MEMORANDUM OF UNDERSTANDING

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BETWEEN

ABINGTON SCHOOL DISTRICT, CHELTENHAM SCHOOL DISTRICT, HATBORO-HORSHAM SCHOOL DISTRICT, JENKINTOWN SCHOOL DISTRICT, LOWER MORELAND TOWNSHIP SCHOOL DISTRICT, BRYN ATHYN BOROUGH SCHOOL DISTRICT, SCHOOL DISTRICT OF SPRINGFIELD TOWNSHIP, SCHOOL DISTRICT OF UPPER DUBLIN AND SCHOOL DISTRICT OF UPPER MORELAND TOWNSHIP ("SENDING SCHOOL DISTRICTS")

and

EASTERN CENTER FOR ARTS AND TECHNOLOGY (EASTERN)

_____
(Date)

I. Introduction

A. The Sending School Districts have been operating under Articles of Jointure dated July 1, 1991 which provide for operation of EASTERN.

B. The parties seek to foster a relationship of cooperation and mutual support and to maintain a safe school environment.

II. Joint Statement of Concern

A. The Sending School Districts recognize that EASTERN programs are an extension of the high school programs offered through the Sending School Districts. Any exclusion or expulsion of a student from either EASTERN or the Sending School Districts therefore affects the student's entire school program.

B. Absent extenuating circumstances, a student who is expelled from one of the Sending School Districts should be regarded as expelled from EASTERN and not be permitted to attend EASTERN for the duration of the expulsion.

III. Definition

"Expulsion" means exclusion from attending school for a period in excess of ten school days.

"Alternate placement" means a placement of a student by a Sending School District resulting from the student's violation of the Sending School District's disciplinary policies and/or student codes of conduct.

IV. Exclusions from EASTERN for Offenses Committed While Participating in EASTERN's Programs or Activities

A. Should a student commit a violation of EASTERN's disciplinary policies and/or student codes of conduct while under EASTERN's jurisdiction which may merit expulsion from EASTERN as determined by the Director, the offense will be referred to the Sending School District Superintendent for the District in which the student resides.

B. The Director and other administrators of EASTERN will cooperate with the administration and Board of School Directors of the Sending School District in order to coordinate an informal hearing procedure, conduct an investigation, secure written statements and anecdotal records substantiating the charges, and provide information and notification requirements for a formal hearing for expulsion proceedings in accordance with the Pennsylvania School Code. The formal hearing for expulsion will be conducted by the Board of the Sending School District.

C. The Director and other administrators or employees of EASTERN will be available as witnesses in any formal hearing conducted by the Sending School District or its Board in the same manner as if EASTERN had been a separate school building within that District. The results of any expulsion decisions made by the Sending School District will be applied and enforced by EASTERN as if they had been done by the administration and Joint Committee of EASTERN.

D. The jurisdiction for any expulsion decision which affects a student at EASTERN resides with the Sending School District Superintendent and Board of School Directors of the Sending School District under whose auspices the student attends EASTERN.

E. An exception to the above policy shall require approval of both the Sending School District's School Board and the Joint Operating Committee.

F. Irrespective of anything stated above, EASTERN will at all times act in compliance with all federal and state laws regarding the rights of students with disabilities.

V. Exclusions from EASTERN for Offenses Not Committed While Participating in EASTERN's Programs or Activities

A. If a student is expelled by the student's Sending School District or assigned to an alternate placement for an offense which EASTERN regards as a Level IV infraction pursuant to Exhibit "A", then the student shall be deemed to be excluded from attendance at EASTERN under the same terms and for the same period as determined by the Sending School District.

B. If a student withdraws from a Sending School District in lieu of being expelled for an offense which EASTERN regards as a Level IV infraction pursuant to Exhibit "A", then the student may not be permitted to attend EASTERN for whatever period of time the student is precluded from attending school in the Sending School District.

C. An exception to the above policy shall require approval of both the Sending School District's School Board and the Joint Operating Committee.

VI. Compliance with Laws Protecting Students with Disabilities

Irrespective of anything stated above, EASTERN will at all times act in compliance with all federal and state laws regarding the rights of students with disabilities.

AND NOW, this ___ day of _____, 2015, the parties hereby acknowledge the foregoing as the terms and conditions of their understanding.

EASTERN Center for Arts and Technology

Thomas Allen
Director

ABINGTON SCHOOL DISTRICT

Amy L. Nickell
Superintendent

BRYN ATHYN BOROUGH SCHOOL DISTRICT

_____
Superintendent

HATBORO-HORSHAM SCHOOL DISTRICT

Curtis T. Dauffenbach
Superintendent

LOWER MORELAND TOWNSHIP SCHOOL DISTRICT

Superintendent

SCHOOL DISTRICT OF CHELTENHAM TOWNSHIP

Superintendent

SCHOOL DISTRICT OF JENKINTOWN

Superintendent

SCHOOL DISTRICT OF SPRINGFIELD TOWNSHIP

Superintendent

SCHOOL DISTRICT OF UPPER DUBLIN

Superintendent

SCHOOL DISTRICT OF UPPER MORELAND TOWNSHIP

Superintendent

Exhibit A – Reprinted from Procedures Accompanying Policy Number: C118

Major Breaches of Conduct/Level IV Infractions

Requiring the Upper Moreland Police and the referral and coordination of consequences with the participating high school administration

Consequence	Behavior	Definition
10-45 Days suspension and recommendation for expulsion hearing	Possessing or setting off explosive devices; possessing dangerous weapons	Possession, exchange, sale, or setting off explosive devices. Possession of dangerous weapons.
10-45 Days suspension and recommendation for expulsion hearing	Robbery, stealing, major vandalism	Engaging in behavior leading to the damage and/or destruction of school personal property. Restitution must be made in all acts of vandalism.
10-45 Days suspension and recommendation for expulsion hearing	Terroristic threats, criminal activity	A threat to commit violence communicated with the intent to terrorize another, to cause evacuation of a building, or to cause serious public inconvenience, in reckless disregard of the risk of causing such terror or inconvenience to property or an individual(s).
10-45 Days suspension and recommendation for expulsion hearing	Committing arson, setting off a false alarm	Deliberately setting off a fire in the building, school campus, or school bus
10-45 Days suspension and recommendation for expulsion hearing	Possession of drug paraphernalia	Having possession of items considered drug paraphernalia
10-45 Days suspension and recommendation for expulsion hearing	Violation of substance abuse board policy	Possession, use or abuse of any controlled substance, including alcohol