditures that operate to offset or reduce expense items allocable to the federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the state relate to the federal award, they shall be credited to the federal award, either as a cost reduction or a cash refund, as appropriate. Federal grant funds shall be expended consistent with federal guidelines.

Selected Items of Cost

The Innovative Arts Academy Charter School personnel responsible for spending federal grant funds and for determining allowability must be familiar with federal rules regarding allowability of cost. The Chief Executive Officer or designee or designee shall be responsible for developing Administrative Regulations, specifically setting forth state and federal rules regarding allowability of costs. When applicable, the Innovative Arts Academy Charter School staff shall check costs against the selected items of cost requirements to ensure the cost is allowable pursuant to federal regulations, as set forth in the Administrative Regulations. The Chief Executive Officer or designee shall ensure that all expenditures comply with such rules and regulations.

6630.2 Federal Fiscal Compliance - Conflict of Interest Number

Adopted Pending

Revised

Applicability

This Policy shall be applicable to all conduct related to the actions of Innovative Arts Academy Charter School employees engaged in the selection, award and administration of contracts, as per 2 C.F.R. §200.18(c)(1).

Standards of Conduct

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. A “financial or other interest,” for the purposes of this Policy, shall mean that the individual directly financially benefits from, receives compensation from, or otherwise benefits directly, through goods or services, from such organization.

The officers, employees, and agents of the Innovative Arts Academy Charter School may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, unless the gift is an unsolicited item of nominal value. Examples gifts of nominal value are t-shirts, calendars, pencils, branded inexpensive pens and other inexpensive promotional items. Examples of gifts of more than nominal value given to an employee may include, but are not limited to, money, service, loan, travel, lodging, meals, refreshments, entertainment, discount, or promise to do or not do something having a monetary value.

Reporting Conflicts of Interest

Any individual with an actual, apparent or potential conflict of interest must report it to the Chief Executive Officer as per Board Policies 1.3.4 and 7.7. In the event that the Chief Executive Officer has an actual, apparent or potential conflict of interest, he/she shall report it to the Board President. For the purposes of this Policy, “immediate family” shall mean an individual’s spouse, parent(s), and children.

Where a true conflict of interest exists, the employee involved in the conflict shall not be involved in any part of the contract process, including soliciting and/or reviewing bids/telephonic quotes and/or finalizing a contract. The Chief Executive Officer shall ensure that an alternate

individual handles all matters related to such contract. The Chief Executive Officer may, at his/her discretion, require such recusal in the case of an apparent or potential conflict of interest, as well.

This policy shall be reviewed with employees annually. All employees shall be required to sign that they received and reviewed the Board policies, which shall include this Policy.

Disciplinary Actions

Individuals who violate this Policy may be subject to disciplinary action up to and including termination.

6630.3 Title Federal Fiscal Compliance – Procurement

Adopted 11/20/2019

Revised

Applicability

This Policy shall be applicable to all conduct related to the actions of Innovative Arts Academy Charter School employees engaged in the selection, award and administration of contracts. Any purchases utilizing federal funds shall be made pursuant to this Policy and Board Policy 611 and 612.

Purchase Methods

The type of purchase procedures required depends on the cost of the item(s) being purchased. The purchase order requirements set forth in Board Policy 611 and 612 shall apply to purchases utilizing federal funds.

Micro-Purchases (Micro-Procurement Procedures)

Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed a specified value. The maximum micro-purchase value, established through federal regulation, is \$3,000 at the time of the adoption of this Policy. The Board recognizes, however, that this amount is subject to change to adjust for inflation. The Board directs the Chief Executive Officer or designee to establish administrative regulations pursuant to this Policy and to update the maximum amount for micro-purchases as necessary to reflect the current federal standard.

The micro-purchase method is used in order to expedite the completion of its lowest-dollar small purchase transactions and minimize the associated administrative burden and cost. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase maximum.

To the extent practicable, the Innovative Arts Academy Charter School shall distribute micro-purchases equitably among qualified suppliers. The Chief Executive Officer or designee shall ensure that micro-purchases are distributed appropriately and effectively. Micro-purchases may be awarded without soliciting competitive quotations if the Innovative Arts Academy Charter School considers the price to be reasonable. The Innovative Arts Academy Charter School shall maintain evidence of this reasonableness in the records of all micro-purchases.

Purchases between the Micro-Purchase Maximum Amount and \$18,500 and All Purchases of Perishable Food Items (Informal Procurement Procedures) Informal purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that cost between the micro-purchase maximum amount (\$3,000 at the time of the adoption of this Policy) and \$18,500. Informal purchase procedures shall also be used for the acquisition of perishable food items at any price. If informal purchase procedures are used, price or rate quotations are obtained from at least three (3) qualified and

responsible sources either by phone or through requests for written quotes (preferred). Where at least three (3) qualified sources are not available, the individual soliciting the quotes must thoroughly document how this determination was made, such as research conducted to reach this conclusion, etc. All documentation regarding the informal purchase procedures should be provided to the Assistant to the Chief Executive Officer, who shall be responsible for retaining such documentation for a minimum of three years plus the current school year.

Specifications/product descriptions shall provide enough detail for vendor to respond adequately. Information to be provided to the vendors shall be as follows:

- Date of quote
- Name of vendor and representative
- Description of item being quoted
- Quantity
- Price of item
- Date item needed

Purchases Over \$18,500 (Formal Procurement Procedures)

Purchases of eighteen thousand five hundred dollars (\$18,500) or more shall be purchased by the board of school directors pursuant to the bidding requirements of the PA School Code after public notice has been given by advertisement once a week for three (3) weeks in not less than two (2) newspapers of general circulation. In any the Innovative Arts Academy Charter School where no newspaper is published, said notice may, in lieu of such publication, be posted in at least five (5) public places.

Pursuant to the PA School Code, the Board shall accept the bid of the lowest responsible bidder, kind, quality, and material being equal, but shall have the right to reject any and all bids or select a single item from any bid.

Procurement of Items/Services Spanning Multiple Years

In determining the proper process (micro, informal, or formal) for procurements involving multiple years, the base amounts established shall include adjustments for the percent change in the Consumer Price Index for All Urban Consumers (CPI-U) for the United States City Average, as published annually by the U.S. Department of Labor. If the Department of Labor and Industry determines that there is no positive percentage change, then no adjustment to the base amounts shall occur for the relevant time period.

Purchase Cards

The Chief Executive Officer may authorize the use of purchase cards for some employees. Purchase cards may be used for pre-approved travel expenses and/or other expenses pre-authorized by the Chief Executive Officer. All statements shall be reviewed by the Assistant to the Chief Executive Officer. Non-compliant use of purchase cards shall result in loss of purchase card privileges. Employees who charged unauthorized expenses on a purchase card shall be responsible for reimbursing the Innovative Arts Academy Charter School for the purchase within twenty (20) days of notice of the unauthorized purchase. The Chief Executive Officer or designee shall set forth specific rules and requirements related to purchase cards.

Full and Open Competition

In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals shall be excluded from competing for such procurements.

Some of the situations considered to be restrictive of competition include but are not limited to:

Placing unreasonable requirements on firms in order for them to qualify to do business;

Requiring unnecessary experience and excessive bonding;

Noncompetitive pricing practices between firms or between affiliated companies;

Noncompetitive contracts to consultants that are on retainer contracts;

Organizational conflicts of interest;

Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and

any arbitrary action in the procurement process.

Geographical Preferences Prohibited

The Innovative Arts Academy Charter School prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals involving federal grant funds, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

Prequalified Lists

The Innovative Arts Academy Charter School shall ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. The Innovative Arts Academy Charter School does not preclude potential bidders from qualifying during the solicitation period.

Solicitation Language

The Innovative Arts Academy Charter School shall ensure that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

Avoiding Acquisition of Unnecessary or Duplicative Items

The Innovative Arts Academy Charter School shall avoid the acquisition of unnecessary or duplicative items. Additionally, consideration is given to consolidating or breaking out

procurements to obtain a more economical purchase. Also, where appropriate, an analysis shall be made of leases versus purchase alternatives, and another other appropriate analysis to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with federal funds.

Cooperative Purchasing

The Board encourages the administration to seek the benefits and savings that may accrue through joint agreements with other political subdivisions for the purchase of supplies, equipment or services. Cooperative purchasing shall be done in accordance with applicable law and Board Policy 613.

Use of Federal Excess and Surplus Property

The Innovative Arts Academy Charter School shall consider the use of federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

Debarment and Suspension

The Innovative Arts Academy Charter School shall award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. The Innovative Arts Academy Charter School shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For all contracts over \$25,000, the Innovative Arts Academy Charter School shall verify that the vendor with whom the Innovative Arts Academy Charter School intends to do business with is not excluded or disqualified. The Chief Executive Officer or designee shall set forth, in the administrative regulations promulgated pursuant to this Policy, the means by which such verification shall occur.

Maintenance of Procurement Records

The Innovative Arts Academy Charter School shall maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred. All such records shall be maintained by the Assistant to the Chief Executive Officer.

Time and Materials Contracts

The Innovative Arts Academy Charter School shall use a time and materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the school is the sum of: the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency.

Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, ACS shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Settlements of Issues Arising Out of Procurements

The Innovative Arts Academy Charter School is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the Innovative Arts Academy Charter School of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

Protest Procedures to Resolve Dispute

The Chief Executive Officer or designee shall be responsible for ensuring that the Innovative Arts Academy Charter School maintains specific protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency. Such procedures shall be specifically set forth by the Chief Executive Officer or designee in the administrative regulations promulgated pursuant to this Policy. This Policy shall be applicable to all conduct related to the actions of Innovative Arts Academy Charter School employees engaged in the selection, award and administration of contracts, as per 2 C.F.R. §200.18(c)(1).

Standards of Conduct

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. A “financial or other interest,” for the purposes of this Policy, shall mean that the individual directly financially benefits from, receives compensation from, or otherwise benefits directly, through goods or services, from such organization.

The officers, employees, and agents of the Innovative Arts Academy Charter School may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, unless the gift is an unsolicited item of nominal value. Examples gifts of nominal value are t-shirts, calendars, pencils, branded inexpensive pens and other inexpensive promotional items. Examples of gifts of more than nominal value given to an employee may include, but are not limited to, money, service, loan, travel, lodging, meals, refreshments, entertainment, discount, or promise to do or not do something having a monetary value.

Reporting Conflicts of Interest

Any individual with an actual, apparent or potential conflict of interest must report it to the Chief Executive Officer as per Board Policies 1.3.4 and 7.7. In the event that the Chief Executive Officer has an actual, apparent or potential conflict of interest, he/she shall report it to the Board President. For the purposes of this Policy, “immediate family” shall mean an individual’s spouse, parent(s), and children.

Where a true conflict of interest exists, the employee involved in the conflict shall not be involved in any part of the contract process, including soliciting and/or reviewing bids/telephonic quotes and/or finalizing a contract. The Chief Executive Officer shall ensure that an alternate individual handles all matters related to such contract. The Chief Executive Officer may, at his/her discretion, require such recusal in the case of an apparent or potential conflict of interest, as well.

This policy shall be reviewed with employees annually. All employees shall be required to sign that they received and reviewed the Board policies, which shall include this Policy.

Disciplinary Actions

Individuals who violate this Policy may be subject to disciplinary action up to and including termination.

6630.4 Title Federal Fiscal Compliance – Cash Management

Adopted 11/20/2019

Revised

Applicability

The Innovative Arts Academy Charter School will comply with applicable methods and procedures for payment that minimize the time elapsing between the transfer of funds and disbursement by the Innovative Arts Academy Charter School, in accordance with the Cash Management Improvement Act at 31 CFR Part 205.

Requirements

Generally, the Innovative Arts Academy Charter School receives payment from the Pennsylvania Department of Education on a reimbursement basis. However, if the Innovative Arts Academy Charter School receives an advance in federal grant funds, the Innovative Arts Academy Charter School will remit interest earned on the advanced payment quarterly to the federal agency consistent with 2 C.F.R. § 200.305(b)(9).

Authority

The Chief Executive Officer or designee shall be responsible for developing administrative regulations to ensure legally-compliant federal funds cash management procedures where advanced federal funds are provided.

6630.5 Title Federal Fiscal Compliance – Travel Expenses Using Federal Funds

Adopted 11/20/2019

Revised

Applicability

Any reimbursement for travel expenses using Federal Funds must meet the requirements of the Innovative Arts Academy Charter School’s “Reimbursement for Travel Expenses” policy, Board Policy 626. The Chief Executive Officer, in his/her procedures regarding reimbursement for travel expenses, may establish additional requirements/restrictions for travel expenses that are reimbursed with federal funds.

Definition

For purposes of this policy, **travel costs** shall mean the expenses for transportation, lodging, subsistence, and related items incurred by employees and school officials who are in travel status on official business as a federal grant recipient.

Delegation of Responsibility

School officials and employees shall comply with applicable Board policies and administrative regulations established for reimbursement of travel and other expenses.

The validity of payments for travel costs for all district employees and school officials shall be determined by the Chief Executive Officer or designee.

Guidelines

Travel costs shall be reimbursed on a mileage basis for travel using an employee’s personal vehicle and on an actual cost basis for meals, lodging and other allowable expenses, consistent with those normally allowed in like circumstances in the district’s nonfederally funded activities, and in accordance with the school’s travel reimbursement policies and administrative regulations.

Mileage reimbursements shall be at the rate approved by the Board for other school travel reimbursements. Actual costs for meals, lodging and other allowable expenses shall be reimbursed only to the extent they are reasonable and do not exceed the per diem limits established by the Board.

All travel costs must be presented with an itemized, verified statement prior to reimbursement.

In addition, if these costs are charged directly to the federal award, documentation must be maintained that justifies that:

1. Participation of the individual is necessary to the federal award.

2. The costs are reasonable and consistent with the school's established policy.

6630.6 Title I – Comparability of Services

Adopted 11/20/2019

Revised

Purpose

The equivalent distribution of resources is one means to ensure all students receive a quality education. This policy demonstrates the school's commitment to ensure that no discrimination occurs in the distribution of resources funded by state and local sources, regardless of the receipt of federal funds.

Authority

The Board directs that each school receiving Title I funds must use state and local funds to provide services that, taken as a whole, are at least comparable to services in those schools that do not receive Title I funds.[1]

If all schools receive Title I funds, the Board directs that state and local funds shall be used to provide services that, taken as a whole, are substantially comparable in each school.[1]

The Board acknowledges that comparability may be measured on a grade-span by grade-span basis or a school-by-school basis.

Definition

For purposes of this policy, **grade span** is defined as a similar two-grade span difference or less. For example, a grade span of K-2 to K-4, not a grade span of K-2 to K-5.

Delegation of Responsibility

If there is more than one (1) building per grade span, the Chief School Administrator or designee shall complete a Detailed School Data Sheet.

Regardless of buildings per grade span, the Chief School Administrator or designee shall annually complete a Comparability Assurance Form to provide written assurance of equivalence among schools, including the provision of curriculum materials; instructional supplies; and teachers, administrators and other staff.

Guidelines

Method of Determination

For purposes of determining Title I comparability, the school shall use a current year student to staff ratio calculation or a previous year per-pupil expenditure determination, whichever is more favorable to the school.

Allowable Exclusions

For the purposes of determining comparability, the following may be excluded:[1]

1. State and local funds expended for language instruction education programs.[2]
2. Excess costs associated with providing services to students with disabilities.[3][4][5]
3. Unpredictable changes in enrollment or personnel assignments occurring after the beginning of the school year.
4. Other expenditures from supplemental state or local funds consistent with the intent of Title I.

The Board recognizes that parental involvement contributes to the achievement of academic standards by students participating in Title I programs. The Board views the education of students as a cooperative effort among the school, parents/guardians and community.

Authority

In compliance with federal law at 20 U.S.C. Sec. 6318, the school and parents/guardians of students participating in the Title I programs shall jointly develop and agree upon a written parental involvement plan. When developing and implementing this plan, the school shall ensure the plan describes how the school will:

1. Involve parents/guardians in the joint development of the school's overall Title I plan and the process of school review and improvement.
2. Provide the coordination, technical assistance and other support necessary to assist participating schools in planning and implementing effective parental involvement activities to improve student academic achievement and school performance.
3. Develop activities that promote the schools' and parents'/guardians' capacity for strong parental involvement.
4. Coordinate and integrate parental involvement strategies with appropriate programs, as provided by law.
5. Involve parents/guardians in an annual evaluation of the content and effectiveness of the plan in improving the academic quality of schools served under Title I.
6. Identify barriers to participation by parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority.
7. Use findings of annual evaluations to design strategies for more effective parental involvement.
8. Involve parents/guardians in the activities of schools served under Title I.

Delegation of Responsibility

The Chief School Administrator or designee shall ensure that the school's Title I parental involvement plan and programs comply with the requirements of federal law.

The Chief School Administrator and/or Title I staff shall provide to parents/guardians of students participating in Title I programs:

1. Timely information about programs under Title I.
2. Explanation of the reasons supporting their child's selection for the program.

3. A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet.
4. If requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible.

The Chief School Administrator or designee shall ensure that information and reports provided to parents/guardians regarding Title I are in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand.

Guidelines

An annual meeting of parents/guardians of participating Title I students shall be held to explain the goals and purposes of the Title I program. Parents/Guardians shall be given the opportunity to participate in the design, development, operation and evaluation of the program.

Parents/Guardians shall be encouraged to participate in planning activities, to offer suggestions, and to ask questions regarding policies and programs.

In addition to the required annual meeting, additional parent/guardian meetings shall be held at various times of the day and evening. If sufficient, Title I funding may be used to facilitate parent/guardian attendance at meetings through payment of transportation and child care costs.

Parents shall also be involved in an organized, ongoing and timely way, in the planning, review, and improvement of programs under Title I, including the planning, review, and improvement of the school parental involvement plan and the joint development of the school-wide program plan under 20 U.S.C. Section 6314(b)(2), unless the school has in place a process for involving parents in the joint planning and design of the school's programs, the school may use that process as long as such process includes an adequate representation of parents of participating children.

Legal

1. 20 U.S.C. 6321

6630.7 Title I Parent and Family Engagement

Adopted 11/20/2019

Revised

Purpose

The Board recognizes that parental involvement contributes to the achievement of academic standards by students participating in Title I programs. The Board views the education of students as a cooperative effort among the school, parents/guardians and community.

Authority

In compliance with federal law at 20 U.S.C. Sec. 6318, the school and parents/guardians of students participating in the Title I programs shall jointly develop and agree upon a written parental involvement plan. When developing and implementing this plan, the school shall ensure the plan describes how the school will:

1. Involve parents/guardians in the joint development of the school's overall Title I plan and the process of school review and improvement.
2. Provide the coordination, technical assistance and other support necessary to assist participating schools in planning and implementing effective parental involvement activities to improve student academic achievement and school performance.
3. Develop activities that promote the schools' and parents'/guardians' capacity for strong parental involvement.
4. Coordinate and integrate parental involvement strategies with appropriate programs, as provided by law.
5. Involve parents/guardians in an annual evaluation of the content and effectiveness of the plan in improving the academic quality of schools served under Title I.
6. Identify barriers to participation by parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority.
7. Use findings of annual evaluations to design strategies for more effective parental involvement.
8. Involve parents/guardians in the activities of schools served under Title I.

Delegation of Responsibility

The Chief Executive Officer or designee shall ensure that the school's Title I parental involvement plan and programs comply with the requirements of federal law.

The Chief Executive Officer and/or Title I staff shall provide to parents/guardians of students participating in Title I programs:

1. Timely information about programs under Title I.
2. Explanation of the reasons supporting their child's selection for the program.
3. A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet.

4. If requested by parents, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any such suggestions as soon as practicably possible.

The Chief Executive Officer or designee shall ensure that information and reports provided to parents/guardians regarding Title I are in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand.

Guidelines

An annual meeting of parents/guardians of participating Title I students shall be held to explain the goals and purposes of the Title I program. Parents/Guardians shall be given the opportunity to participate in the design, development, operation and evaluation of the program.

Parents/Guardians shall be encouraged to participate in planning activities, to offer suggestions, and to ask questions regarding policies and programs.

In addition to the required annual meeting, additional parent/guardian meetings shall be held at various times of the day and evening. If sufficient, Title I funding may be used to facilitate parent/guardian attendance at meetings through payment of transportation and child care costs.

Parents shall also be involved in an organized, ongoing and timely way, in the planning, review, and improvement of programs under Title I, including the planning, review, and improvement of the school parental involvement plan and the joint development of the school-wide program plan under 20 U.S.C. Section 6314(b)(2), unless the schools have in place a process for involving parents in the joint planning and design of the schools' programs, the school may use that process as long as such process includes an adequate representation of parents of participating children.

7706.1 Disposal of School Property

Adopted 08/19/20

Revised

Purpose

The Board recognizes that unneeded, unusable, and/or obsolete property can consume valuable storage space. The Board adopts this policy in order to establish rules and regulations to efficiently dispose of such property, thus avoiding future unnecessary handling and storage.

Authority

When it has been determined that any school property is unneeded, obsolete, and/or unusable and should be disposed of or exchanged for other property, the Board authorizes that such property may be disposed of, sold or exchanged in accordance with any of the following provisions:

1. The property is no longer required for its originally intended purpose.
2. The property is considered out-of-date, obsolete, or in unusable condition.
3. The property is in quantities exceeding any possibility of effective use by the school.

Delegation of Responsibility

Determination as to whether any of the stated criteria apply to property possessed by the school shall be made by the Chief Executive Officer or designee, who may delegate this responsibility provided that all requirements of this policy are met.

The Chief Executive Officer or designee shall be responsible for identifying all school equipment and/or property owned by the school which is unusable, obsolete, or in quantities exceeding the possibility of effective use, has been replaced, or is otherwise no longer of value to the district. As necessary, the Chief Executive Officer or designee may call upon other staff to develop criteria to aid in this identification.

Sale of School Property

Any school property that is to be sold must be publicly advertised.

1. Items that have a value of less than \$ 500:
 - a. Advertise on website and/or local media
2. Items valued at \$ 500 or more:
 - a. Trade in on new equipment
 - b. Public auction conducted by licensed auctioneer
 - c. Sealed bid process
3. For items with no monetary value:
 - a. Discard; Observe requirements applicable to residual or hazardous waste, including "household hazardous" equipment and supplies.

Innovative Arts Academy Charter School personnel may not take, receive or accept abandoned, trashed or disposed of property for personal use, resale, or donation to others, except that they may join with others in school-sponsored sale or auctions of items to be sold.

Hold Harmless Agreements

Anyone acquiring items from the Innovative Arts Academy Charter School will be required to sign a release document stating:

1. All furniture and equipment will be sold on an "as is," "where is" basis. No guarantees or warranties, either implied or expressed, are given. No refunds. All sales are final.
2. The Innovative Arts Academy Charter School will not be held liable or responsible for any injuries or losses that might occur due to the removal, operation or ownership of any or all items in this bid.

In special situations, it may be necessary for the recipient to supply a certificate of insurance.

Exclusions

The following items are excluded from this procedure:

1. Books and obsolete software may be disposed of outside of the Board policy.
2. Real estate disposal shall be in accordance with School Code.

The Chief Executive Officer or designee shall develop administrative regulations to implement this policy.

Legal

24 P.S. 510

7707 Use of Facilities and Property

Adopted 10/16/2019

Revised

Purpose

The primary purpose of the Innovative Arts Academy Charter School's buildings, facilities, and property is to provide educational programs and support services. The Board may make its facilities available to individuals and community groups without discrimination, provided the use does not interfere with the educational programs and support services of the Innovative Arts Academy Charter School.

Authority

The Board directs that use of Innovative Arts Academy Charter School facilities may be granted to individuals and community groups, organizations, and businesses for the following types of activities: "Approved Activities":

1. Instruction in any branch of education, learning, and the arts, consistent with the Innovative Arts Academy Charter School's mission.
2. Social or civic meetings and other uses pertaining to the welfare of the community.
3. Professional meetings, seminars, trainings, and conferences.

The Board establishes that Innovative Arts Academy Charter School facilities may not be used by staff for personal reasons. The Board shall approve a schedule of fees for the use of Innovative Arts Academy Charter School facilities approved groups.

Priority for use of facilities shall be granted in the following order:

1. Use by the Innovative Arts Academy Charter School
2. Use by a school group from the authorizing school district for an "approved activity," as set forth, above
3. Use by a non-profit, community-based group for an "approved activity," as set forth, above
4. Use by other entities for an "approved activity," as set forth, above

Delegation of Responsibility

The Chief Executive Officer shall implement administrative regulations or procedures for requesting and granting permission for use of Innovative Arts Academy Charter School facilities and shall distribute the necessary information to individuals affected by them. All use of Innovative Arts Academy Charter School facilities must be compliant with established policies and procedures.

An application for use of Innovative Arts Academy Charter School facilities may be disapproved because of noncompliance with established policy and procedures by the Chief Executive Officer.

An individual or community group requesting permission to use Innovative Arts Academy Charter School building, facilities, or property must submit a written request on the prescribed application form to the Chief Executive Officer or designee. The application must specify the portion of the facilities requested for use; proposed activities; number of individuals participating; and the date, time, and duration of the proposed event.

Along with the completed application, the individual or group must submit the following:

1. Payment of the specified rental fee.
2. Evidence of organizational liability to limits required by Innovative Arts Academy Charter School guidelines and shall submit a certificate of insurance naming the Innovative Arts Academy Charter School as an additional insured with a minimum of \$ 1,000,000 of coverage, prior to the use of facilities.
3. Users shall be financially liable for damages to the facility and shall provide proper supervision. The Innovative Arts Academy Charter School may require security personnel, which would be the financial responsibility of the user.

Application Evaluation

No application to use Innovative Arts Academy Charter School facilities shall be approved if the proposed activity would result in any of the following:

1. Conflict with any other Innovative Arts Academy Charter School - sponsored activity.
2. Access to Innovative Arts Academy Charter School facilities closed due to renovations, maintenance, cleaning, the school calendar, or Board action.
3. The proposed use would prevent or encumber Innovative Arts Academy Charter School personnel from preparing facilities for their primary purpose, because of the nature or duration of the activity.

The Chief Executive Officer or designee shall issue a written letter approving or denying each application. Approval letters shall contain a detailed description of any and all limitations of and/or requirements regarding the use of Innovative Arts Academy Charter School facilities.

Limitations

When individuals and community groups receive written permission to use Innovative Arts Academy Charter School facilities under this policy, such use shall be conditioned upon strict compliance with the following:

1. Individuals shall not use, access or enter upon any portions of the Innovative Arts Academy Charter School facilities or their contents not specified in the formal approval letter.

2. Individuals shall refrain from any conduct or activities not specifically identified in the written request form and/or formal approval letter.
3. Individuals and community groups shall clearly communicate that the activities are not being sponsored by the Innovative Arts Academy Charter School when advertising or promoting activities held at the Innovative Arts Academy Charter School.
4. Innovative Arts Academy Charter School equipment used in conjunction with requested facilities shall be identified when the application is submitted. Users of equipment must accept liability for any damage to or loss of equipment that occurs while in their use.

Prohibited Activities

The following activities are strictly prohibited in Innovative Arts Academy Charter School facilities when individuals and community groups are granted written permission to use said facilities:

1. Possession, use, or distribution of illegal drugs and/or alcoholic beverages.
2. Possession of weapons.
3. Conduct that would alter, damage, or be injurious to any Innovative Arts Academy Charter School property, equipment, or furnishings.
4. Conduct that would constitute a violation of the Pennsylvania Crimes Code, and/or state and federal laws and regulations.
5. Gambling, games of chance, lotteries, raffles, or other activities requiring a license under the Local Option Small Games of Chance Act, unless such activity has been expressly authorized by the Board or Chief Executive Officer and the group possesses a current license.[3]
6. Use of tobacco products, including smokeless and electronic smoke replacement products.[4][5][6]

Violations

The Innovative Arts Academy Charter School reserves the right to remove from its premises any individual or community group who fails to comply with the terms and conditions of this policy and established procedures. In the event an individual or community group violates this policy or the terms under which permission was granted to use Innovative Arts Academy Charter School facilities, that individual or community group forfeits the right to submit future written requests to use Innovative Arts Academy Charter School property, unless otherwise decided by the Board.

Legal

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|-------------------|-------------------|-----------------------------|
| 1. 24 P.S. 914-A | 2. Pol. 000 | 3. 61 PA Code 901.701 |
| 4. 35 P.S. 1223.5 | 5. 20 U.S.C. 7182 | 6. 20 U.S.C. 7183 20 U.S.C. |

8815 Acceptable Use of Communications and Information Systems (CIS)

Adopted 09/18/2019

Revised

Purpose

The Innovative Arts Academy Charter School provides employees, students, and other authorized users (guests) with hardware, software, and/or access to the Innovative Arts Academy Charter School's electronic communications systems and network, which includes Internet access, whether wired, wireless, virtual, cloud, or by any other means.

The Innovative Arts Academy Charter School intends to strictly protect its CIS systems against numerous outside and internal risks and vulnerabilities. Users are important and critical players in protecting the Innovative Arts Academy Charter School's assets and in lessening the risks that can destroy these important and critical assets. Consequently, users are required to fully comply with this policy and to immediately report any violations or suspicious activities to the Chief Executive Officer or designee. Conduct otherwise will result in actions further described in this policy and provided in other relevant Board policies.

Definitions

The term child pornography is defined under both federal and state law.

Child pornography - under federal law, is any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:[1][2][3]

1. The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
2. 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
3. Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.

Child pornography - under state law, is any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction or other material depicting a child under the age of eighteen (9) years engaging in a prohibited sexual act or in the simulation of such act.[4][5]

Computer - includes any Innovative Arts Academy Charter School-owned, leased or licensed or user-owned personal hardware, software, or other technology used on Innovative Arts Academy Charter School premises or at Innovative Arts Academy Charter School events, or connected to the Innovative Arts Academy Charter School network, containing Innovative Arts Academy Charter School programs or Innovative Arts Academy Charter School student data (including images, files, and other information) attached or connected to, installed in, or otherwise used in connection with a computer. **Computer** includes, but is not limited to, the Innovative Arts Academy Charter School's and user's: desktop, notebook, Chromebook, tablet PC or laptop

computers; printers; facsimile machine; cables, modems, and other peripherals; specialized electronic equipment used for students' special educational purposes; Global Position System (GPS) equipment; RFID; iPods; MP3 players; thumb drives; cell phones (with or without Internet access and/or recording and/or camera/video and other capabilities); telephones, mobile phones or wireless devices; and any other such technology developed.

Educational purpose - includes use of the CIS systems for classroom activities, professional or career development, and to support the Innovative Arts Academy Charter School's curriculum, Board policies, administrative regulations, and mission statement.

Electronic communications systems/electronic communications - any messaging, collaboration, publishing, broadcast, or distribution system that depends on electronic communications resources to create, send, forward, reply to, transmit, store, hold, copy, download, display, view, read, or print electronic records for purposes of communication across electronic communications network systems between or among individuals or groups, that is either explicitly denoted as a system for electronic communications or is implicitly used for such purposes. Further, an **electronic communications system** means any wire, radio, electromagnetic, photo optical or photo electronic facilities for the transmission/transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature, wire or electronic communications, and any computer facilities or related electronic equipment for the electronic storage of such communications. Examples include, but are not limited to, the Internet, intranet, voice mail services, electronic mail services, tweeting, text messaging, instant messages, GPS, PDAs, facsimile machines, and cell phones (with or without Internet access and/or electronic mail and/or recording devices, cameras/video, and other capabilities).

Guest - includes, but is not limited to, visitors, workshop attendees, volunteers, adult education staff, students, Board members, independent contractors, and Innovative Arts Academy Charter School consultants.

The term harmful to minors is defined under both federal and state law.

Harmful to minors - under federal law, is any picture, image, graphic image file or other visual depiction that:[\[2\]](#)[\[3\]](#)

1. Taken as a whole, with respect to minors, appeals to a prurient interest in nudity, sex or excretion;
2. 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 lewd exhibition of the genitals; and
3. Taken as a whole lacks serious literary, artistic, political or scientific value as to minors.

Harmful to minors - under state law, is any depiction or representation in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it:[\[5\]](#)[\[6\]](#)

1. Predominantly appeals to the prurient, shameful, or morbid interest of minors;

2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and
3. Taken as a whole lacks serious literary, artistic, political, educational or scientific value for minors.

Inappropriate matter - includes, but is not limited to visual, graphic, video, text and any other form of obscene, sexually explicit, child pornographic, or other material that is harmful to minors, hateful, illegal, defamatory, lewd, vulgar, profane, rude, inflammatory, threatening, harassing, discriminatory, violent, bullying, sexting, flagging, terroristic, and advocates the destruction of property.[7][8][9][10][11][12]

Incidental personal use - incidental personal use of Innovative Arts Academy Charter School computers is permitted for employees so long as such use does not interfere with the employee's job duties and performance, with system operations, or with other system users. Personal use must comply with this policy and all other applicable Board policies, procedures and rules, as well as Internet Service Provider (ISP) terms, local, state and federal laws, and must not damage the Innovative Arts Academy Charter School's CIS systems.

Minor - for purposes of compliance with the federal Children's Internet Protection Act (CIPA), an individual who has not yet attained the age of seventeen (17). For other purposes, **minor** shall mean the age of minority as defined in the relevant law.[2][3]

Obscene - any material or performance, if:[5][6]

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

Sexual act and sexual contact - is defined at 18 U.S.C. § 2246 and at 18 Pa. C.S.A. § 5903.[6][7]

Technology protection measure - a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography or harmful to minors.[3][8]

Visual depictions - includes undeveloped film and videotape, and data stored on a computer disk or by electronic means which is capable of conversion into a visual image, and data which is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format, but does not include mere words.[1]

Authority

Access to the Innovative Arts Academy Charter School's CIS systems through school resources is a privilege, not a right. These, as well as the user accounts and information, are the property of the Innovative Arts Academy Charter School. The Innovative Arts Academy Charter School, further, reserves the right to deny access to prevent unauthorized, inappropriate or illegal activity, and may revoke access privileges and/or administer appropriate disciplinary action. The Innovative Arts Academy Charter School will cooperate to the extent legally required with ISP, local, state and federal officials in any investigation concerning or related to the misuse of the CIS systems.

It is often necessary to access user accounts in order to perform routine maintenance and security tasks. System administrators have the right to access by interception, and access the stored communication of user accounts for any reason in order to uphold this policy, the law, and to maintain the system. Users should have no expectation of privacy in anything they create, store, send, receive or display on or over the Innovative Arts Academy Charter School's CIS systems, including their personal files or any of their use of the Innovative Arts Academy Charter School's CIS systems. The Innovative Arts Academy Charter School reserves the right to record, check, receive, monitor, track, log access and otherwise inspect any or all CIS systems' use and to monitor and allocate fileserver space.

The Board shall establish a list of materials, in addition to those stated in law and defined in this policy, that are inappropriate for access by minors.^[3]

The Innovative Arts Academy Charter School reserves the right to restrict access to any Internet sites or functions it deems inappropriate through established Board policy, or the use of software and/or online server blocking. Specifically, the Innovative Arts Academy Charter School operates and enforces a technology protection measure(s) that blocks or filters access to inappropriate matter by minors on its computers used and accessible to adults and students. The technology protection measure shall be enforced during use of computers with Internet access.^{[2][3][8]}

Upon request by students or staff, the Chief Executive Officer or designee shall expedite a review and may authorize the disabling of Internet blocking/filtering software to enable access to material that is blocked through technology protection measures but is not prohibited by this policy.^[8]

Upon request by students or staff, administrators may authorize the temporary disabling of Internet blocking/filtering software to enable access for bona fide research or for other lawful purposes. Written permission from the parent/guardian is required prior to disabling Internet blocking/filtering software for a student's use. If a request for temporary disabling of Internet blocking/filtering software is denied, the requesting student or staff member may appeal the denial to the Chief Executive Officer or designee for expedited review.^{[2][9]}

The Innovative Arts Academy Charter School has the right, but not the duty, to inspect, review, or retain electronic communications created, sent, displayed, received or stored on and over its CIS systems; to monitor, record, check, track, log, access or otherwise inspect; and/or to report all aspects of its CIS systems use. This includes any user's personal computers, networks,

Internet, electronic communication systems, databases, files, software, and media that they bring onto Innovative Arts Academy Charter School property, or to Innovative Arts Academy Charter School events, that were connected to the Innovative Arts Academy Charter School network, and/or that contain Innovative Arts Academy Charter School programs, or Innovative Arts Academy Charter School or user data or information, all pursuant to the law, in order to ensure compliance with this policy and other Board policies, to protect the Innovative Arts Academy Charter School's resources, and to comply with the law.

The Innovative Arts Academy Charter School reserves the rights to restrict or limit usage of lower priority CIS systems and computer use when network and computing requirements exceed available capacity according to the following priorities:

1. Highest - use that directly supports the education of students.
2. Medium - use that indirectly benefits the education of students.
3. Lowest - use that includes reasonable and limited educationally - related employee interpersonal communications and employee-limited incidental personal use.
4. Forbidden - all activities in violation of this policy and local, state or federal law.

The Innovative Arts Academy Charter School additionally reserves the right to:

1. Determine which CIS systems services will be provided through Innovative Arts Academy Charter School resources.
2. Determine the types of files that may be stored on Innovative Arts Academy Charter School file servers and computers.
3. View and monitor network traffic, file server space, processor, and system utilization, and all applications provided through the network and electronic communications systems, including email.
4. Remove excess email or files taking up an inordinate amount of file server disk space after a reasonable time.
5. Revoke user privileges, remove user accounts, or refer to legal authorities when violation of this and any other applicable Board policies occur or state or federal law is violated, including, but not limited to, those governing network use, copyright, security, privacy, employment, vendor access, and destruction of Innovative Arts Academy Charter School resources and equipment.

Responsibility

The Innovative Arts Academy Charter School shall inform staff, students, parents/guardians and other users about this policy through employee and student handbooks, posting on the Innovative Arts Academy Charter School website, and by other appropriate methods. A copy of this policy shall be provided to parents/guardians, upon written request [8]

Users of Innovative Arts Academy Charter School networks or Innovative Arts Academy Charter School-owned equipment shall, prior to being given access or being issued equipment, sign user agreements acknowledging awareness of the provisions of this policy, and awareness that the Innovative Arts Academy Charter School uses monitoring systems to monitor and detect inappropriate use and tracking systems to track and recover lost or stolen equipment.

Student user agreements shall also be signed by a parent/guardian.

The Chief Executive Officer or designee will serve as the coordinator to oversee the Innovative Arts Academy Charter School's CIS systems and will work with other regional or state organizations as necessary to educate users, approve activities, provide leadership for proper training for all users in the use of the CIS systems and the requirements of this policy, establish a system to ensure adequate supervision of the CIS systems, maintain executed user acknowledgement/consent forms, and interpret and enforce this policy.

The Chief Executive Officer or designee will establish a process for setting up individual and class accounts, set quotas for disk usage on the system, establish records management policies and records retention schedules to include electronically stored information, and establish the Innovative Arts Academy Charter School's virus protection process.

Unless otherwise denied for cause, student access to the CIS systems resources must be through supervision by the professional staff. Administrators, teachers and staff have the responsibility to work together to help students develop the skills and judgment required to make effective and appropriate use of the resources. All users have the responsibility to respect the rights of all other users within the Innovative Arts Academy Charter School, and to abide by the rules established by the Innovative Arts Academy Charter School, its ISP, and local, state and federal laws.

The Chief Executive Officer or designee shall be responsible for recommending technology and developing procedures used to determine whether the Innovative Arts Academy Charter School's computers are being used for purposes prohibited by law or for accessing sexually explicit materials. The procedures shall include but not be limited to:[\[2\]](#)[\[3\]](#)[\[10\]](#)

1. Utilizing a technology protection measure that blocks or filters 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.
2. Maintaining and securing a usage log.
3. Monitoring online activities of minors.

The Chief Executive Officer or designee shall develop and implement administrative regulations that ensure students are educated on network etiquette and other appropriate online behavior, including interacting with other individuals on social networking web sites and in chat rooms and cyberbullying awareness and response.[\[3\]](#)[\[11\]](#)

Guidelines

Computers, network, Internet, electronic communications, information systems, databases, files, software, and media, collectively called CIS systems, provide vast, diverse and unique resources. The Board will provide access to the Innovative Arts Academy Charter School's CIS systems for users if there is a specific Innovative Arts Academy Charter School-related purpose to access information, to research, to collaborate, to facilitate learning and teaching, and to foster the educational purpose and mission of the Innovative Arts Academy Charter School.

For users, the Innovative Arts Academy Charter School's CIS systems must be used for education-related purposes and performance of Innovative Arts Academy Charter School job duties in compliance with this policy. For employees, incidental personal use of Innovative Arts

Academy Charter School computers is permitted as defined in this policy, but they should have no expectation of privacy in anything they create, store, send, receive, or display on or over the Innovative Arts Academy Charter School's CIS systems, including their personal files. Students may only use the CIS systems for educational purposes.

Users must practice proper etiquette and Innovative Arts Academy Charter School ethics, must agree to the requirements of this policy, and are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:

1. Be polite and do not become abrasive in messages to others. General Innovative Arts Academy Charter School rules, regulations and policies for behavior and communicating apply.
2. Use appropriate language and do not swear or use vulgarities or other inappropriate language.
3. Do not reveal the personal addresses or telephone numbers of others.
4. Recognize that email is not private or confidential.
5. Do not use the Internet or email in any way that would interfere with or disrupt its use by other users.
6. Consider all communications and information accessible via the Innovative Arts Academy Charter School's Internet provider to be the property of the Innovative Arts Academy Charter School.
7. Do not order any personal materials or use personal credit cards while using the Innovative Arts Academy Charter School's computers.
8. Respect the rights of other users to an open and hospitable technology environment, regardless of race, sexual orientation, color, religion, national origin, gender, creed, ethnicity, age, marital status, political beliefs, or disability status.

Access to the CIS Systems

Users' CIS systems accounts must be used only by authorized owners of the accounts and only for authorized purposes.

An account must be made available according to a procedure developed by appropriate Innovative Arts Academy Charter School authorities.

This policy, as well as other relevant Board policies, rules and administrative regulations, will govern use of the Innovative Arts Academy Charter School's CIS systems for users.

Types of services that could be accessed through the Innovative Arts Academy Charter School's CIS systems include, but are not limited to:

1. World Wide Web - Innovative Arts Academy Charter School employees, students, and guests will have access to the World Wide Web through the Innovative Arts Academy Charter School's CIS systems, as needed.
2. Email - Innovative Arts Academy Charter School employees may be assigned individual email accounts for work-related use, as needed. Students may be assigned individual email accounts, as necessary, by the Chief Executive Officer or designee at the recommendation of the teacher, who will also supervise the student's use of the email service.

3. Guest Accounts - Guests may receive an individual web account with the approval of the Chief Executive Officer or designee if there is a specific Innovative Arts Academy Charter School-related purpose requiring such access. Use of the CIS systems by a guest must be specifically limited to the Innovative Arts Academy Charter School-related purpose and comply with this policy and all other Board policies, procedures, regulations and rules, as well as ISP terms, local, state and federal laws, and may not damage the Innovative Arts Academy Charter School's CIS systems. An applicable acknowledgment/consent form must be signed in writing or electronically by a guest, and if the guest is a minor a parent's/guardian's written or electronic signature is required.
4. Blogs - Employees may be permitted to have Innovative Arts Academy Charter School-sponsored blogs, after they receive training and the approval of the Chief Executive Officer or designee. All bloggers must follow the rules provided in this policy and other applicable Board policies, administrative regulations and rules of the Innovative Arts Academy Charter School.
5. Web-based services, such as blogging, authorized social networking sites, wikis, podcasts, RSS feeds, social software, folksonomies, and interactive collaboration tools that emphasize online participatory learning (where users share ideas, comment on one another's project, plan, design, or implement, advance or discuss practices, goals, and ideas together, co-create, collaborate and share) among users may be permitted by the Innovative Arts Academy Charter School; however, such use must be approved by the Chief Executive Officer or designee followed by training authorized by the Innovative Arts Academy Charter School. Users must comply with this policy as well as any other relevant Board policy, rules or administrative regulations (including the copyright, participatory learning/collaborative/social networking regulations, and rules during such use).

Parental Notification and Responsibility

The Innovative Arts Academy Charter School will notify the parents/guardians about the Innovative Arts Academy Charter School's CIS systems and the policies governing their use. This policy contains restrictions on accessing inappropriate matter. There is a wide range of material available on the Internet, some of which may not be fitting with the particular values of the families of the students. It is not practically possible for the Innovative Arts Academy Charter School to monitor and enforce wide range of social values in student use of the Internet. Further, the Innovative Arts Academy Charter School recognizes that parents/guardians bear primary responsibility for transmitting their particular set of family values to their children. The Innovative Arts Academy Charter School will encourage parents/guardians to specify to their children what material is and is not acceptable for their children to access through the Innovative Arts Academy Charter School's CIS system.

Limitation of Liability

The Innovative Arts Academy Charter School makes no warranties of any kind, either expressed or implied, that the functions or the services provided by or through the Innovative Arts Academy Charter School's CIS systems will be error-free or without defect. The Innovative Arts Academy Charter School does not warrant the effectiveness of Internet filtering. The electronic information available to users does not imply endorsement of the content by the Innovative Arts Academy Charter School, nor is the Innovative Arts Academy Charter School responsible for the accuracy or quality of the information obtained through or stored on the CIS

systems. The Innovative Arts Academy Charter School will not be responsible for any damage users may suffer, including but not limited to, information that may be lost, damaged, delayed, misdelivered, or unavailable when using the CIS systems. The Innovative Arts Academy Charter School will not be responsible for material that is retrieved through the Internet, or the consequences that may result from them. The Innovative Arts Academy Charter School will not be responsible for any unauthorized financial obligations, charges or fees resulting from access to the Innovative Arts Academy Charter School's CIS systems. In no event will the Innovative Arts Academy Charter School be liable to the user for any damages whether direct, indirect, special or consequential, arising out of the use of the CIS systems.

Prohibitions

The use of the Innovative Arts Academy Charter School's CIS systems for illegal, inappropriate, unacceptable, or unethical purposes by users is prohibited. The Innovative Arts Academy Charter School reserves the right to determine if activity constitutes an acceptable or unacceptable use of the CIS systems.

The prohibitions listed in this policy are in effect any time Innovative Arts Academy Charter School resources are accessed whether on Innovative Arts Academy Charter School property, at Innovative Arts Academy Charter School events, connected to the Innovative Arts Academy Charter School's network, when using mobile commuting equipment, telecommunication facilities in unprotected areas or environments, directly from home, or indirectly through another ISP, and if relevant, when an employee or student uses their own equipment. Students must also comply with Board Policy 237 and accompanying pertinent administrative regulations.[20]

General Prohibitions

Users are prohibited from using Innovative Arts Academy Charter School CIS systems to:

1. Communicate about nonwork or non-school related communications unless the employees' use comports with this policy's definition of incidental personal use.
2. Send, receive, view, upload, download, store, access, print, distribute, or transmit material that is harmful to minors, indecent, obscene, pornographic, child pornographic, terroristic, including but not limited to visual depictions. Examples include, taking, disseminating, transferring, or sharing obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (such as, sexting, e-mailing, texting, among others). Neither may users advocate the destruction of property.
3. Send, receive, view, upload, download, store, access, print, distribute, or transmit inappropriate matter and material likely to be offensive or objectionable to recipients.
4. Bullying/Cyberbullying another individual. [11]
5. Access or transmit gambling pools for money, including but not limited to, basketball and football, or any other betting or games of chance.
6. Participate in discussion or news groups that cover inappropriate and/or objectionable topics or materials, including those that conform to the definition of inappropriate matter in this policy.
7. Send terroristic threats, hateful mail, harassing communications, discriminatory remarks, and offensive, profane, or inflammatory communications.
8. Participate in unauthorized Internet Relay Chats, instant messaging communications and Internet voice communications (on-line; real-time conversations) that are not for

school-related purposes or required for employees to perform their job duties. Students must obtain consent from their teacher to use IRC's; however, they may not use instant messaging or text messaging. Employees may only use instant messaging if consent was obtained from the Chief Executive Officer or designee.

9. Facilitate any illegal activity.
10. Communicate through email for noneducational purposes or activities, unless it is for incidental personal use as defined in this policy. The use of email to mass mail noneducational or nonwork related information is expressly prohibited (for example, the use of the everyone distribution list, building level distribution lists, or other email distribution lists to offer personal items for sale is prohibited).
11. Engage in commercial, for-profit, or any business purposes (except where such activities are otherwise permitted or authorized under applicable Board policies); conduct unauthorized fundraising or advertising on behalf of the Innovative Arts Academy Charter School and non-school organizations; resale of Innovative Arts Academy Charter School computer resources to individuals or organizations; or use the Innovative Arts Academy Charter School's name in any unauthorized manner that would reflect negatively on the Innovative Arts Academy Charter School, its employees, or students. **Commercial purposes** is defined as offering or providing goods or services or purchasing goods or services for personal use. School Innovative Arts Academy Charter School acquisition policies must be followed for Innovative Arts Academy Charter School purchase of goods or supplies through the Innovative Arts Academy Charter School system.
12. Engage in political lobbying.
13. Install, distribute, reproduce or use unauthorized copyrighted software on Innovative Arts Academy Charter School computers, or copy Innovative Arts Academy Charter School software to unauthorized computer systems, intentionally infringing upon the intellectual property rights of others or violating a copyright.
14. Install computer hardware, peripheral devices, network hardware or system hardware. The authority to install hardware or devices on Innovative Arts Academy Charter School computers is restricted to the Chief Executive Officer or designee.
15. Encrypt messages using encryption software that is not authorized by the Innovative Arts Academy Charter School from any access point on Innovative Arts Academy Charter School equipment or Innovative Arts Academy Charter School property. Users must use Innovative Arts Academy Charter School approved encryption to protect the confidentiality of sensitive or critical information in the Innovative Arts Academy Charter School's approved manner.
16. Access, interfere, possess, or distribute confidential or private information without permission of the Innovative Arts Academy Charter School's administration. An example includes accessing other students' accounts to obtain their grades, or accessing other employees' accounts to obtain information.
17. Violate the privacy or security of electronic information.
18. Send any Innovative Arts Academy Charter School information to another party, except in the ordinary course of business as necessary or appropriate for the advancement of the Innovative Arts Academy Charter School's business or educational interest.
19. Send unsolicited commercial electronic mail messages, also known as "spam".
20. Post personal or professional web pages without administrative approval.
21. Post anonymous messages.

22. Use the name of the Innovative Arts Academy Charter School in any form in blogs, on Innovative Arts Academy Charter School Internet pages or web sites not owned or related to the Innovative Arts Academy Charter School, or in forums/discussion boards, and social networking web sites, to express or imply the position of the Innovative Arts Academy Charter School without the expressed, written permission of the Chief Executive Officer or designee. When such permission is granted, the posting must state that the statement does not represent the position of the Innovative Arts Academy Charter School.
23. Bypass or attempt to bypass Internet filtering software by any method including, but not limited to, the use of anonymizer/proxies or any web sites that mask the content the user is accessing or attempting to access.
24. Advocate illegal drug use, whether expressed or through a latent pro-drug message. This does not include a restriction of political or social commentary on issues, such as the wisdom of the war on drugs or medicinal use.
25. Attempt to and/or obtain personal information under false pretenses with the intent to defraud another person.
26. Use location devices to harm another person.

Access and Security Prohibitions

Users must immediately notify the Chief Executive Officer or designee if they have identified a possible security problem. Users must read, understand, and submit an electronically or written signed acknowledgement form(s), and comply with this policy that includes network, Internet usage, electronic communications, telecommunications, nondisclosure, and physical and information security requirements. The following activities related to access to the Innovative Arts Academy Charter School's CIS systems and information are prohibited:

1. Misrepresentation (including forgery) of the identity of a sender or source of communication.
2. Users are required to use unique strong passwords that comply with the Innovative Arts Academy Charter School's password, authentication and syntax requirements. Users must not acquire or attempt to acquire User ID and passwords of another. Users will be held responsible for the result of any misuse of users' names or passwords while the users' systems access were left unattended and accessible to others, whether intentional or whether through negligence.
3. Using or attempting to use computer accounts of others; these actions are illegal, even with consent, or if only for the purpose of "browsing".
4. Altering a communication originally received from another person or computer with the intent to deceive.
5. Using Innovative Arts Academy Charter School resources to engage in any illegal act, which may threaten the health, safety or welfare of any person or persons, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal activity, or being involved in a terroristic threat against any person or property.
6. Disabling or circumventing any Innovative Arts Academy Charter School security, program or device, for example, but not limited to, anti-spyware, anti-spam software, and virus protection software or procedures.
7. Transmitting electronic communications anonymously or under an alias unless authorized by the Innovative Arts Academy Charter School.

8. Accessing any website that the Innovative Arts Academy Charter School has filtered or blocked as unauthorized. Examples include, but are not limited to, unauthorized social networking, music download, and gaming sites.
9. Users must protect and secure all electronic resources and information data and records of the Innovative Arts Academy Charter School from theft and inadvertent disclosure to unauthorized individuals or entities when they are under the supervision and control of the Innovative Arts Academy Charter School and when they are not under supervision and control of the Innovative Arts Academy Charter School, for example, but not limited to, working at home, on vacation or elsewhere. If any user becomes aware of the release of Innovative Arts Academy Charter School information, data or records, the release must be reported to the Chief Executive Officer or designee immediately.[30]

Operational Prohibitions

The following operational activities and behaviors are prohibited:

1. Interference with, infiltration into, or disruption of the CIS systems, network accounts, services or equipment of others, including, but not limited to, the propagation of computer “worms” and “viruses”, Trojan Horse, trapdoor, robot, spider, crawler, and other program code, the sending of electronic chain mail, distasteful jokes, and the inappropriate sending of “broadcast” messages to large numbers of individuals or hosts. The user may not hack or crack the network or others’ computers, whether by parasiteware or spyware designed to steal information, or viruses and worms or other hardware or software designed to damage the CIS systems, or any component of the network, or strip or harvest information, or completely take over a person’s computer, or to “look around”.
2. Altering or attempting to alter files, system security software or the systems without authorization.
3. Unauthorized scanning of the CIS systems for security vulnerabilities.
4. Attempting to alter any Innovative Arts Academy Charter School computing or networking components (including, but not limited to file servers, bridges, routers, or hubs) without authorization or beyond one’s level of authorization.
5. Unauthorized wiring, including attempts to create unauthorized network connections, or any unauthorized extension or retransmission of any computer, electronic communications systems, or network services, whether wired, wireless, cable, virtual, cloud, or by other means.
6. Connecting unauthorized hardware and devices to the CIS systems.
7. Loading, downloading, or use of unauthorized games, programs, files, or other electronic media, including, but not limited to, downloading music files.
8. Intentionally damaging or destroying the integrity of the Innovative Arts Academy Charter School’s electronic information.
9. Intentionally destroying the Innovative Arts Academy Charter School’s computer hardware or software.
10. Intentionally disrupting the use of the CIS systems.
11. Damaging the Innovative Arts Academy Charter School’s CIS systems, networking equipment through the users’ negligence or deliberate act, including, but not limited to vandalism.
12. Failing to comply with requests from Innovative Arts Academy Charter School staff to discontinue activities that threaten the operation or integrity of the CIS systems.

Content Guidelines

Information electronically published on the Innovative Arts Academy Charter School's CIS systems shall be subject to the following guidelines:

1. Published documents, including but not limited to audio and video clips or conferences, may not include a student's date of birth, Social Security number, driver's license number, financial information, credit card number, health information, phone numbers, street address, or box number, name, (other than first name), or the names of other family members without parental consent.
2. Documents, web pages, electronic communications, or videoconferences may not include personally identifiable information that indicates the physical location of a student at a given time without parental consent.
3. Documents, web pages, electronic communications, or videoconferences may not contain objectionable materials or point directly or indirectly to objectionable materials.
4. Documents, web pages and electronic communications must conform to all Innovative Arts Academy Charter School policies and guidelines.
5. Documents to be published on the Internet must be edited and approved according to Innovative Arts Academy Charter School procedures before publication.

Copyright Infringement and Plagiarism

Federal laws and regulations pertaining to copyright will govern the use of material accessed through Innovative Arts Academy Charter School resources. Users will make a standard practice of requesting permission from the holder of the work, complying with the fair use doctrine, and/or complying with license agreements. Employees will instruct users to respect copyrights.^[12]

Violations of copyright law can be a felony, and the law allows a court to hold individuals personally responsible for infringing the law. The Innovative Arts Academy Charter School does not permit illegal acts pertaining to the copyright law; therefore, any user violating the copyright law does so at their own risk and assumes all liability.

No one may circumvent a technology protection measure that controls access to a protected work unless they are permitted to do so by law. No one may manufacture, import, offer to the public, or otherwise traffic in any technology, product, service, device, component or part that is produced or marketed to circumvent a technology protection measure to control access to a copyright protected work.

Innovative Arts Academy Charter School guidelines on plagiarism will govern use of material accessed through the Innovative Arts Academy Charter School's CIS systems. Users must not plagiarize works that they find. Teachers will instruct students in appropriate research and citation practices. Users understand that use of the Innovative Arts Academy Charter School's CIS systems may involve the Innovative Arts Academy Charter School's use of plagiarism analysis software being applied to their work.

Selection of Material

Board policies on the selection of materials will govern use of the Innovative Arts Academy Charter School's CIS systems.

When using the Internet for class activities, teachers must select material that is appropriate in light of the age of the students and that is relevant to the course objectives. Teachers must preview the materials and web sites they require or recommend students access to determine the appropriateness of the material contained on or accessed through the web site. Teachers must provide guidelines and lists of resources to assist their students in channeling their research activities effectively and properly. Teachers must assist their students in developing the critical thinking skills necessary to ascertain the truthfulness of information, distinguish fact from opinion, and engage in discussions about controversial issues while demonstrating tolerance and respect for those who hold divergent views.

Innovative Arts Academy Charter School Website

The Innovative Arts Academy Charter School has established and maintains a website and will develop and modify its web pages that will present information about the Innovative Arts Academy Charter School under the direction of the Chief Executive Officer or designee.

Blogging

If an employee, student or guest creates a blog with their own resources and on their own time, the employee, student or guest may not violate the privacy rights of employees and students, may not use Innovative Arts Academy Charter School personal and private information/data, images and copyrighted material in their blog, and may not disrupt the Innovative Arts Academy Charter School.

Conduct otherwise will result in actions further described in this policy and provided in other relevant Board policies.

Safety and Privacy

It is the Innovative Arts Academy Charter School's goal to protect users of the Innovative Arts Academy Charter School's CIS systems from harassment and unwanted or unsolicited electronic communications. Any user who receives threatening or unwelcome electronic communications or inadvertently visits or accesses an inappropriate site shall report such immediately to the Chief Executive Officer or designee. Network users shall not reveal personal information to other users on the network, including chat rooms, email, social networking websites, etc.[3]

Internet safety measures shall effectively address the following:[3][10]

1. Control of access by minors to inappropriate matter on the Internet and World Wide Web.
2. Safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications.
3. Prevention of unauthorized online access by minors, including "hacking" and other unlawful activities.
4. Unauthorized disclosure, use, and dissemination of personal information regarding minors.
5. Restriction of minors' access to materials harmful to them.

If the Innovative Arts Academy Charter School requires that data and information be encrypted, users must use Innovative Arts Academy Charter School authorized encryption to protect their security.

Consequences for Inappropriate, Unauthorized and Illegal Use

General rules for behavior, ethics, and communications apply when using the CIS systems and information, in addition to the stipulations of this policy. Users must be aware that violations of this policy or other policies, or for unlawful use of the CIS systems, may result in loss of CIS access and a variety of other disciplinary actions, including but not limited to, warnings, usage restrictions, loss of privileges, position reassignment, oral or written reprimands, student suspensions, employee suspensions (with or without pay for employees), dismissal, expulsions, and/or legal proceedings on a case-by-case basis. This policy incorporates all other relevant Board policies and Innovative Arts Academy Charter School rules such as, but not limited to, the student and professional employee discipline policies, applicable Code of Student Conduct, copyright, property, curriculum, terroristic threat, vendor access, and harassment policies.

Users are responsible for damages to the network, equipment, electronic communications systems, and software resulting from negligent, deliberate, and willful acts. Users will also be responsible for incidental or unintended damage resulting from willful or deliberate violations of this policy.[\[8\]](#)

Violations as described in this policy may be reported to the Innovative Arts Academy Charter School, appropriate legal authorities, the ISP, local, state, or federal law enforcement and may constitute a crime under state and/or federal law, which may result in arrest and/or criminal prosecution. The Innovative Arts Academy Charter School will cooperate to the extent legally required with authorities in all such investigations.

Vandalism will result in cancellation of access to the Innovative Arts Academy Charter School's CIS systems and resources and is subject to discipline.

Legal

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| 1. 9 U.S.C. 2256 | 2. 20 U.S.C. 6777 | 3. 47 U.S.C. 254 |
| 4. 18 Pa. C.S.A. 6312 | 5. 24 P.S. 4603 | 6. 18 Pa. C.S.A. 5903 |
| 7. 18 U.S.C. 2246 | 8. 24 P.S. 4604 | 9. 24 P.S. 4610 |
| 10. 47 CFR 54.520 | 11. 24 P.S. 1303.1-A | 12. 17 U.S.C. 101 et seq |
| 24 P.S. 4601 et seq | | |

8819 Suicide Awareness, Prevention and Response

Adopted 07/24/2019

Revised

Purpose

The Innovative Arts Academy Charter School Board is committed to protecting the health, safety and welfare of its students and school community. This policy supports federal, state and local efforts to provide education on youth suicide awareness and prevention; establish methods of prevention, intervention, and response to suicide or suicide attempt; and to promote access to suicide awareness and prevention resources.

Authority In compliance with state law and regulations, and in support of the Innovative Arts Academy Charter School 's suicide prevention measure, information received in confidence from a student may be revealed to the student's parents/guardians, the Chief Executive Officer, Principal, Assistant Principal, or other appropriate authority when the health, welfare or safety of the students or any other person is deemed to be at risk.

Definitions

Qualified Mental Health Provider or Other Medical Professional – this term shall mean a physician, licensed psychologist, psychiatrist or other professional who is qualified to make a determination as to whether a student is at-risk for suicide. A “qualified mental health provider or other medical professional” shall not be interpreted to include a school employee.

Emotional or Mental Health Safety Plan – this term shall mean a plan, put in place by the Innovative Arts Academy Charter School for all students deemed by a qualified mental health provider or other medical professional, which is reasonably calculated to prevent self-harm by such student during school, on school grounds, and/or at school events.

Guidelines

The Innovative Arts Academy Charter School shall utilize a multifaceted approach to suicide prevention which integrates school and community-based supports.

The Innovative Arts Academy Charter School shall notify its employees, students and parents/guardians of this policy and shall post the policy on the Innovative Arts Academy Charter School 's website.

Suicide Awareness and Prevention Education

Protocols for Administration of Special Education Students shall receive age-appropriate education on the importance of safe and healthy choices, coping strategies, how to recognize the risk factors and warning signs, as well as help-seeking strategies for others including how to engage school resources and refer friends for help. Such education shall be provided to all students.

Lessons shall contain information on comprehensive health and wellness, including emotional, behavioral, and social skills development.

Protocols for Administration of Employee Education

All Innovative Arts Academy Charter School employees, but not limited to office staff, administrators, coaches, bus drivers, custodians and cafeteria workers, shall receive information regarding risk factors, warning signs, response procedures, referrals, and resources regarding youth suicide prevention.

As part of the Innovative Arts Academy Charter School 's professional development plan, professional educators shall participate in four (4) hours of youth suicide awareness and prevention training every five (5) years with a minimum of one (1) hour training on an annual basis.

Resources for Parents/Guardians

The Innovative Arts Academy Charter School may provide parents/guardians with resources including characteristics and warning signs; and information about local behavioral/mental health resources.

Methods of Prevention

The methods of prevention utilized by the Innovative Arts Academy Charter School include but are not limited to, early identification and support for students at risk; education for students, staff and parents/guardians; and delegation of responsibility for planning and coordination of suicide prevention efforts.

Suicide Prevention Coordinator An Innovative Arts Academy Charter School Suicide Prevention Coordinator shall be designated by the Chief Executive Officer. This may be an existing Innovative Arts Academy Charter School employee. The Innovative Arts Academy Charter School Suicide Prevention Coordinator shall be responsible for the planning and implementation of this policy.

Early Identification Procedures

Early identification of individuals with one (1) or more suicidal risk factors or of individuals exhibiting warning signs is crucial to the Innovative Arts Academy Charter School 's suicide prevention efforts. As part of the training programs in grades 5-8 and for staff members, as set forth herein, training will include a discussion of risk factors related to an increased risk of suicide.

Warning signs are indications that someone may be in danger of suicide, either immediately or in the near future.

Warning signs include, but are not limited to:

Behavioral Health Issues/Disorders:

- Depression
- Substance abuse or dependence
- Previous suicide attempts
- Self injury

Personal Characteristics:

- Hopelessness/Low self-esteem
- Loneliness/Social alienation/isolation/lack of belonging
- Poor problem-solving or coping skills
- Impulsivity/Risk-taking/recklessness.

Adverse/Stressful Life Circumstances:

- Interpersonal difficulties or losses
- Disciplinary or legal problems
- Bullying (victim or perpetrator)
- School or work issues
- Physical, sexual or psychological abuse
- Exposure to peer suicide

Family Characteristics:

- Family history of suicide or suicidal behavior
- Family mental health problems
- Divorce/Death of parent/guardian
- Parental-Child relationship

Referral procedures

Any Innovative Arts Academy Charter School employee who has identified a student who exhibits one or more of the warning signs, or who otherwise suspects that a student may be contemplating suicide, shall refer the student to his or her guidance counselor and/or the Student Assistance Program coordinator.

Documentation

The Innovative Arts Academy Charter School shall document the reasons for referral, including specific warning signs and risk factors identified as indicators that the student may be at risk.

Methods of Intervention

The methods of intervention utilized by the Innovative Arts Academy Charter School include, but are not limited to, responding to suicide threats, suicide attempts in school, suicide attempts outside of school, and student suicide.

Procedures for Students at Risk

Parents/guardians of a student identified as potentially being at risk of suicide shall be notified by the student's guidance counselor or suicide prevention coordinator, who shall identify types of mental health service providers to whom the student can be referred for further assessment and procedures. Such mental health service providers may include but are not limited to, hospital emergency departments, psychiatric hospitals, community mental health centers, psychiatrists, psychologists, and social workers.

Parents/guardians shall be strongly encouraged to notify the Innovative Arts Academy Charter School of the outcome of such assessment in the event that the student is deemed to be at risk

of suicide or self-harm. The guidance counselor should emphasize to the parent/guardian that such communication is necessary in order to help ensure the student's safety while at school.

Where the Innovative Arts Academy Charter School receives information that a student has been deemed to be at risk of suicide by a qualified mental health professional or other provider, the guidance counselor, in conjunction with the SAP team, where possible, and in communication with the principal and nurses and any other individual whom the counselor deems necessary, shall be responsible for overseeing the development of an emotional or mental health safety plan, as defined, above, for the student, addressing the potential need for increased oversight and supervision of the student during school, on school grounds, and at school events, as well as notification of staff members, as deemed appropriate. It is important for the guidance counselor, school administrator, and nurses to ensure that parents understand that this plan is not a substitute for continued intervention and support by a qualified professional and is designed to prevent self-harm in school settings.

If an Innovative Arts Academy Charter School employee suspects that the student's potential risk status is the result of abuse or neglect, Innovative Arts Academy Charter School staff shall immediately notify Children and Youth Services, as required by the Child Protective Services Law.

Students With Disabilities For students with disabilities who are identified as being at risk for suicide or who have attempted suicide, the appropriate team (IEP team for IDEA-eligible students, and Section 504 Team for Section 504-eligible students) shall be notified and shall address the student's needs in accordance with applicable law, regulations and Board policy.

If a student is identified as being at risk for suicide or attempts suicide and the student may require special education services or accommodations, the Director of Special Education shall be immediately notified and shall take action to address the student's needs in accordance with applicable law, regulations and Board policy, which may include reconvening the IEP or Section 504 Team to discuss any necessary modifications to the student's IEP or Section 504 plan.

Re-entry Procedures

A student's excusal from school attendance after a mental health crisis and the student's return to school shall be consistent with state and federal laws and regulations.

A team of Innovative Arts Academy Charter School employed staff members shall meet with the parents/guardians of a student returning to school after a mental health crisis, and, if appropriate, meet with the student to discuss re-entry and applicable next steps to ensure the student's readiness to return to school. The team shall be drawn from at least two of the following: psychologist, guidance counselor, principal, and/or assistant principal.

When authorized by the student's parent/guardian, a designated Innovative Arts Academy Charter School employee shall coordinate with the appropriate outside mental health care providers.

The designated Innovative Arts Academy Charter School employee will periodically check in, as needed, with the student to facilitate the transition back into the school community and address any concerns.

A Section 504 evaluation to determine eligibility under Section 504 should be considered for all students returning to Innovative Arts Academy Charter School after a mental health crisis.

Report Procedures

Effective documentation assists in preserving the safety of the student and ensuring communication among school staff, parents/guardians, and mental health service providers.

As stated in this policy, Innovative Arts Academy Charter School employees shall be responsible for effective documentation of incidents involving suicide prevention, intervention and response.

The suicide prevention coordinator shall provide the Chief Executive Officer with a copy of all reports and documentation regarding the at-risk student. Information and reports shall be shared with Innovative Arts Academy Charter School employees, as appropriate, including the guidance counselor, school psychologist, nurses, teachers, and other school personnel, as deemed necessary/appropriate.

Suicide Awareness and Prevention Resources

A listing of resources regarding suicide awareness and prevention shall be maintained by the administrative offices of the Innovative Arts Academy Charter School.

Legal

24 P.S. 1526

22 PA Code 12.12